

**MINUTES OF BOARD OF COMMISSIONERS  
WORK SESSION AND REGULAR MEETING  
NOVEMBER 12, 2014**

The Work Session of the Board of Commissioners of the Borough of West Cape May was called to order by Mayor Kaithern at 7:00 PM. The Open Public Meetings Statement was read by the Mayor who then led those present in the flag salute. Mayor Pamela Kaithern, Deputy Mayor Peter Burke and Commissioner Carol Sabo answered roll call. Also in attendance: Borough Clerk Elaine Wallace, Engineer Ray Roberts, and Solicitor Frank Corrado.

**WORK SESSION**

**ENGINEER'S REPORT:** Ray Roberts reviewed his report for November 2014.

**OLD BUSINESS:**

NFIP Community Rating System: Mayor Kaithern reported on the recent meeting between the Borough, FEMA and NJDEP. The Borough's floodplain manager is waiting for a list from FEMA before the next step in the process can begin.

Land Conveyance – Estate of Elizabeth Allison Smith: Nothing new at this time.

Consideration of Tree Regulations: Frank Corrado investigated and found the draft ordinance has not been tested in court. Mr. Corrado will draft an ordinance as a starting point. Meanwhile, the Shade Tree Commission will have to look into having an inventory of significant trees compiled.

**NEW BUSINESS:**

Zoning Regulation Questions/Clarifications: Zoning Officer Norman Roach joined the board to discuss several zoning matters. He asked for clarification on whether steps are permitted in the setbacks. The code is silent on the matter and Mr. Roach is currently interpreting that to mean they are not permitted in the setback area. The commissioners would like the planning board to give input on this matter. He also had a question on whether awnings should be counted toward lot coverage. Because they are temporary, they are not included in lot coverage. The code also has no regulations on trellises and arbors. Mr. Roach treats them the same as a fence for installation purposes, but he asked that some regulation be drafted as to height and placement. Again, the commission would like input from the planning board on this matter. Lastly, Mr. Roach expressed concern that requiring a Certificate of Appropriateness for sheds constructed in the historic district could be a financial burden because of the advertising and noticing costs. The board asked the Clerk to write the Historic Preservation Commission to determine its feelings on the matter. Mr. Roach left at 7:49 pm.

Restricted Handicapped Parking on Pearl Street: The Board reviewed the history of the restricted space at 121 Pearl Street. The Borough Clerk reported the property owner provided a current handicapped placard and ID card, but they were not in the

same name as the person for whom the original space was reserved. Also, the individual's ID was from Pennsylvania, a different address than that on the tax records, which lead the board to believe the person's residence is in Pennsylvania, not West Cape May. Pearl Street residents John and Joan Hunter and James and Nancy Iapalucci were present and spoke against the reserved parking space. Solicitor Corrado explained the statute is intended to provide parking in front of an individual residence. They cited the extremely limited parking on that street and the fact the property is used as a vacation home, not a primary residence, as the main reasons for their objections. The board considered making the space a general handicapped space but, after more consideration, decided to eliminate the handicapped space completely. The Borough Clerk will notify the property owner of the Borough's intention.

One-day Peddler License: This is usually only an issue during the Christmas parade and after some discussion, the Board determined it wasn't practical to create a one-day peddler license for this purpose. Solicitor Corrado suggested the Borough get indemnification agreements signed by anyone that peddles during the parade.

Mayor Kaithern reviewed the consent agenda items and removed Resolution 159-14 because a closed session was unnecessary. The work session concluded at 8:15 PM and regular portion convened at 8:18 PM.

**CONSENT AGENDA:** On motion of Commissioner Sabo, seconded by Deputy Mayor Burke, the following Consent Agenda was unanimously approved on roll call.

Minutes: October 22, 2014 Work Session and Regular Meeting  
October 22, 2014 Closed Session

Ordinances for Introduction and Publication: None

Resolutions:

155-14 Refund of Unexpended Escrow – Russell Chew

156-14 Special Event Permits for Cape May Film Society

157-14 Resolution Authorizing Appropriation Transfers during Last Two Months of the Fiscal Year

158-14 Bill Payment

**NON-CONSENT AGENDA:**

**ORDINANCES FOR SECOND READING AND PUBLIC HEARING:**

489-14 Noise Ordinance of the Borough of West Cape May

Mayor Kaithern opened a public hearing on the above referenced ordinance. When no one wished to speak Deputy Mayor Burke made a motion, seconded by Commissioner Sabo, to close the public hearing and adopt Ordinance 489-14. The motion was carried unanimously on roll call vote.

#### COMMISSIONERS REPORTS:

Commissioner Sabo reported the new fire truck has been ordered from KME through the H-GAC and it was under budget. Ms. Sabo announced the Environmental Commission, in conjunction with Cape May and Cape May Point Environmental Commissions, is hosting a Bee seminar on Wednesday, November 19<sup>th</sup> from 10am-11am. Also, the EC will be hosting a series of lectures and movie nights this winter.

Deputy Mayor Burke announced he has requested Public Works to order more “No Parking” signs for the Park Boulevard bike path between the entrance to the shopping center parking lot and the Leaming/Elmira intersection. That area does not have signs and several tickets were issued during the Lima Bean Festival. Mr. Burke also announced there will be a tree lighting ceremony in Wilbraham Park on Saturday, November 29<sup>th</sup> which will include free hot chocolate to the public.

Mayor Kaithern encouraged anyone interested in participating in the Christmas Parade to submit their applications. She also encouraged everyone to attend the final fundraiser being held Sunday, November 23<sup>rd</sup>. Attendance at some of the earlier fundraisers was light compared to last year and the parade is funded solely through donations from the public and the fundraisers.

**PUBLIC PORTION:** No one from the public wished to speak.

When no one else wished to speak, the meeting was adjourned at 8:29 PM on motion of Commissioner Sabo, seconded by Deputy Mayor Burke.

Respectfully submitted,

Elaine L. Wallace  
Borough Clerk