

**MINUTES OF BOARD OF COMMISSIONERS
WORK SESSION AND REGULAR MEETING
December 9, 2015**

The Work Session of the Board of Commissioners of the Borough of West Cape May was called to order by Mayor Kaithern at 7:02 PM. The Open Public Meetings Statement was read by Mayor Kaithern who then led those present in the flag salute. Mayor Kaithern, Deputy Mayor Peter Burke and Commissioner Carol Sabo answered roll call. Also in attendance: Clerk Elaine Wallace, Deputy Clerk Theresa Enteado, Engineer Ray Roberts, and Acting Solicitor Chris Gillin-Schwartz.

WORK SESSION

ENGINEER'S REPORT: Ray Roberts reviewed his December report (attached).

OLD BUSINESS

NFIP Community Rating System: Nothing new to report at this time.

Pam – get Don's attention see where we stand; call him

Tree Preservation Ordinance – Survey and Implementation: This topic was removed from discussion.

Police Recommendation to Prohibit Parking on One Side of Stevens Street: Engineer Roberts reviewed this during his monthly report. He found the Borough would have to make road improvements on Stevens Street if it wished to accommodate parking on one side of the street. He suggested the Borough contact the Police Department to get a record of accidents on the street.

Glysohate Usage: Commissioner Sabo is still waiting for information.

NEW BUSINESS

Hardship Street Opening Request – 6 Landis Avenue: South Jersey Gas submitted a street opening application, which was rejected because Landis is under a 5 year moratorium. Carolyn Heys attended the meeting to request a hardship waiver to allow her to connect to gas service. After listening to Ms. Heys and considering the facts, the Board agreed to grant a hardship variance. Action will be taken at the next meeting.

Commissioner Meeting Schedule and Holidays for 2016: The Board discussed and approved the 2016 meeting schedule. The 2016 holiday schedule will be further discussed at the next meeting.

The work session was adjourned at 7:35 PM and the regular meeting convened at 7:44 PM.

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

Minutes: November 25, 2015 Work Session and Regular Meeting
November 25, 2015 Closed Session

Ordinances for Introduction and Publication: None

Resolutions:

- 169-15 Water Adjustment for Catastrophic Leak – Block 72, Lot 2.17
- 170-15 Application for 2017 Drug Enforcement and Demand Reduction (DEDR) Grant
- 171-15 Authorizing an Interlocal Services Agreement for Police Services and a Lease Agreement with the City of Cape May
- 172-15 Urging NJ Mayors to Provide Leadership in Ending Human Trafficking at the Local Level
- 173-15 Insertion of Special Item of Revenue Pursuant to N.J.S.A. 40A:4-87, Chapter 159 – Small Cities CDBG \$125,000
- 174-15 Insertion of Special Item of Revenue Pursuant to N.J.S.A. 40A:4-87, Chapter 159 – NJDOT Municipal Aid \$175,000
- 175-15 Bill Payment
- 176-15 Scheduling of Closed Session: Negotiations – Water Allocation Agreement; Pending/Potential Litigation – Trash Contract, Affordable Housing

NON-CONSENT AGENDA:

Ordinance for Second Reading: None

COMMISSIONERS REPORTS:

Commissioner Sabo thanked Mayor Kaithern and Borough staff for all their efforts on a well-organized and presented parade. A great time was had by all.

Deputy Mayor Burke reiterated Ms. Sabo's comments about the parade. He also reminded everyone the next blood drive is scheduled for Thursday, January 28, 2016.

Mayor Kaithern announced a special school board election will be held on January 26, 2016. The purpose is to approve a bond referendum to allow repairs and improvements to the high school and junior high buildings. As someone who is the schools often, she can attest to the need for improvements to the windows, roofs, and electrical systems, among other areas.

PUBLIC PORTION:

Gene Cathrall, 837 Broadway, asked for clarification on several items related to zoning regulations. First, he was concerned that he received conflicting information on whether roof overhangs are permitted in the setbacks. They Mayor told him they

were not, but the Zoning Office said he doesn't count that. He was also worried that the R-1 regulations say the minimum side yard setback is 6' with an aggregate of at least 16'. The Zoning Officer informed Mr. Cathrall that if a property doesn't meet the 6' setback on one side, he still allows them to only have 10' on the other side. Mr. Cathrall felt this directly conflicts with Borough's code. Lastly, he was concerned that there is a lack of enforcement when someone does work that is not in compliance with the approvals they were given. In particular, there is a property on Leaming Avenue that was given certain approvals by the Historic Preservation Commission and the Zoning Officer, but the work being done is not in compliance with those approvals. He has raised concerns, but no one seems to be willing to take action to stop it from continuing. He suggested the Borough consider requiring as-built drawings when a permit is issued and another before a Certificate of Occupancy is issued. Mayor Kaithern advised Mr. Cathrall the zoning officer and construction official have spoken about the matter on Leaming and are planning to do an inspection of the property together. She also assured him the Borough will be working on his concerns, the Board agreeing there needs to not only be consistency, but everything must comply with zoning regulations. Engineer Roberts clarified that if something isn't specifically permitted in the zoning code, then it is prohibited. Mr. Cathrall thanked the Commissioners for their time and expressed his appreciation for the work they do.

When no one else wished to speak, the meeting was recessed into closed session at 8:12 PM and reconvened at 8:43 PM on motion of Commissioner Sabo, seconded by Deputy Mayor Burke.

The meeting was adjourned at 8:44 PM on motion of Deputy Mayor Burke, seconded by Commissioner Sabo.

Respectfully submitted,

Elaine L. Wallace, RMC, CMR
Municipal Clerk