

**MINUTES OF BOARD OF COMMISSIONERS
WORK SESSION AND REGULAR MEETING
FEBRUARY 25, 2015**

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

WORK SESSION

OLD BUSINESS

NFIP community Rating System: Clerk Wallace reported FEMA provided the compliance list, which she forwarded to the Floodplain Manager for review and action.

Consideration of Tree Regulations: The Shade Tree Commission approved the most recent draft and the ordinance has been listed for introduction.

No Parking Zone and Other Improvements at Elementary School: Solicitor Corrado redrafted the ordinance to include the Borough Engineer's comments regarding the no parking areas, street markings and signage. The ordinance has been listed for introduction.

Food Trucks: The Board reviewed the Solicitor's draft ordinance regulating hawking and peddling during Borough sponsored and sanctioned events. The solicitor will make revision and have the ordinance ready for introduction at the next meeting.

State Motor Vehicle Code: Frank Corrado explained the Borough does not have the authority to regulate vehicle equipment.

NEW BUSINESS:

Review of HPC's Solar Panel Guidelines: The Board reviewed the draft provided by the Historic Preservation Commission. Solicitor Corrado approved the form of the ordinance and it was added to the consent agenda for introduction.

Street Opening Request: Brian Sullivan, John Sacher, and Mitchel Nichols joined the board to request a hardship exception street opening permit on Park Boulevard which is currently under a 5-year moratorium. The various options for dealing with the water and sewer connections to the two parcels in question were discussed. The Board agreed that installing the services properly from the start would be the best solution. The Solicitor will prepare a resolution for the next meeting authorizing

the hardship exception, then the owner will have to submit the usual street opening paperwork and follow all pertinent regulations.

JIF-proposed Transitional Duty Policy: The JIF drafted a new transitional duty policy and asked the members to adopt it. Elaine Wallace verified with the Borough's Risk Management Consultant that the Borough is not required to adopt the policy and that its existing transitional duty policy is acceptable.

Chaining and Tethering of Dogs: Commissioner Sabo asked if the Borough could amend its chaining and tethering ordinance to be stricter and prohibit leaving dogs outside in freezing weather without shelter. Solicitor Corrado will review the State Statutes and Ms. Sabo will do some research with animal organizations.

New County OEM Regulations: Emergency Management Coordinator Dan Rutherford reported on a recent meeting with the County OEM. Among other things, the meeting introduced a new initiative that will change the current system to an electronic system which will require the Borough to convert all its databased and to renew its Emergency Operating Plan every three years. Mr. Rutherford commended the West Cape May Elementary School for their emergency plan and practice exercises. Lastly, he thanked everyone who worked on the successful Hazard Mitigation Initiative Grant application which will provide \$75,000 toward the purchase of new generators at Borough Hall and the Fire Hall. The Borough will budget for any costs that exceed the grant amount.

The work session concluded and the regular meeting convened at 7:47 PM.

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

Minutes: February 11, 2015 Regular Meeting
February 11, 2015 Closed Session

Ordinances for Introduction and Publication:

- 493-15 An Ordinance Amending Chapter 7 Traffic Section 7-7.6 (Parking Prohibited at All Times on Certain Streets) of the Revised General Ordinances of the Borough of West Cape May, and Further Regulating Parking and Traffic in the Vicinity of the West Cape May Elementary School
Second Reading and Public Hearing March 11th
- 494-15 An Ordinance Regulating the Removal of Trees and Shrubs on Public and Private Property in the Borough of West Cape May
Second Reading and Public Hearing March 25th
- 495-15 Approving Amended Historic Preservation Commission Guidelines
Second Reading and Public Hearing March 11th

Resolutions:

- 46-15 Refund of Unexpended Escrow – The Depot Travel Park
- 47-15 Authorizing the Mayor to Sign Sub-Grant Agreement for Hazard Mitigation Grant Program for New Generators
- 48-15 Bill Payment
- 49-15 Scheduling of Closed Session – Pending Litigation: Willow Creek

NON-CONSENT AGENDA:

ORDINANCES FOR SECOND READING AND PUBLIC HEARING:

- 492-15 An Ordinance Amending the West Cape May Zoning Ordinance to Modify the Requirements for Certificates of Appropriateness in the Historic District

Deputy Mayor Burke made a motion, seconded by Commissioner Sabo, and passed unanimously on roll call vote to correct a typographical error in the ordinance to read sheds less than 120 square feet rather than 1200 square feet. The Mayor then opened a public hearing on the ordinance.

Tom Douglas, 706 Broadway, expressed his concern that sheds under a certain size are not required to be placed on a concrete pad. If a shed is not on a concrete pad, it must be at least 12-15” off the ground which allows a space for skunks and other wildlife to congregate. Skunks are especially troublesome during the early spring. Mayor Kaithern thanked Mr. Douglas for his input, but the ordinance under consideration addresses a different matter.

After everyone who wished to speak had been heard, Commissioner Sabo made a motion to close the public hearing and adopt Ordinance 492-15 as amended. Deputy Mayor Burke seconded the motion which was carried unanimously on roll call vote.

COMMISSIONERS REPORTS:

Commissioner Sabo had no report.

Deputy Mayor Burke thanked public works for the job they did plowing the streets during the recent snow.

Mayor Kaithern had no report.

PUBLIC PORTION:

Tom Douglas, 706 Broadway, asked if the introduced Shade Tree ordinance could incorporate an inventory of trees. Solicitor Corrado advised the ordinance already includes a provision for an inventory. The Shade Tree Commission is having an inventory prepared.

When no one else wished to speak, the meeting was recessed into closed session at 8:06 pm and reconvened at 8:21 pm on motion of Deputy Mayor Burke, seconded by Commissioner Sabo.

There being no further business, the meeting was adjourned at 8:22 PM on motion of Deputy Mayor Burke, seconded by Commissioner Sabo.

Respectfully submitted,

Elaine L. Wallace, RMC
Borough Clerk