

**MINUTES OF BOARD OF COMMISSIONERS  
WORK SESSION AND REGULAR MEETING  
SEPTEMBER 24, 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, Deputy Clerk Dianne Rutherford, Solicitor Frank Corrado and special counsel Charles Austermuhl.

Mayor Kaithern asked that the order of business be changed to accommodate the Borough's special counsel.

Resolution 145-14 Scheduling of Closed Session – Pending Litigation: Willow Creek, Cox cases, and LCMRHS referendum

On motion of Deputy Mayor Burke, seconded by Commissioner Sabo, the above referenced resolution was adopted unanimously on roll call vote.

The meeting was recessed into closed session at 7:03 PM and reconvened at 8:51 PM on motion of Commissioner Sabo, seconded by Deputy Mayor Burke.

**WORK SESSION**

**OLD BUSINESS:**

NFIP Community Rating System: Clerk Wallace is waiting for word from Gary Playford, Floodplain Manager for the Borough, and FEMA/NJDEP as to when the next meeting will be.

Foreclosure on COAH Accessory Apartment Property: Solicitor Corrado filed an answer to the suit asserting the Borough's position. The Borough must wait for the suit to take its course.

Land Conveyance – Estate of Elizabeth Allison Smith: The matter is in the lienholder's hands. Mr. Corrado has a list of borough-held tax liens and will review them to determine if the Borough should pursue in rem foreclosures.

Noise Ordinance: Solicitor Corrado recommended the Board adopt the DEP sample ordinance. There are few sections that are optional and he'd like the commissioners to review them and be ready to discuss them at the next meeting.

Pedestrian Street Crossing Signs: Deputy Mayor Burke commented on a street crossing sign that has been put up recently on Broadway, but not by the Borough. He has asked the Public Works Supervisor to put additional signs at Central, Leaming and Fourth.

**NEW BUSINESS:**

Best Practices Inventory: Clerk Wallace reviewed the inventory questionnaire with the Board of Commissioners. The Borough received 41 points out of 50, which qualifies the Borough for 100% of its remaining state aid funds.

Request for Waiver of Conditions on Street Opening Permit – 419 West Perry Street: The Board has delayed discussion until the next meeting so the Borough Engineer can be present.

Mayor Kaithern reviewed the consent agenda items. The work session concluded at 9:03 PM and regular portion convened at 9:06 PM.

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

Minutes: September 10, 2014 Work Session and Regular Meeting  
September 10, 2014 Closed Session

Ordinances for Introduction and Publication: None

Resolutions:  
144-14 Bill Payment

Application:  
ABC Catering Permit for Cape Island Beach Operator, LLC (d/b/a Rusty Nail Restaurant) for Beach Plum Farm Fall Festival Events to be held Saturdays between the hours of 11 am and 5 pm on the following dates: October 11, 18, 25, and November 1, 2014.

**NON-CONSENT AGENDA:**  
ORDINANCES FOR SECOND READING AND PUBLIC HEARING: None

CLERK'S STATEMENT REGARDING CERTIFICATE OF DETERMINATION AND AWARD OF BOND ANTICIPATION NOTES: Borough Wallace announced two bids were received for BAN 2014-1 in the amount of \$3,500,000 and maturing on September 25, 2015. The winning bid was PNC Bank at an interest rate of .66% per annum.

COMMISSIONERS REPORTS:  
Commissioner Sabo reported the Borough is awaiting a signed contract from H-GAC and then the VFC can proceed with ordering the new fire truck.

Deputy Mayor Burke announced the latest round of bricks have been placed in Wilbraham Park. Also, in anticipation of heavy rains over the next 24 hours, Public Works has cleared all the storm drains in the Borough.

Mayor Kaithern had no report.

**PUBLIC PORTION:** No public in attendance

There being no further business, the meeting was adjourned at 9:08 PM on motion of Deputy Mayor Burke, seconded by Commissioner Sabo.

Respectfully submitted,

Elaine L. Wallace  
Borough Clerk