

**MINUTES OF BOARD OF COMMISSIONERS  
WORK SESSION AND REGULAR MEETING  
MAY 13, 2020**

*Zoom Meeting – Web Conference*

*https://zoom.us*

*Meeting ID: 872-0361-6369*

*Password: 662373*

The Work Session of the Board of Commissioners of the Borough of West Cape May was called to order by Mayor Sabo at 4:00pm. The Open Public Meetings Statement was read by Mayor Sabo who then led those present in the flag salute. Mayor Sabo, Deputy Mayor Burke and Commissioner Francis answered roll call. Also in attendance: Municipal Clerk Suzanne Schumann, Solicitor Gillin-Schwartz, Engineer Ray Roberts, Tax Assessor Lou Belasco and Zoning Official Norm Roach.

**ENGINEER’S REPORT**

During the review of the Engineer’s Report, Engineer Roberts indicated that applications are due on July 1<sup>st</sup> for the FY2021 Municipal Aid Program and suggested that the Commissioners decide on a roadway to submit an application for. Deputy Mayor Burke suggested Stevens Street, Engineer Roberts provided a rough estimate of \$400,000 or \$800,000 to reconstruct Stevens Street, depending on the length of the portion of roadway to reconstruct. Engineer Roberts indicated that Stevens Street would be a project to submit to I-Bank for funding, as it would require a larger amount of funding. Engineer Roberts suggested a block of Third Avenue or Second Avenue. Mayor Sabo asked Engineer Roberts to meet with Public Works Manager Greg Basile to inspect various roadways in the Borough to determine which area would be best fit to apply for a grant and to submit a proposal for consideration at the next meeting. Commissioner Francis asked whether the transit grant would be for constructing a new transit facility within the Borough. Engineer Roberts indicated that he would do some research on the grant opportunity.

**WORK SESSION**

**OLD BUSINESS**

**LOSAP:**

No update at this time.

**Burgin Lane (Turning Road Over to Borough):**

Engineer Roberts stated that he is still waiting on the complete package from the developer.

**Low Income Residents:**

No update at this time.

**COVID-19 - Coronavirus Discussion:**

*Review of Ordinance 581-20* included questions regarding tents for outdoor seating. It was discussed that tents would be permitted with the use of panels for wind and inclement weather

only. The Zoning Officer would be responsible for regulating the use of tents under this temporary ordinance.

Chris Hubert, Black Duck Restaurant, thanked the Commissioners for their time and consideration and is hoping the flexibility will help the business make up for lost time.

Deputy Mayor Burke suggested a barrier be required if seating will be permitted in the parking area. Mayor Sabo stated that the Zoning Officer can require same during the site plan review and is sure that the property owner's insurance company would require same. Norm Roach, Zoning Official, asked if a standard barrier should be considered, Solicitor Gillin-Schwartz indicated that it should be left up to the property owner to decide what type of barrier to use and how to place the barrier.

Engineer Roberts confirmed that as this is a temporary Ordinance, it is reviewed by the Zoning Official and will not require involvement of the Construction Office.

Chris Hubert asked if additional seating would be permitted. Mayor Sabo indicated that it would be up to review of the Zoning Officer, but capacity will most likely be limited by the State. Solicitor Gillin-Schwartz indicated that social distancing in restaurants will have to be maintained.

*Review of Resolution 74-20* included Mayor Sabo reviewing the proposed timeline to move forward with business in a safe manner. Norm Roach, Zoning Officer, questioned how capacity will be known and who will be responsible for monitoring the capacity limits. Solicitor Gillin-Schwartz stated that it will be difficult to know and that it will be left to business owners to self-regulate. Solicitor Gillin-Schwartz further stated that violations can be cited. Solicitor Gillin-Schwartz stated that this Resolution has no regulation over campgrounds.

Doug Carnes indicated that a Saturday evening in June may be the only time when capacity of more than 60% would happen. Mr. Carnes questioned the calculation of 60% and difference with house rentals. Solicitor Gillin-Schwartz stated that house rentals are different as they are not sharing common areas and interaction with separate, unknown guests.

Lou Belasco, Tax Assessor, stated that June 1<sup>st</sup> is a Monday and most rentals rent from Saturday to Saturday. It was agreed to amend the Resolution for Short Term Rentals to commence on Saturday, May 30<sup>th</sup>.

*Review of Resolution 75-20*, Mayor Sabo stated that she is hopeful for an extension to the August 1<sup>st</sup> tax payment date.

Borough Hall Schedule – Mayor Sabo stated that employees are working a modified schedule with barriers in place. Mayor Sabo is hoping to be able to have in-person meetings starting again soon. Solicitor Gillin-Schwartz mentioned to consult with JIF relative to any reopening questions.

Deputy Mayor Burke questioned whether yard sales would be permitted. Clerk Schumann stated that no gatherings are permitted, according to Executive Order by the Governor.

## **NEW BUSINESS**

NONE

## **PUBLIC PORTION**

Doug Carnes – appreciated the efforts of the commissioners working with hard times with cash flow during this depressing time.

The Work Session concluded at 5:58pm.

## **REGULAR MEETING**

### **CONSENT AGENDA**

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

### Minutes:

April 22, 2020 - Work Session and Regular Meeting

May 1, 2020 - Special Meeting

### Ordinances for Introduction and Publication:

581-20            Emergency Ordinance Temporarily Amending Section 27 of  
the Borough of West Cape May Code Regarding Outdoor Seating

582-20            Bond Ordinance Providing for Various Capital Improvements in and by the  
Borough of West Cape May in the County of Cape May, New Jersey,  
Appropriating \$1,000,000 therefor and Authorizing the Issuance of \$950,000  
Bonds or Notes of the Borough to Finance Part of the Cost        Thereof

### Resolutions:

71-20        Authorizing the Adoption of “Procedure for Administration and Inspection of Federal  
Aid Highway Projects”

72-20        Insertion of Special Item of Revenue – NJDOT Municipal Aid Grant

73-20        Authorizing the Execution of an Intergovernmental Agreement with the Stockton  
Coastal Research Center for Development of a Watershed Management Plan for  
Borough of West Cape May

74-20        Modifying Short Term Rental Restrictions

75-20        Expressing Support for Assembly Bill No. 3902 and Efforts to Extend the Grace Period  
for Property Tax Payments

76-20        Bill Payment

**NON-CONSENT AGENDA**

Ordinances for Second Reading and Public Hearing:

580-20 An Ordinance Amending Section 27 of the Borough Code Regarding Building Eaves and Gutters and Downspouts

*Mayor Sabo opened the public hearing. When no one wished to speak, the public hearing was closed and Commissioner Francis made a motion, seconded by Deputy Mayor Burke, to adopt Ordinance 580-20. The motion was carried unanimously on roll call vote.*

Resolutions:

NONE

**COMMISSIONER REPORTS**

Commissioner Francis spoke of the History of West Cape May book which is available for purchase through the West Cape May African American Historical Society.

Deputy Mayor Burke mentioned that he is thankful that the Borough's Board and Commissions are also utilizing Zoom to move forward with business.

Mayor Sabo had nothing to report.

**PUBLIC PORTION**

NONE

The meeting was adjourned at 6:07pm on motion of Deputy Mayor Burke, seconded by Commissioner Francis.

Respectfully submitted,

Suzanne M. Schumann, RMC  
Municipal Clerk