

**MINUTES OF BOARD OF COMMISSIONERS
WORK SESSION AND REGULAR MEETING
AUGUST 26, 2020**

The Work Session of the Board of Commissioners of the Borough of West Cape May was called to order by Mayor Sabo at 7:00pm. 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 and Solicitor Gillin-Schwartz.

WORK SESSION
OLD BUSINESS

Low Income Residents:

Commissioner Francis discussed the proposed Resolution which he asked Solicitor Gillin-Schwartz to prepare in support of basic income initiatives. Solicitor Gillin-Schwartz reviewed proposed Resolution and stated that the Resolution supports a group of Mayors across the country, including Newark's Mayor who is currently working in a PILOT program. Mayor Sabo stated that she is still awaiting contact information from Commissioner Francis to continue the discussion on this initiative. This proposed Resolution will be further discussed at a future meeting.

COVID-19 - Coronavirus Discussion:

Mayor Sabo stated that the Borough has scheduled two Board of Health meetings, one for September and one for December. Mayor Sabo also stated that we continue to monitor information given by the County Health Department, State and CDC.

NEW BUSINESS

Resident Request – Tree on McCullough Alley:

Jerry O'Leary, 14 Pacific Avenue, summarized an email and correspondence which he sent to the Board of Commissioners, dated August 19, 2020. Mr. O'Leary requested the Borough remove a hazardous tree on McCullough Alley which neighbors his property and is concerned that if it falls, it will fall on his home. Mr. O'Leary stated that this request was made two years ago, followed up a year later and nothing has been done to date.

Susan Hoffman, Shade Tree Commission Secretary, stated that this matter was reviewed by the Shade Tree Commission in September 2019 when an assessment was provided by Mickey Riggins. Ms. Hoffman mentioned that the Shade Tree Commission never received a formal application or application fee for review of this tree. Mr. O'Leary stated that he contacted Mr. Riggins who does other work for him and requested the assessment be completed. It was stated that the assessment recommended pruning of the tree, not removal. Mr. O'Leary indicated that the tree which was assessed by Mr. Riggins was not the same tree which he is concerned about now.

Clerk Schumann discussed the proper procedure, including application process and application fee, which are required to be completed before the Borough's Shade Tree Commission takes any

action on trees in the Borough, including Alley trees and right-of-way trees. Clerk Schumann also stated that the Borough would not be financially responsible for the removal, as it would be the responsibility of the abutting property owner. Solicitor Gillin-Schwartz summarized Title 40 of the State Statutes, indicating that the Municipality has the authority to designate the abutting property owner with responsibility for maintenance of the right-of-way area, inclusive of Alleys.

Commissioner Francis questioned the procedure of a removal of a tree in an emergency situation. Clerk Schumann responded that the tree can be removed by the Borough with costs incurred back to the property owner and a lien placed on the property if the Borough is not reimbursed.

Mr. O'Leary commented that he believes the hazardous tree which he is concerned about is being compared to cracks in sidewalks and snow removal and does not believe there is a similar comparison. Mr. O'Leary stated that he will submit an application to the Shade Tree Commission for review, but does not believe that he should be responsible for the cost involved with removing the tree.

PUBLIC PORTION

NONE

The Work Session concluded at 7:35pm.

REGULAR MEETING

CONSENT AGENDA

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

Minutes:

August 12, 2020 - Work Session and Regular Meeting

Ordinances for Introduction and Publication:

- | | |
|--------|--|
| 585-20 | An Ordinance Amending Section 27 of the Borough Code Regarding Garage Setbacks |
| 586-20 | An Ordinance Amending Section 27 of the Borough Code Regarding Application of the Residential Site Improvement Standards |
| 587-20 | An Ordinance Amending Section 17 of the Borough Code Regarding Maintenance of Trees within the Right of Way |

Resolutions:

- | | |
|--------|---|
| 115-20 | **TABLED** Authorizing a Revocable License for Encroachment – 750 Park Boulevard; Block 21, Lots 42.01 and 42.02 |
|--------|---|

The Board of Commissioners decided to table Resolution 115-20, as the signed/sealed plans, proof of insurance and hold harmless agreement have not yet been received.

- | | |
|--------|--------------|
| 116-20 | Bill Payment |
|--------|--------------|

NON-CONSENT AGENDA

Ordinances for Second Reading and Public Hearing:

NONE

Resolutions:

NONE

COMMISSIONER REPORTS

Mayor Sabo mentioned that the ballots for the upcoming election will have a referendum regarding LOSAP and hopes that the community will vote in favor of this to support the West Cape May Volunteer Fire Company. Mayor Sabo also mentioned that the Farmers' Market has been extended one more week, for the final date being Tuesday, September 1st and the upcoming Tomato Festival being held at the Borough's Backyard Park on September 5th.

Commissioner Francis had nothing to report.

Deputy Mayor Burke stated that he attended the Borough's Community Shred Day event on Saturday, August 22nd.

PUBLIC PORTION

NONE

The meeting was adjourned at 7:49pm on motion of Commissioner Francis, seconded by Deputy Mayor Burke.

Respectfully submitted,

Suzanne M. Schumann, RMC
Municipal Clerk