

**MINUTES OF BOARD OF COMMISSIONERS
WORK SESSION AND REGULAR MEETING
DECEMBER 9, 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, Solicitor Chris Gillin-Schwartz and Engineer Ray Roberts.

ENGINEER'S REPORT

WORK SESSION

OLD BUSINESS

COVID-19 - Coronavirus Discussion:

Mayor Sabo stated that the Board of Health met earlier and mentioned that there have been seven (7) cases to date in West Cape May. Mayor Sabo continues to follow the guidelines issued by the Cape May County Health Department, the CDC and healthcare professionals.

Commissioner Francis reminded everyone to continue to wash hands, social distance and wear masks. Mr. Francis wishes everyone to stay well and mentioned the vaccine which is on the horizon.

Deputy Mayor Burke mentioned the closing of Borough Hall for two weeks due to an employee who tested positive.

Flooding Concerns at 601/603 Sunset Boulevard:

Engineer Roberts received a response from the County who is not opposed to the Borough tying into the drainage system across Sunset Boulevard. Mr. Roberts indicated that a topographical survey would have to be conducted and provided a proposal for consideration by the Commissioners. Mr. Roberts stated that the alternative, should the connection not be able to be made, would be a different remediation process which would require DEP approval.

Extension to Temporary Outdoor Seating:

Solicitor Gillin-Schwartz reviewed the proposed Ordinance to extend the timeframe for allowing outdoor seating in West Cape May for a period of one additional year. Mr. Gillin-Schwartz stated that the terms of the Ordinance are in conjunction with the Governor's Orders and can expire earlier should the Governor's Orders expire earlier than the extension date.

NEW BUSINESS

Flooding Concerns – Third Avenue:

The Board of Commissioners received correspondence from Gary Hawthorn regarding excessive flooding in the area of Third Avenue.

Fred Fellmeth, 437 Third Avenue, stated that the storm drain had previously been unclogged by the Borough's Public Works Department, but the area became flooded again after the recent storm. Mr. Fellmeth stated that he would like that drainage system to remain open and clear.

Lucille Hawthorn, 433 Third Avenue, mentioned that there have been times where there were ducks floating in the flooded waters in her backyard and stated that her property is the worst property in the area when the flooding occurs.

Engineer Roberts reviewed a map of the wetlands areas in the area and stated that along with a wetland area, this area is affected by the tidal wetland area in close proximity to these properties on Third Avenue. Mr. Roberts explained that when the tide is high there is nowhere for the water to drain to, causing flooding. Mr. Roberts stated that when he inspected the area, he observed that the pipe is draining. Mr. Roberts suggested two possible remediations: (1) increase the size of the drainage pipe, which would then cause flooding issues in other areas or (2) clear any blockages before any storms.

Mr. Roberts stated that the concerns which were recently received regarding State Street are similar in nature as to the causes and the options for remediation. Mr. Roberts further mentioned that the subdivision on State Street meets RSIS criteria for design standards and is in line with requirements for development.

Mr. Roberts stated that it is a complex situation with no easy fix. DEP approvals may be required to mitigate and may cause flooding in other areas as there are capacity limits on where the water drains into the meadows.

Mayor Sabo spoke of the Grading Ordinance which helps, but that the water simply has nowhere to go. Ms. Sabo stated that flooding is a global concern in West Cape May and mitigation may require County and State approvals.

Deputy Mayor Burke mentioned that grading plans are in place to help protect neighbors, but pushes the water to other places. Mr. Burke expressed concerns with the current State administration issuing approvals which were not approved under previous administration.

Commissioner Francis suggested a borough-wide review of drainage. Mayor Sabo reminded Mr. Francis that there is simply no place for the water to go which is the issue.

Engineer Roberts discussed the history of the drainage pipes which were installed over 60 years ago which infrastructure is impossible for all of the water to drain and be soiled into the meadows across Sunset Boulevard.

Mayor Sabo stated that the water could breach the dunes and disrupt the ecosystem.

Lucille Hawthorn questioned whether the water could drain to the nature conservancy to help the wildlife in the dry areas.

Commissioner Francis stated that he would like to help and make necessary infrastructure improvements.

Deputy Mayor Burke stated that there is a lot to consider as flooding affects a lot of property owners.

PUBLIC PORTION

Bob Hickey, 743 Maple Avenue, spoke of flooding in his backyard over the past weekend, believes it may be because of the new construction on the neighboring property on Park Boulevard.

Engineer Roberts stated that he is working with the Borough's Zoning Official for final drainage plans, as there are no approved drainage plans in place. Mr. Roberts stated that a Certificate of Occupancy will not be issued until all plans, including grading, are approved.

The Work Session concluded at 8:19pm.

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:

November 25, 2020 - Work Session and Regular Meeting

Ordinances for Introduction and Publication:

591-20 Emergency Ordinance Extending Temporary Outdoor Seating (581-20)

Resolutions:

148-20 Authorizing Change Order #1 – FY2020 NJDOT Municipal Aid Project –
Reconstruction of Third Avenue (Broadway to Pacific Avenue)

149-20 Authorizing Award of Contract for Solid Waste and Recyclable Materials
Collection Service to Pinelands Construction, LLC

- 150-20 Authorizing Appropriation Transfers During the Last Two (2) Months of the Fiscal Year
- 151-20 Closed Session
- 152-20 Authorizing Professional Engineering Services for Conceptual Design – Bayshore Storm Drainage – Sunset Boulevard to McCullough Alley
- 153-20 Bill Payment

NON-CONSENT AGENDA

Ordinances for Second Reading and Public Hearing:

NONE

Resolutions:

NONE

COMMISSIONER REPORTS

Commissioner Francis mentioned the new members who were recently appointed to the Borough's Environmental Commission. Mr. Francis stated that the Environmental Commission's GreenChip E-Waste Event raised over \$320.00 for their fall event.

Deputy Mayor Burke stated that the Shade Tree Commission's fall tree planting has been completed.

Mayor Sabo mentioned volunteer vacancies on the Borough's Historic Preservation Commission.

PUBLIC PORTION

NONE

The meeting entered into Closed Session at 8:23pm.

The meeting returned to an Open Meeting at 8:35pm.

The meeting was adjourned at 8:37pm on motion of Deputy Mayor Burke, seconded by Commissioner Francis.

Respectfully submitted,

Suzanne M. Schumann, RMC
Municipal Clerk