

**MINUTES OF BOARD OF COMMISSIONERS
WORK SESSION AND REGULAR MEETING
DECEMBER 30, 2020**

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 Chris Gillin-Schwartz and Engineer Ray Roberts.

WORK SESSION
OLD BUSINESS

COVID-19 - Coronavirus Discussion:

Mayor Sabo stated that she has no substantial update but there continues to be a rise in county numbers. Mayor Sabo mentioned that she will continue to monitor the CDC and state guidelines.

Deputy Mayor Burke spoke of a 41-year-old Louisiana man who recently passed away after being diagnosed with COVID.

Commissioner Francis spoke of the precautions which he is taking with his family to stay safe and healthy.

Flooding Concerns at 601/603 Sunset Boulevard:

Engineer Roberts stated that they completed the survey and the preliminary analysis indicated that a connection can be made. Mr. Roberts stated that the DEP could have to be contacted for regulations and guidelines, as they will determine the amount to be drained and/or filled. Mr. Roberts is hopeful that this process will help mitigate the impact to 601 and 603 Sunset Boulevard.

Deputy Mayor Burke would like to see an initiative taken by the Board of Commissioners to appeal the decisions by the DEP in regards to wetland approvals.

Lynn Dudinsky, 601 Sunset Boulevard, stated that the flooding from 603 Sunset Boulevard goes onto his property, leaving much of his yard unusable. Mr. Dudinsky believes that the recent sewer connection on the alley is a partial cause of the flooding. Mr. Dudinsky suggested using permeable pavers to absorb some of the water before it arrives to the low points.

Wayne Hoffman, Shade Tree Commission Chairman, spoke of the trees removed on Second Avenue with no replacement trees being planted, which would help absorb the excess water. Mr. Hoffman stated that the Shade Tree Commission is working on having replacement trees planed close to the Alley, which may help with the water absorption.

Mr. Hoffman further spoke of recent construction on Third Avenue which caused three large trees to die due to excess water in the area.

Deputy Mayor Burke mentioned that the lack of requiring replacement trees was an issue with the prior construction office issuing approvals.

Flooding Concerns – Third Avenue:

Engineer Roberts stated that he met with Dave and Greg who cleared a large amount of stone and marked the water level. Mr. Roberts stated that after the clearing, the flooding in the yards reduced significantly. Mr. Roberts mentioned that public works will be monitoring and keeping the drainage clean. It was suggested that improvements to the inlet/outlet be considered for a future capital improvement project.

Commissioner Francis inquired about the process of a drainage analysis.

Amendments to Shade Tree Ordinance:

Solicitor Gillin-Schwartz reviewed the proposed Ordinance with the revisions which were discussed at a previous meeting, together with several additional recommendations which were proposed by the Borough's Shade Tree Commission. There was discussion relative to a "three strikes, you're out" rule and Solicitor Gillin-Schwartz stated that he would draft language to include in the Ordinance. The language would include that the strike process would become effective after a guilty plea through the municipal court process. Additionally, it was suggested that the word "shrub" be removed from the Ordinance. It was decided to keep the word shrub and although the Shade Tree Commission does not oversee shrubs, it should still remain as a replacement option for consideration for large removal projects. Additionally, the Shade Tree Commission suggested the implementation of a Tree Bank. The Tree Bank would be a monetary account for the replacement of trees, when the trees are not able to be placed on the property. Clerk Schumann mentioned that she would consult with the Borough's finance office for the requirements of setting up such an account.

Reconstruction of Oak Avenue:

Mayor Sabo mentioned that the higher water level on Oak Avenue is requiring a difference surface which will be an increase of \$64,111.03 to the contract price. Engineer Roberts stated that the contractor will be laying down a layer of crushed concrete to the surface. Commissioner Francis questioned the maintenance of this type of surface and Mayor Sabo questioned whether it will be able to be plowed. Engineer Roberts stated that there is little maintenance required as it is a low traffic area and that the road may need to be re-leveled or some replacement gravel added at times. Engineer Roberts stated that the road will be able to be plowed, with the plow raised up about an inch from the ground level.

NEW BUSINESS

NONE

PUBLIC PORTION

NONE

The Work Session concluded at 5:55pm.

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:

December 9, 2020 – Board of Health Meeting

December 9, 2020 - Work Session and Regular Meeting

December 9, 2020 – Closed Session

Ordinances for Introduction and Publication:

NONE

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:

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

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 591-20. The motion was carried unanimously on roll call vote.

Resolutions:

- 154-20 Authorizing Renewal of Shared Service Agreement for the Services of a Municipal Court Administrator with the City of Cape May
- 155-20 Authorizing Appropriation Transfers During the Last Two (2) Months of the Fiscal Year
- 156-20 Bill Payment

157-20 Authorizing Change Order #1 – Reconstruction of Oak Avenue and Goldbeaten Alley
158-20 Closed Session

COMMISSIONER REPORTS

Commissioner Francis had nothing to report.

Deputy Mayor Burke mentioned the upcoming American Red Cross Blood Drive on January 14, 2021 from 12pm until 5pm at the West Cape May Fire Hall.

Mayor Sabo wished everyone a Happy New Year and thanked everyone for their hard work and dedication over the last year.

PUBLIC PORTION

NONE

The meeting entered into Closed Session at 5:58pm.

The meeting returned to an Open Meeting at 6:29pm.

The meeting was adjourned at 6:30pm on motion of Deputy Mayor Burke, seconded by Commissioner Francis.

Respectfully submitted,

Suzanne M. Schumann, RMC
Municipal Clerk