

**MINUTES OF BOARD OF COMMISSIONERS
WORK SESSION AND REGULAR MEETING
June 23, 2021**

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: Acting Municipal Clerk Theresa Enteado, Deputy Clerk Erin Seer, Solicitor Frank Corrado, Engineer James Oris.

ENGINEER'S REPORT:

WORK SESSION
OLD BUSINESS

COVID-19 - Coronavirus Discussion:

Mayor Sabo asked whether the Commissioners feel they need to keep this matter on the agenda. It has been on for over a year now, and we currently require a mask if you are not vaccinated. The Commissioners unanimously agreed to remove the item from the work session agenda. If something needs to be discussed or if there is a change with the CDC or the State then we will revisit the topic at that time.

Regulation of Marijuana:

Mayor Sabo noted that the Borough had prepared an Ordinance with guidelines regarding the regulation of Marijuana within the Borough and the Commissioners agreed to introduce that Ordinance tonight.

Mayor Sabo further noted that if the Ordinance is introduced tonight the second reading and public hearing will be on July 14th.

Green Acres:

Mayor Sabo indicated she reached out to a representative of another non-profit to see if there was interest in the open space and is expecting to receive feedback in the next day or two.

TWA Application:

Mayor Sabo indicated that this is the application that Engineer Ray Roberts was working on regarding the sewer installment by a private developer on Second Avenue. Solicitor Corrado advised that Engineer Roberts sent a letter to the developer, listing the conditions required by the Borough that would need to be satisfied. Both the Borough's and the developer's engineers plan to discuss those conditions further.

Formation of Mount Laurel Subcommittee:

Mayor Sabo advised that the Borough will be forming a committee in time to meet their obligations for 2025. Solicitor Corrado advised he will prepare a draft resolution forming the committee for the last Commissioner's meeting in July.

NEW BUSINESS

NONE

PUBLIC PORTION

Pat Tucker of 435 Third Avenue expressed her concern with the Cannabis Ordinance in relation to the potential effects on minors. Mayor Sabo advised that the Borough is only looking to regulate Cannabis use for adults, and said minors would not be allowed to partake. Tucker asked about license applications. Mayor Sabo advised her that the Borough needs guidelines from the State before anyone can apply for a license, but there has been a lot of interest. Mayor Burke addressed Tucker's concern about cannabis being in the community, indicating that cannabis is going to be available somewhere, noting Lower Township's proposed Ordinance with retail locations. Both Mayor Sabo and Deputy Mayor Burke noted that marijuana was legalized in the State and the Borough residents overwhelming voted to legalize cannabis as well. Ms. Tucker had questions regarding what is included in the Ordinance and Mayor Sabo encouraged her to get a copy of the Ordinance from the Clerk's Office. Solicitor Corrado further noted that the Ordinance is expressly subject to all State guidelines.

Gary Padussis business owner of 139 Broadway, stated that he was in favor of the Borough allowing cannabis businesses, expressing that it will bring more business opportunities to the residents and will bring more income to the Borough through taxes that the Borough could use to better the community. Deputy Mayor Burke advised that the Borough will do everything to make sure it is done right.

Bill Oetinger of 315 Third Avenue expressed his opinion that Marijuana is going to be a growing business once it is here. He expressed his concerns about the cultivation of cannabis and the water intake and outflow. Mayor Sabo, Deputy Mayor Burke and Commissioner Francis all addressed Mr. Oetinger's concerns.

Judy Smith of 408 Third Avenue expressed her concern for the environment and water needed to grow cannabis. Mayor Sabo, Deputy Mayor Burke and Commissioner John Francis addressed her concerns and expressed that they are concerned with preserving the environment as well and are doing their research to ensure that they do their best to protect it.

When no one else expressed a desire to speak the public portion was closed.

The Work Session concluded at 7:41pm.

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:

June 9, 2021 – Work Session and Regular Meeting

Ordinances for Introduction and Publication:

603-21 Permitting the Operation of Certain Cannabis Businesses within its Geographic Boundaries and Amending the Zoning Ordinance Accordingly

Resolutions:

- 109-21 Appointing Farm Market Coordinator – Carole A. Mitchell
110-21 Appointing Borough Festival Coordinators – Theresa Enteadó & Erin Seer
111-21 Authorizing Refund of Tax Overpayment – 104 Atlantic Ave. – Wells Fargo
112-21 Approving Submission of 2022 Grant Application and Execution of Grant Contract with the NJDOT for Reconstruction of Second Avenue
113-21 Authorizing the Adoption of the 2021 Cape May County, New Jersey Hazard Mitigation Plan Update
114-21 Authorizing Refund of Farmers Market Deposit – Dotti Hupperich
115-21 Authorizing Refund of Farmers Market Deposit – Amanda Eckel
116-21 Authorizing Refund of Farmers Market Deposit – Vera Pasta
117-21 Approving Catering Permits for Chamberlain Hospitality Group – Sunday Backyard BBQs
118-21 Bill Payment

NON-CONSENT AGENDA

Ordinances for Second Reading and Public Hearing:

Ordinance No. 602-21

Amending Chapter 22 of the West Cape May Code RE Stormwater Control

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, the following Ordinance No. 602-21 was unanimously approved on roll call vote.

Resolutions:

NONE

COMMISSIONER REPORTS

Commissioner Francis had nothing to report.

Deputy Mayor Burke announced that the Borough will be hosting the American Red Cross Blood Drive on July 8th, 2021 from 12 noon to 5:00PM at the Borough of West Cape May's Volunteer Fire Company Hall.

Mayor Sabo announced the Farmer's Market begins Tuesday, June 29th, 2021, in the Borough's backyard park. She encouraged those who can, to walk or ride a bike, noting that the festivals tend to get crowded.

PUBLIC PORTION

NONE

The meeting was adjourned at 7:48pm, on motion of Deputy Mayor Burke, seconded by Commissioner Francis.

Respectfully submitted,

Erin Seer
Deputy Municipal Clerk