

**MINUTES OF BOARD OF COMMISSIONERS
WORK SESSION AND REGULAR MEETING
October 27, 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: Deputy Municipal Clerk Erin Seer, Solicitor Frank Corrado and Associate Justin Turner, and Engineer Raymond Roberts.

ENGINEER'S REPORT

OLD BUSINESS

Covid-19:

Mayor Sabo noted the Borough continues to receive the County's weekly updates which had indicated that the County and State's Transmission rates continue to decrease. She reiterated the Borough's current policy, that unvaccinated individuals who enter the Municipal building are required to wear a mask. Vaccinated individuals are not required to wear a mask, but can at their own accord.

Cannabis Regulations:

Mayor Sabo announced that she received the State's recorded webinar and forwarded the recording to the Commissioners and Solicitor Corrado to be reviewed for next meeting.

Emerald Avenue Resident Request

Deputy Clerk Erin Seer announced that she was informed by Police Chief Dekon Fashaw that the department was still monitoring the street and advised they will provide the Commissioners with an update. Mayor Sabo noted that a second request had been made regarding Emerald Avenue and that the request will be forwarded to the Police for additional monitoring.

HPC: Historic District Extension

Elon Zingman Leith, the Historic Preservation Chairman, explained the process the Commission took in determining what properties to include in the proposed extension of the Historic District. Resident, Diane Rea, 213 Steven Street, expressed her disapproval of her farmhouse being considered as a structure in the extension of the Historic District. She asked that the Borough Commissioners reconsider the HPC's proposal. The Commissioners decided to remove the Ordinance to Amend the Historic District from the Agenda for that evening, and to consider the amendments further.

NEW BUSINESS

BPI Review

Mayor Sabo explained that it is the Borough's Statutory obligation to review and submit their Best Practices Inventory and that the Borough meets their requirements each year.

Bond Anticipation Note

Mayor Sabo explained that the Borough's CFO provided the Commissioners with information of a bond that had better interest rates than the current. The Commissioners decided to retire the old bond and acquire the new at a lesser interest rate. A Resolution was on the agenda for that evening.

Shade Tree Borough Code Amendments

Bill Oetinger, a member of the Shade Tree Commission, explained that there was an issue with legitimacy of a past emergency tree removal request that did not give the Commission a chance to evaluate the tree prior to its removal. To avoid that happening in the future the Commission had redrafted the regulations in coordination with the zoning department, to define what a dangerous tree is and amending the process for removal.

Single Use Plastic Ban – DEP Letter to Mayors – Borough Ord. No. 573-19

Mayor noted she received a letter from the DEP regarding the State's ban on single use plastic. She wanted to discuss how it relates to the Borough's Ordinance and if any changes need to be made. Solicitor Corrado advised that the Borough's Current Ordinance does not need to be amended.

PUBLIC PORTION

Mayor Sabo opened the meeting for public portion.

Jerry Alloco, 318 Third Avenue had questions regarding the current cannabis regulations within the Borough. The Commissioners and the Borough Solicitor addressed his questions.

Charles Bounds, 120 Fifth Avenue, requested that the Borough Commissioners reconsider the Shade Tree Commission's assessment of the removal of two trees from his property. The Commissioners decided to refer to matter back to the Shade Tree Commission to discuss their assessment and reconsider.

Judy Smith, 408 Third Avenue, wanted clarity on the Borough's Cannabis Regulations and status of licenses. The Commissioners addressed her questions and noted that the Borough was still waiting on the State.

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

The Work Session concluded at 8:32pm.

REGULAR MEETING

CONSENT AGENDA

On motion of Deputy Mayor Burke, seconded by Commissioner Francis, Ordinance No. 605-21, was removed from the following Consent Agenda and unanimously approved on roll call vote. Following the removal of Ordinance No. 605-21, on motion of Commissioner Francis, seconded by Deputy Mayor Burke, the amended Consent Agenda was unanimously approved on roll call vote.

Minutes:

October 13, 2021 – Work Session and Regular Meeting

Ordinances for Introduction and Publication:

- 604-21 Amending the Borough of West Cape May Ordinance Regarding Stormwater Control (Ord. No. 602-21)
- 605-21 ****REMOVED**** Amending Section 27-19 of West Cape May Zoning Code Pertaining to Historic Preservation

Resolutions:

- 167-21 Designation of Public Agency Compliance Officer
- 168-21 Amending Resolution No. 05-21 – Flex Holiday
- 169-21 Approving Filing of 2021 Best Practices Inventory
- 170-21 Authorizing Grant Agreement Between WCM Shade Tree Commission and DEP – Reforestation/Tree Planting
- 171-21 Authorizing Bill Payment

NON-CONSENT AGENDA

Ordinances for Second Reading and Public Hearing:

NONE

Resolutions:

NONE

COMMISSIONER REPORTS

Commissioner Francis announced a NBL convention at Cape May's Convention Hall, October 26th and 27th where there will be seminars from 4:30pm – 7:00pm on the Negro Baseball League, Cape May and West Cape May Athletes.

Deputy Mayor Burke followed up on Commissioner Francis's announcement, that the seminars are different each day and that information can be found on their website and Facebook page. He went on to discuss the West Cape May Community Christmas parade and explained that the parade is funding solely by donations and that no tax dollars go towards the parade, noting local fundraising dinners.

Mayor Sabo announced that the Chalfonte's Fried Chicken Dinner fundraiser for the Community Christmas parade was a success and a sold-out event. She went on to announce Fin's Spaghetti dinner fundraiser on November 2nd, which will benefit the parade which will be on December 4th starting at 5:00pm.

PUBLIC PORTION

Mayor Sabo opened the meeting for public portion. When no one expressed a desire to speak, the Mayor closed the public portion and the meeting was adjourned at 8:39 p.m., on motion of Commissioner Francis, seconded by Deputy Mayor Burke.

Respectfully submitted,

Erin Seer
Deputy Municipal Clerk