

**MINUTES OF BOARD OF COMMISSIONERS
WORK SESSION AND REGULAR MEETING
OCTOBER 26, 2022**

The Work Session of the Board of Commissioners of the Borough of West Cape May was called to order by Mayor Sabo at 7:00 p.m. The Open Public Meetings Statement was read by Mayor Sabo, who then led those present in the flag salute. Mayor Sabo, Deputy Mayor Kurkowski, and Commissioner Crawford answered roll call. Also in attendance: Municipal Clerk Theresa Entead, Engineer Anthony Chadwell, Solicitor Frank Corrado, and associate Erika Lezama.

OLD BUSINESS

Swimming Pools:

Mayor Sabo said the Planning Board members discussed this topic at length and suggest three changes to the pool regulations in the zoning ordinance. One will be to increase the setbacks for pools to ten feet from the side and the rear of the property. Second, if there is a tree determined to be of significant value the permit for a pool can be denied. Third, the measurement for the setback should be counted from the edge of the apron or area surrounding the pool, whether impervious or not, and not from the waters edge. Commissioner Crawford requested more information from Engineer Chadwell regarding measurement from the pool surroundings, instead of from the water's edge.

Pesticides and Chemicals – Possible Limitations

Mayor Sabo confirmed that the Environmental Commission is scheduled to discuss the topic. She invited Adam Reeves, West Cape May Resident and member of the WCM VFC, to speak regarding his concerns about a possible ban on all pesticides.

Mr. Reeves uses pesticides in an agricultural application on the 35 acres of farmland owned by his family. He said corn and soybeans are rotated each year and herbicide application is necessary to control weeds and ensure healthy crops. Mr. Reeves said his agricultural application is confined to his family's crops and property. He said glyphosate products are used and explained the process which he called a post emergence application. He also said no insecticides are used on his property. Mayor Sabo thought it was important to note that she asked Mr. Reeves how often the herbicides had to be applied and he confirmed they only had to be applied once. The Commissioners thanked Mr. Reeves for sharing this information.

2023 NJDOT Transportation Alternatives Set Aside Program

Mayor Sabo discussed safety concerns from residents about the curve at Park Boulevard and Central Avenue. She said this NJDOT grant opportunity is specifically for pedestrian improvements and it could be perfect for the safety concern in this area. She said a resolution to approve applying for this grant is on the consent agenda. Deputy Mayor Kurkowski mentioned the regional bike path. Engineer Chadwell said the grant is Federal money through the NJDOT and is for transportation alternatives, not for roads specifically, but alternative modes of transportation such as pedestrians and bicycles. He said there are design funds and assistance opportunities as well which will be fully funded by the Federal Government. Mayor Sabo

asked if the entire project was one completely reimbursable and Mr. Chadwell confirmed it was, with the exception of the small application fee. Deputy Mayor Kurkowski wanted to clarify that this will be grant money and no expense to the tax payers.

STC – Tree trimming over streets and sidewalks

Mayor Sabo explained the Shade Tree Commission (STC) members would like to see language added to the code regarding the maintenance of tree limbs hanging in the right-of-way. Clerk Enteadó will get feedback from the STC members in order to introduce an ordinance amendment at the next meeting.

Prohibiting Exhibition Driving Within the Brough of West Cape May

Mayor Sabo said Police Chief Fashaw asked that West Cape May adopt an ordinance similar to the one Cape May City will be adopting, that prohibits exhibition driving. Solicitor Corrado said this is in response to the happenings in Wildwood as a result of the unsanctioned H2O car rally. Mayor Sabo supports adopting a similar ordinance, she said it will send a message that exhibition driving and unlawful behavior with disregard for safety and well-being of others will not be tolerated. Solicitor Corrado can have an ordinance ready for introduction at the next meeting. Deputy Kurkowski agrees it is an important message to send for the peace and safety of our communities.

NEW BUSINESS

None

PUBLIC PORTION

Mayor Sabo opened the meeting for Public Portion.

Paige Cunningham, 134 Third Avenue, suggested that pool approvals require a certain amount of native landscape as a buffer, both for the pool and the pool systems. This will help native species as well as the noise problem. She thinks the area around the pool, minus the apron, should be green. Ms. Cunningham also asked if there could be a requirement to test the water of a pool prior to it being drained.

Ms. Cunningham provided more numbers from the morning flight counts by the Cape May Bird Observatory and said there were 1.3 million robins and 66,000 yellow warblers. She acknowledged the complication with farming and agriculture regarding pesticide use but warns that glyphosate use is very dangerous. She said the soil and the organisms in the soil surrounding the area where glyphosate is used are negatively affected and the chain reaction is devastating to the native species and the environment. Ms. Cunningham expressed her love of the abundant wildlife in the area and her concern for the preservation of that wildlife.

When no one else expressed a desire to speak, the Work Session was concluded at 7:35pm.

REGULAR MEETING
CONSENT AGENDA

Mayor Sabo opened the regular meeting.

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

Minutes:

October 12, 2022 – Work Session and Regular Meeting

Ordinances for Introduction and Publication:

None

Resolutions:

146-22 Approving Filing of 2022 Best Practices Inventory Questionnaire

147-22 Approving Submission of an Application for Funding From the 2023 NJDOT

Transportation Alternatives Set-Aside Program for Park Boulevard and Central Avenue
Pedestrian Improvements

148-22 Approving Bill Payment

NON-CONSENT AGENDA

Ordinances:

None

Resolutions:

None

COMMISSIONER REPORTS

Deputy Mayor Kurkowski said the County has agreed to lower the speed limit on most of the County roads within the Borough and it has also agreed to install a Four-Way stop sign at the intersection of Fourth, Bayshore, and Stevens. He thanked Mayor Sabo for her advocacy and is happy to see these safety improvements for the community. Deputy Mayor Kurkowski is excited for the grant opportunity to improve the conditions at Park and Central.

Commissioner Crawford reminded the public that the Environmental Commission (EC) did not meet in October but will be meeting on November 2nd. He said he enjoyed meeting the WCM VFC members at their meeting. He congratulated Rea's Farm on its 100th anniversary celebration.

Mayor Sabo said the installation of the Four-Way stop sign is slated for early next year, to give people time to get used to the stop prior to the busy season and said Bayshore will be re-paved as well. She reminded everyone to donate to the Community Christmas Parade, since the support is vital to its success.

PUBLIC PORTION

Mayor Sabo opened the meeting for public portion.

When no one else expressed a desire to speak, Mayor Sabo closed the public portion.

The meeting was adjourned at 7:42pm on motion of Commissioner Crawford, seconded by Deputy Mayor Kurkowski, and approved unanimously on roll call vote.

Respectfully submitted,

Theresa Enteadó
Municipal Clerk