

**MINUTES OF BOARD OF COMMISSIONERS
WORK SESSION AND REGULAR MEETING
MARCH 14, 2018**

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. William “Buddy” DeHart led those present in the flag salute. Mayor Carol Sabo, Deputy Mayor Burke and Commissioner Francis answered roll call. Also in attendance: Municipal Clerk Suzanne Schumann, Deputy Clerk Theresa Entead, Engineer Ray Roberts, Solicitor Chris Gillin-Schwartz and Police Chief Anthony Marino.

CERTIFICATE OF APPRECIATION

- 50 Years of Service in the WCM Volunteer Fire Co. – Anthony J. Barbieri

CERTIFICATES OF RECOGNITION

- Matthew Franco
- William Isaac
- Gregory Basile

ENGINEER’S REPORT

WORK SESSION - OLD BUSINESS:

NFIP Community Rating System:

Nothing new to report.

Verizon Wireless Proposal:

Nothing new to report.

Review of Properties with Municipal Liens:

Nothing new to report.

Dark Skies - Downward Facing Lights:

Nothing new to report.

Water Quality Accountability:

Engineer Roberts reviewed the proposal which included an additional \$3,000 option for RVE to complete the fieldwork for this project. Engineer Roberts indicated that the fieldwork would need to be done prior to the summer season so that there are not any issues getting around the areas which need to be evaluated. He further indicated that the Borough will be required to have this completed by October 2019. The Board of Commissioners agreed to further discuss this proposal after the budget is approved.

PRC Liquor License:

Mark Lukas, 119 Myrtle Avenue, attended this discussion and indicated that as this liquor license is not a priority to him at this time, he believes that it is difficult to put a price tag on the business aspect of the license. Mr. Lukas also expressed concerns with the 10pm end for serving time which makes the license less attractive. Mr. Lukas indicated that the license would have to be comparable to neighboring establishments and mentioned that there are many other restaurants which serve later than 10pm and are successful without complaints.

Mayor Sabo spoke of the outcry from the community several years ago when the Borough attempted to change the liquor license serving time. Deputy Mayor Burke echoed Mayor Sabo's comments about the petition which was filed by residents. Deputy Mayor Burke also indicated that there would be a tax relief to property owners if this license was to sell.

Engineer Roberts asked if any research had been done to know how many seats would make this license successful for the price.

Clerk Schumann received comments from Bill Wenzel, which were read into the record and included the time for last call, the up and coming distillery and brewery opportunities and the potential of a beer and wine license through the state which would not require a local license.

Microbreweries and Distilleries:

Solicitor Gillin-Schwartz indicated that a microbrewery or distillery would be required to apply for a Conditional Use before the Borough's Planning/Zoning Board and would be subject to meet all requirements of other liquor establishments in the Borough. Solicitor Gillin-Schwartz spoke of regulations in Mt. Holly which require a Conditional Use and includes these establishments in their code with taverns and bars. Solicitor Gillin-Schwartz will provide language to be added into the Borough's current Ordinance.

Protection of Borough Owned Property:

Nothing new to report.

Reconstruction of Borough Parking Lot and Lighting:

Engineer Roberts reviewed the cost proposal which includes drainage, lighting and paving and discussed an alternate means of reconstruction which would cost less but may not last as long. Deputy Mayor Burke mentioned that he is aware that there is a need to have this project completed. Engineer Roberts indicated that the property is a public entrance to public facilities which are often used by the public.

Boat/Trailer Storage on Residential Property:

Solicitor Gillin-Schwartz provided Clerk Schumann with language to be added to the current Ordinance. This language will be reviewed at the next meeting and the Ordinance will be scheduled for introduction.

NJDOT FY2018 State Aid Program – Various Street Improvements:

Engineer Roberts indicated that the only recent street improvements have been done when the Borough receives funding from USDA or NJDOT grants and could be years to come if the Borough continues to wait for funding. Mr. Roberts believes it would be beneficial for the Borough to complete the projects of streets which need improvements, as indicated on the cost proposal and suggested a bond ordinance to cover the costs of the project. Deputy Mayor Burke expressed that the Borough is almost debt free and could cover some work without the need to raise taxes. Mayor Sabo indicated that the Borough would be able to stay on top of maintenance with improvements being completed.

Tom Halligan, 640 West Drive, asked if West Drive is on the improvement list and Engineer Roberts indicated that West Drive is included in the plan. Mr. Halligan spoke of the potholes on West Drive and the concern for bicyclists who travel on the road. Mr. Halligan also spoke of concerns with the placement of the new speed limit signs and the commercial vehicles on

West Drive. Mr. Halligan believes that great progress is being made to improve the West Drive of the Borough.

WORK SESSION - NEW BUSINESS:

Review of Ordinance 537-18:

Solicitor Gillin-Schwartz reviewed the changes to the new law regarding performance bonds and the changes to the current ordinance to become in compliance with the laws.

REVIEW OF REGULAR MEETING: Mayor Sabo reviewed the Consent Agenda and Non-Consent agenda items.

PUBLIC PORTION:

There was no public comment during the Work Session portion of the meeting.

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:

February 28, 2018 – Work Session and Regular Meeting
March 6, 2018 – Special Meeting (2018 Budget Discussion)

Ordinances for Introduction and Publication:

535-18	An Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank (N.J.S.A. 40A:4-45.14) for CY2018
536-18	An Ordinance Amending the Borough of West Cape May's Salary Ordinance
537-18	An Ordinance Amending Sections 24 and 25 of the Revised General Ordinances of the Borough of West Cape May Regarding Performance Guarantees for On-Tract Improvements

Resolutions:

71-18	Approving Catering Permit – Chamberlain Hospitality Group, Inc.
72-18	Approving Catering Permit – Chamberlain Hospitality Group, Inc.
73-18	Introduction of the Municipal Budget for the Year 2018
74-18	Closed Session (Contract Matters)
75-18	Authorizing a Special Event Permit to CMNJ State Film Festival
76-18	Authorizing the Refund of Unused Escrow Fees – Carole McCray
77-18	Bill Payment

NON-CONSENT AGENDA

Resolutions:

NONE

Ordinances for Second Reading and Public Hearing:

534-18	An Ordinance Amending Section 20 of the Borough Code Regarding Sewers
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Mayor Sabo opened the public hearing. When no one wished to speak, the public hearing was closed and Deputy Mayor Burke made a motion, seconded by

Commissioner Francis, to adopt Ordinance 534-18. The motion was carried unanimously on roll call vote.

COMMISSIONER REPORTS

Commissioner Francis had nothing to report.

Deputy Mayor Burke gave “kudos” to the Public Works Department for completing the interior of the Borough Hall building.

Mayor Sabo thanked the “design team” for the work done to the interior of the Borough Hall building. Mayor Sabo also mentioned the upcoming Free Rabies Clinic at Cape May Point Public Works on March 27th from 4pm-5pm.

After Commissioner Reports, the meeting was recessed into closed session at 8:40pm on motion by Commissioner Francis, seconded by Deputy Mayor Burke.

The Regular Meeting reconvened at 8:57pm pm on motion of Deputy Mayor Burke, seconded by Mayor Sabo.

Mayor Sabo indicated that during Closed Session, the Board of Commissioners authorized Solicitor Gillin-Schwartz to respond to the correspondence received by the Solicitor for the Township of Lower relative to the renewal of the Shared Services Agreement for Construction Services.

PUBLIC PORTION

When no one wished to speak, the meeting was adjourned at 9:00pm on motion of Commissioner Francis, seconded by Deputy Mayor Burke.

Respectfully submitted,

Suzanne M. Schumann, RMC
Municipal Clerk