

**MINUTES OF BOARD OF COMMISSIONERS  
WORK SESSION AND REGULAR MEETING  
FEBRUARY 13, 2019**

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 Carol Sabo, Deputy Mayor Burke and Commissioner Francis answered roll call. Also in attendance: Municipal Clerk Suzanne Schumann, Deputy Clerk Theresa Enteadó, Engineer Ray Roberts and Solicitor Chris Gillin-Schwartz.

**ENGINEER REPORT**

**WORK SESSION**

**OLD BUSINESS:**

Protection of Borough Owned Property:

Nothing new to report.

Code Blue Warming Center Designation:

Mayor Sabo indicated that a Resolution will be scheduled for consideration at our next meeting to designate the Cape May Police Department Lobby as a temporary warming center. Deputy Mayor Burke expressed concerns with individuals who may not feel comfortable going into a police department.

**NEW BUSINESS:**

Request for Street Opening Hardship – 19 Willow Avenue; Block 21, Lot 22:

Engineer Roberts indicated that a hardship was granted for 15 Willow Avenue as part of the upcoming South Jersey Gas EFV project, but indicated that that project will be less disruptive to the street. Mayor Sabo questioned the hardship of lowering utility bills on a secondary home. Clerk Schumann indicated that the moratorium is up on September 30, 2019 and that the homeowner could reapply at that time without the need for a hardship. The Commissioners decided not to grant this hardship request.

Encroachment Agreement – 110 Sunset Boulevard; Block 32, Lot 3:

Solicitor Gillin-Schwartz indicated that the purpose of this agreement would be to legally permit the premises to have landscaped shrubs and seasonable outdoor seating in the Borough's Right of Way. Engineer Roberts indicated that the shrubs are already in place, without encroachment approval. Mayor Sabo questioned the seasonal outdoor seating which is shown on the proposed plan, as the outdoor seating has not been approved for their location. Deputy Mayor Burke stated that he does not have any opposition with the shrubs, but indicated that the approval of outdoor seating has to go through the Borough's Planning Zoning Board. Solicitor Gillin-Schwartz discussed the requirements of the JIF as part of this agreement and indicated that the Borough would have a broad authority to

regulate any continuation of the agreement. Solicitor Gillin-Schwartz further indicated that the approval of this agreement does not affirm whether outside seating is approved. Mayor Sabo indicated that she would prefer to see a revised agreement which did not include language on outdoor seating. Solicitor Gillin-Schwartz stated that he will reach out to the attorney for 110 Sunset Boulevard for a revised agreement for review at the next meeting.

Bike Route Map:

Mayor Sabo presented the proposed Bike Route Map which is currently being discussed with Cape May and Cape May Point to distinguish safe bike travel routes on the island. The green areas indicated the most desirable routes, while the orange was less desirable and red were areas to avoid. Engineer Roberts reminded the Commissioners that bicyclists are required to follow the rules of the road.

**PUBLIC PORTION:**

NONE

The Work Session concluded at 7:49pm.

**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:

January 23, 2019

Work Session and Regular Meeting

Ordinances for Introduction and Publication:

561-19            Salary Ordinance Amendment

Resolutions:

- 38-19    Authorizing the Submission of the Recycling Tonnage Grant Application to the New Jersey Department of Environmental Protection for the Year 2018
- 39-19    Release of Unexpended Escrow Fees – Jonathan Hand Excavating
- 40-19    Authorizing Hardship Condition Road Opening Permit to South Jersey Gas Company to Install Excess Flow Valves
- 41-19    Appointment of Planning Zoning Board Solicitor  
          Richard M. King, Esquire
- 42-19    Approving Social Affairs Permit – Cape May County Regular Republican Organization
- 43-19    Reappointment of Marian R. Ragusa as Judge of the Municipal Court of the Borough of West Cape May
- 44-19    **\*\*TABLED\*\*** Authorizing an Encroachment Agreement Regarding 110 Sunset Boulevard; Block 32, Lot 3
- 45-19    Bill Payment

## **NON-CONSENT AGENDA**

### Ordinances for Second Reading and Public Hearing:

560-19 An Ordinance Amending Section 3-15 of the Borough of West Cape May Code  
Regulating Peddling, Hawking and Vending

*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 560-19. The motion was carried unanimously on roll call vote.*

### Resolutions:

NONE

## **COMMISSIONER REPORTS**

Commissioner Francis had nothing to report.

Deputy Mayor Burke stated that the Borough's Shade Tree Commission received their annual certification.

Mayor Sabo invited everyone to attend the Environmental Commission's Family Pizza and Movie Night on February 22, 2019 from 6:00pm – 8:00pm.

## **PUBLIC PORTION**

When no one wished to speak, the meeting was adjourned at 7:53pm on motion of Deputy Mayor Burke, seconded by Commissioner Francis.

Respectfully submitted,

Suzanne M. Schumann, RMC  
Municipal Clerk