

**MINUTES OF BOARD OF COMMISSIONERS  
WORK SESSION AND REGULAR MEETING  
FEBRUARY 27, 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, Engineer Ray Roberts and Solicitor Chris Gillin-Schwartz.

**PRESENTATION BY ENGINEER – BOROUGH WIDE STREET IMPROVEMENTS**

Engineer Roberts presented a proposal of various street improvement projects which were previously outlined by Borough Commissioners. Mr. Roberts indicated that the majority of the roads would be fully reconstructed as most of them are in too poor of a condition for milling and repaving. Brown Street would be eligible for milling and repaving. Mr. Roberts indicated that the award for the NJDOT grant for West Drive should be awarded in April/May and suggested waiting to see if the Borough's grant is approved before moving forward with the reconstruction of West Drive. The Commissioners were asked to consider the order of importance and priority for these road projects, keeping in mind that Third Avenue is heavily traveled, Oak Street is semi-developed and Old Fourth Avenue is an old and broken up road.

Deputy Mayor Burke suggested that West Congress Street be a priority, as it has a lot of potholes. Mr. Burke also indicated that he is unsure if the residents on Oak Street would want the street reconstructed. Mayor Sabo stated that Old Fourth Avenue and Oak Street would be at the bottom of the priority list and indicated that Brown Street and West Congress Street could be done soon with available funding.

Deputy Mayor Burke asked about the option for an additional bond. Mayor Sabo indicated that she asked the Borough's CFO to budget for a downpayment for another bond this year to complete the remaining projects.

Commissioner Francis indicated that he believes that West Drive is a priority.

Mayor Sabo would like to move forward with two projects that there is currently available funding for (West Congress Street and Brown Street) and wait for the award results of the NJDOT grant for West Drive and the possibility of an additional bond later this year.

Engineer Roberts indicated that timing for construction of these roads would be around Memorial Day/early summer and asked if the Commissioners would be okay with work being done around that time. Commissioners agreed that it would be okay, as long as proper notice was given to the residents on those streets.

Clerk Schumann asked Engineer Roberts if he expects any upcoming Change Orders for the two unfinished projects (Reconstruction of Municipal Parking Lot and Reconstruction of Leaming

Avenue). Engineer Roberts indicated that he does not expect any Change Orders to exceed the available balance of the bond funding.

Mayor Sabo indicated that the Borough is fortunate enough to be in a good financial situation to be able to work on the reconstruction of some borough streets.

The Commissioners agreed to move forward with a project to include West Congress Street and Brown Street.

### **WORK SESSION**

#### **OLD BUSINESS:**

##### Protection of Borough Owned Property:

Nothing new to report.

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

Solicitor Gillin-Schwartz reviewed the revised Encroachment Agreement which reflects only the landscaping as an encroachment, with a maximum height of a 30" landscape. The revised agreement also excludes an encroachment on the site triangle and an inclusion of JIF requirements.

##### Reconstruction of Leaming Avenue:

Engineer Roberts discussed the Resolution on the agenda for Right of Way Entry Release forms, which will cover aspects of the project which are outside of the Borough's Right of Way as part of the sidewalk improvements. Mr. Roberts indicated that there will be a cost negotiated with the contractor for the additional work which needs to be done. The release forms will be mailed to the affected property owners and will need to be signed and returned in order for the project to proceed.

##### Reconstruction of Borough Parking Lot:

Engineer Roberts indicated that the Remington & Vernick Office in Haddonfield has received the shield for the lighting which will be installed in the near future.

Mr. Roberts also indicated that there will be a Change Order presented for an extension of time. There is some striping which needs to be completed and repaving of some spots in the parking lot which cannot be done until the outside temperature is 50 degrees and rising.

#### **NEW BUSINESS:**

NONE

**PUBLIC PORTION:**

Laura Prickitt, 158 Leaming Avenue, stated that she is a second homeowner who visits regularly throughout the year. Ms. Prickitt is upset that proper notice was not received about the sidewalk project. Ms. Prickitt cares for her 9 month old grandchild and does not have a way to safely access her home during the construction. Discussion took place regarding additional work which is needed to be done around her property. The Commissioners, Solicitor and Engineer discussed details of the additional work which needs to be completed at Ms. Prickitt’s property and resolution to address all of Ms. Prickitt’s concerns. Ms. Prickitt asked if her landscaper could be involved when the work is done and Mr. Roberts indicated that he could advise Ms. Prickitt of the day which work will be done, but notice may be same day.

Engineer Roberts indicated that standard process is to prepare construction notices and leave as door hangers. Mayor Sabo suggested that a date be included on the letter and that they are mailed to property owners.

The Work Session concluded at 8:10pm.

**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 13, 2019                      Work Session and Regular Meeting

Ordinances for Introduction and Publication:

NONE

Resolutions:

- 46-19     Designating the Cape May City Police Department Lobby as the Municipal Emergency Warming Center for the Borough of West Cape May
- 47-19     Authorizing an Emergency Temporary Appropriation – Municipal Budget
- 48-19     Authorizing an Emergency Temporary Appropriation – Water/Sewer Budget
- 49-19     Authorizing the Cape May Hallowed Half Running Event (October 26, 2019)
- 50-19     Authorizing an Encroachment Agreement Regarding 110 Sunset Boulevard; Block 32, Lot 3
- 51-19     Authorizing an Agreement between the Borough of West Cape May and the Cape May County Municipal Utilities Authority to Review, Sign/Submit the 2018 Annual Recycling Tonnage Report
- 52-19     Authorizing Right-of-Entry Release Agreements for Leaming Avenue
- 53-19     Closed Session (Contract Matters, Reconstruction of Leaming Avenue)
- 54-19     Appointment to West Cape May Volunteer Fire Company
- 55-19     Bill Payment

## **NON-CONSENT AGENDA**

### Ordinances for Second Reading and Public Hearing:

561-19 Salary Ordinance Amendment

*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 561-19. The motion was carried unanimously on roll call vote.*

### Public Hearing

Issuance of One (1) New Plenary Retail Consumption License to West Cape Liquor, LLC  
*Anthony Monzo, Esquire, attorney for West Cape Liquor, LLC thanked the Board of Commissioners for their patience with the license issuance and thanked the Municipal Clerk and Solicitor for help with extension approvals. Mr. Monzo indicated that Jack Wright will be the managing member of the bar/restaurant. Mr. Wright indicated that there will be a ribbon cutting on March 8<sup>th</sup>.*

### Resolutions:

56-19 Approving Issuance of One (1) New Plenary Retail Consumption License No. 0512-33-002-001 for the Sale of Alcoholic Beverages to West Cape Liquor, LLC  
*On motion of Commissioner Francis, seconded by Deputy Mayor Burke, Resolution 56-19 was unanimously approved on roll call vote.*

## **COMMISSIONER REPORTS**

Commissioner Francis stated that the Environmental Commission's Movie Night was a success.

Deputy Mayor Burke mentioned that the Shade Tree Commission will soon be starting their spring plantings. Mr. Burke congratulated his niece for scoring 1,000 points in basketball.

Mayor Sabo thanked everyone for staying in problem solving mode for solution on Leaming Avenue and stated that there will be a change in the construction notification process.

## **PUBLIC PORTION**

NONE

## **CLOSED SESSION**

The Commissioners entered into Closed Session at 8:27pm. Closed Session ended and the regular meeting resumed at 8:55pm with no formal action being taken.

The meeting was adjourned at 8:57pm on motion of Deputy Mayor Burke, seconded by Commissioner Francis.

Respectfully submitted,

Suzanne M. Schumann, RMC  
Municipal Clerk