

**MINUTES OF BOARD OF COMMISSIONERS  
WORK SESSION AND REGULAR MEETING  
AUGUST 14, 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, Solicitor Chris Gillin-Schwartz and Engineer Ray Roberts.

**PRESENTATION BY CAPE MAY COUNTY MUNICIPAL UTILITIES AUTHORITY**

**RE: Upcoming Changes to County's Recycling Program (Bulky Plastic & Shredded Paper)**

Joseph Rizzuto, Executive Director of the Cape May County Municipal Utilities Authority, presented a slideshow discussing the overall changes over the years of waste disposal within the County and the process for disposing once it leaves the County facilities. Also present for this presentation were Linda Crumbock, County Recycling Coordinator and John Conturo, Solid Waste Program Manager. At the end of the presentation, Mayor Sabo asked if any actions were being taken by the County to meet long term recycling goals. Mr. Rizzuto mentioned the need for a business model to be developed to assist with the recycled material which is not being taken or no longer being taken by outside countries, but expects that this could take up to five years once developed. Ms. Crumbock mentioned a meeting being held with the Senate on August 15<sup>th</sup> to discuss recycling options and is hoping to see a federal bill to assist with recycling, as there is a need for state and federal help for these programs. Mr. Rizzuto reminded everyone that each county, each state and each country recycle differently which can make recycling programs more difficult. Mayor Sabo suggested going back to the basics and educate residents to encourage reducing the use of single-use plastics. Commissioner Francis asked if methane was being used or converted and Mr. Rizzuto confirmed that the Woodbine Developmental Center School uses methane to produce electricity for their facility. Commissioner Francis also asked if there was a procedure to speak to businesses about product packaging and Mr. Rizzuto explained that the consumer's wallet can speak to businesses better than words can. Mayor Sabo discussed the Resolution to support local, state and federal efforts to address challenges to the recycling marketplace and indicated that once it has been approved, will be distributed accordingly to appropriate parties. Ms. Crumbock suggested the scheduling of shred day events which can be funded by the Borough's tonnage grant funds and explained that these companies guarantee clean shredding which allows for proper disposal of the shredded papers by the shredding company.

This presentation concluded at 7:48pm.

**ENGINEER'S REPORT**

## **WORK SESSION**

### **OLD BUSINESS**

#### Protection of Borough Owned Property:

Nothing new to report.

#### Disposal of Bulky Plastic and Shredded Paper:

Clerk Schumann indicated that the proposed Resolution to support local, state and federal efforts to address challenges to the recycling marketplace will be added to the agenda for approval on August 28<sup>th</sup> and will be disseminated accordingly after approval.

#### Review of Ordinance – Solid Waste Regulations:

Solicitor Gillin-Schwartz reviewed the revisions from the previous discussion and all Commissioners were in agreeance with the revisions. Clerk Schumann indicated that the Ordinance can be added to the agenda for introduction this evening, as Ordinance 571-19.

### **NEW BUSINESS:**

#### Water Connection Request – Sea Grove Avenue:

Engineer Roberts indicated that this request is a repeat of a previous request received by the developer of this property and believes the request should be denied, as it was previously as well. Solicitor Gillin-Schwartz will prepare a response letter to Mr. Sachar in regards to this request and the Borough's denial of same.

#### Request for Road Closure – Family Block Party (McDonough/McMahon):

Mayor Sabo reviewed the request for the family block party and expressed the only concern being the noise Ordinance which has limitations as of 10:00pm. All Commissioners were in agreeance to approve this road closure for the family party, with the requirement that the road is reopened by 10:00pm.

#### Request for Street Light – Park/Myrtle/Perry Intersection:

Bob Morris, 133 Yorke Avenue, expressed safety concerns with a lot of traffic, including pedestrians and bicyclists in this area and the lack of lighting during the evening hours. Deputy Mayor Burke agreed that this is a dark area. Mayor Sabo asked Engineer Roberts if he would drive by the area and provide comments. Mayor Sabo indicated that she does not recall if the plan for the roundabout project includes additional lighting being added and Deputy Mayor Burke stated that the pole may have to be relocated during this project should the near tree have to be removed. This discussion will continue at the next meeting, after Engineer Roberts has had an opportunity to comment on the lighting in the area.

#### Storage Pods / Storage Containers:

Deputy Mayor Burke expressed concerns with storage pods being placed at local businesses and the increasing number of these containers which take away from parking spots for the business. There was question as to whether these types of storage containers would be regulated under the Borough's Trailer Ordinance or Dumpster Ordinance. Engineer Roberts

questioned if they would be considered an Accessory Structure. Solicitor Gillin-Schwartz indicated that he will follow up with Norm Roach, Zoning Official, and will make a determination on how to enforce these types of storage containers.

Use of Right of Way Request – 211 Second Avenue:

James Bratten, 101 Teal Road, stated that he is the contractor for a project at 211 Second Avenue which will require a house being moved in order to remove the foundation and install pilings. The project requires the house to be moved which will encroach the Borough's Right of Way and the work is scheduled to take about two weeks. Mr. Bratten explained that there would be a dumpster placed in the road which would serve as a barrier to the house placed in the Right of Way. Engineer Roberts confirmed that there is no sidewalk in this area, so it would not be an obstruction to pedestrians in the area. Mr. Bratten indicated that the Borough is listed as an Additional Insured on the insurance policy for the company which will be moving the house and indicated that he will add the Borough to his policy as well. Mr. Bratten indicated that assuming all permits are issued, the work will begin in mid-September. Engineer Roberts stated that Mr. Bratten will be required to meet with the Shade Tree Commission Chairman to discuss requirements needed to put into place to avoid harm to the tree on the property, and will also be required to provide a plan of where the house is being moved to, dumpster placement and reflective markers in the area for visibility. Engineer Roberts indicated that heavy loads cannot cross the tree roots and that there will be a need to mark off the area of the tree, pursuant to Shade Tree Commission guidelines. The Commissioners agreed to conditionally approve the request, based on the discussed requirements being met. Solicitor Gillin-Schwartz will prepare a Resolution for approval at the next meeting on August 28<sup>th</sup>. Clerk Schumann will follow up with the Borough's Zoning Official relative to this request and the terms of approval.

**PUBLIC PORTION:**

No public comment.

The Work Session concluded at 8:29pm.

**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:

July 24, 2019 Work Session and Regular Meeting

Ordinances for Introduction and Publication:

570-19 An Ordinance Amending Section 3 of the Borough Code Regarding Police Regulations

571-19 An Ordinance Amending Section XVIII of the Borough Code Regarding Solid Waste Management

Resolutions:

- 134-19 Insertion of Special Item of Revenue Pursuant to N.J.S.A. 40A:4-87, Chapter 159
- 135-19 Authorization to Accept the Audit Report for 2018
- 136-19 Release of Unexpended Escrow Fees – Lawrence A. Pray
- 137-19 Declaring that an Emergent Condition Exists and Authorizing an Award of a Contract to Garden State General Construction for Storm Water Repair on Second Avenue in the Borough of West Cape May, County of Cape May and State of New Jersey
- 138-19 Bill Payment

**NON-CONSENT AGENDA**

Ordinances for Second Reading and Public Hearing:

568-19 An Ordinance Amending Section 27 of the Borough Code Regarding Demolition and Relocation in the Historic Preservation District

*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 568-19. The motion was carried unanimously on roll call vote.*

569-19 Bond Ordinance Providing for Various Capital Improvements in and by the Borough of West Cape May, in the County of Cape May, New Jersey, Appropriating \$1,381,920 Therefor and Authorizing the Issuance of \$1,325,424 Bonds or Notes of the Borough to Finance Part of the Cost Thereof

*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 569-19. The motion was carried unanimously on roll call vote.*

Resolutions:

NONE

**COMMISSIONER REPORTS**

Mayor Sabo spoke of the success of the first annual Fish Fry and Beer Garden event and thanked the West Cape May Volunteer Fire Company Members and Borough Hall Employees for their dedicated time to the event. Secondly, Mayor Sabo also mentioned that there are three Farm Market events left of the 2019 season. Finally, Mayor Sabo spoke about the meeting held by the Sunset Boulevard Steering Committee and the upcoming meeting, with a date to be determined, for public access to review the plans for the project.

Commissioner Francis mentioned that the Environmental Commission has requested a “bike route” sign on Broadway, directing bicyclists towards Sixth Avenue. Mayor Sabo stated that Broadway is a County Road and the request would have to be made to the County. Commissioner Francis mentioned the upcoming Lenape Nation Corn Festival being held on August 18<sup>th</sup> from 11:00am until 5:00pm at Rea’s Farm.

Deputy Mayor Burke made mention of two additional information tags added to the historic photos in the court room, as they were previously missing. Deputy Mayor Burke also spoke of the success of the Fish Fry and Beer Garden event which sold out of food and beverages and could not have been more successful for a first time event. Deputy Mayor Burke stated that even on rainy evenings, the Farmer’s Market has been successful.

**PUBLIC PORTION**

NONE

The meeting was adjourned at 8:43pm on motion of Commissioner Francis, seconded by Deputy Mayor Burke.

Respectfully submitted,

Suzanne M. Schumann, RMC  
Municipal Clerk