

**MINUTES OF BOARD OF COMMISSIONERS
WORK SESSION AND REGULAR MEETING
OCTOBER 9, 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.

ENGINEER'S REPORT

WORK SESSION

OLD BUSINESS

Single Use Plastics:

Solicitor Gillin-Schwartz reviewed a proposed ordinance for consideration, based off of an ordinance adopted by Bradley Beach. Solicitor Gillin-Schwartz stated that this ordinance only prohibits single-use plastic bags and not other plastics such as utensils. Solicitor Gillin-Schwartz stated that the Board of Commissioners will have to decide on an effective date for when this regulation will go into effect.

Deputy Mayor Burke stated that he believes some of the local businesses will move forward without the legislature. Deputy Mayor Burke expressed concern with the amount of bags in supply of local businesses. Mayor Sabo stated that businesses may not be ordering their bag supplies as frequently during the off season. Commissioner Francis indicated that he would like to see the effective date in the beginning of the new year, as this has been an ongoing discussion.

The Board of Commissioners agreed to an effective date of January 1, 2020. The ordinance will be scheduled for introduction on October 23, 2019 with public hearing and adoption scheduled for November 13, 2019.

Review of Ordinance 572-19:

Solicitor Gillin-Schwartz reviewed additional changes which are proposed to the ordinance which would eliminate the number of licenses allowed per premises. Deputy Mayor Burke expressed concerns with parking which was the initial reason for the license restriction in the original ordinance. Solicitor Gillin-Schwartz stated that applications could be reviewed and approved based on adequate parking being available. Zoning Officer Norm Roach asked if adequate parking would be based on the available square footage. Solicitor Gillin-Schwartz stated that there is no formal guidelines set for the approval of adequate parking. The Board of Commissioners agreed to remove the restriction on the number of licenses and language as it relates to adequate parking. It was further agreed upon to table the adoption

of this ordinance to make the revisions and schedule public hearing and adoption for October 23, 2019.

Anthony Monzo, Esquire, attorney for Beach Plum Farm, asked for confirmation that there will be no parking restrictions with the proposed tent ordinance revisions. Solicitor Gillin-Schwartz confirmed that there will be no language pertaining to adequate parking.

NEW BUSINESS

New Jersey Department of Agriculture – Winery Pilot Program Questionnaire:

Solicitor Gillin-Schwartz mentioned the questionnaire which was received and distributed to the Commissioners for their comments. Solicitor Gillin-Schwartz suggested that each Commissioner should review the questionnaire and provide comments to Solicitor Gillin-Schwartz who will prepare a master response to the State. Mayor Sabo asked Zoning Officer Norm Roach to review the questionnaire and provide a response as well. Deputy Mayor Burke asked if this would be reviewed further at the next meeting. Clerk Schumann indicated that this will not be further discussed and that responses to the questionnaire should be sent directly to Solicitor Gillin-Schwartz and/or Clerk Schumann within the next few days.

Review of Borough Code Chapter 14 (Trailers):

Solicitor Gillin-Schwartz reviewed proposed language which could be added to the trailer ordinance to address concerns which were brought up by the Borough's Zoning and Code Enforcement Office. Specifically, concerns which were discussed involved parking of trailers on the street, number of trailers permitted to be parked on a property and the fee required for a trailer parking permit. There was confusion as to the definition of "trailer" and what type of trailer would be included or not included in the definition. It was determined that the entire ordinance regarding trailers needs to be restructured. Solicitor Gillin-Schwartz indicated that he would work on drafting an ordinance which was more clear to understand and would be further reviewed and discussed at a future Board of Commissioners meeting.

Review of Proposed Ordinance – Special Events Applications:

Solicitor Gillin-Schwartz reviewed a proposed ordinance relative to establishing an application process and possible application fee for special events to be held in the borough, such as races, marathons, block parties, etc. Deputy Mayor Burke mentioned that at times, these events can be an inconvenience or impact local residents or businesses. Clerk Schumann suggested a \$25 application fee which although minimal, coincides with the application fee for applicants who use borough hall for events. Mayor Sabo asked about an option to waive the application fee for events such as "Run for the Fallen" and Solicitor Gillin-Schwartz indicated that language can be added to include a provision for the Board of Commissioners to waive the fee. Solicitor Gillin-Schwartz indicated that he would revise the ordinance and same will be introduced at an upcoming meeting.

PUBLIC PORTION

David Carrick, 8 Landis Avenue, questioned regulations on dumpsters. Mr. Carrick indicated that a contractor was using a dumpster on a neighboring property but there was no work being done at the property. Zoning Officer Norm Roach confirmed that dumpster permits are only required when a dumpster is being left in the street and not regulated when on the property.

Mr. Carrick further mentioned an excessive number of people living at a neighboring property and although the property is well maintained and the residents are quiet and well-behaved, he is concerned for the safety considering the number of people living there. It was suggested that Mr. Carrick contact the Construction Official to discuss his concerns.

Eileen McDonald, 141 Eldredge Avenue, stated that she does not agree with having to pay to park a trailer or camper on your own property.

The Work Session concluded at 8:07pm.

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:

September 25, 2019 Work Session and Regular Meeting

Ordinances for Introduction and Publication:

NONE

Resolutions:

- 154-19 Authorizing Change Order #1 (Final) for FY2018 Capital Improvements, Phase II – Reconstruction of Brown Street and West Congress Avenue
- 155-19 Trick-or-Treat Night
- 156-19 Application for FY2021 Drug Enforcement and Demand Reduction (DEDR) Grant Funds
- 157-19 Authorizing Shared Services Agreement with the Cape May County Municipal Utilities Authority for Solid Waste Disposal and Recycling Services
- 158-19 Bill Payment

NON-CONSENT AGENDA

Ordinances for Second Reading and Public Hearing:

572-19 ****TABLED**** An Ordinance Amending Section 4 of the Borough Code Regarding Tents

Resolutions:

NONE

COMMISSIONER REPORTS

Mayor Sabo spoke about the well-attended Public Information Center event hosted by the County of Cape May relative to the upcoming project for improvements to Sunset Boulevard. Mayor Sabo mentioned that many questions were addressed and proposals were available for public viewing and is excited that this project is moving forward. Mayor Sabo also mentioned the following upcoming events: October 12th Lima Bean Festival and October 16th Bulk Trash Day. Mayor Sabo also mentioned upcoming Christmas Parade fundraisers and encourages donations towards the parade from local businesses.

Commissioner Francis stated that he hopes to see everyone at the Lima Bean Festival.

Deputy Mayor Burke mentioned that the proceeds from the Lima Bean Festival go towards Wilbraham Park. Deputy Mayor Burke also mentioned that the intersection improvements at Sunset Boulevard and Broadway may be a jump start to the improvements to Sunset Boulevard. Deputy Mayor Burke stated that the Shade Tree Commission is working on their fall plantings and mentioned that the fall season is the perfect time for planting red cedar trees which are native to the area. Deputy Mayor Burke pointed out that he was wearing pink for Breast Cancer Awareness Month.

PUBLIC PORTION

No public comment.

The meeting was adjourned at 8:14pm on motion of Commissioner Francis, seconded by Deputy Mayor Burke.

Respectfully submitted,

Suzanne M. Schumann, RMC
Municipal Clerk