

West Cape seeks ruling

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located within 1,000 linear feet of any residence, school, school playground, park or church.

"I had the borough engineer look at that language and if the ordinance was amended to say that, there would be no spot in either of the two zones where a (cannabis) retail establishment could be," Corrado said.

The proposed amendment would appeal the portion of the ordinance that permits cannabis retail stores, he said.

Corrado said New Jersey law makes clear when a voter casts a vote, they must know the purpose and effect of their vote.

The petition was misleading because it did not adequately inform the voter for what they were voting, he said, in this case, repealing the section of the ordinance that allows retail cannabis sales in the borough.

"I have asked the court to determine on a declaratory basis whether that decision was right or wrong. So in reality, the filing of the lawsuit was an attempt by the borough to make sure there is adequate clarity and transparency in the rejection of the petition," he said. "I'm asking the court to make a determination as to whether the borough's rejection of the petition was right or wrong."

McDevitt said she hoped Corrado understood the effect of being served a summons on people who had never previously been served with a summons.

Corrado said he understood her concern but there was no way to initiate a lawsuit without serving a summons on persons who are interested parties in the lawsuit, and in this case, the interested parties were the five petitioners.

She questioned why it was not sufficient that the municipal clerk rejected the petition.

McDevitt said it could have been explained to the petitioners what they must do if they wished to pursue it further. She described the situation as "heavy-handed."

Corrado said he thought by attempting to have the court make a ruling, the borough was doing the petitioners a favor.

"We have had to retain counsel to refute it," she said. "It is costing us, all five of us, have to serve a \$175 fee and the lawyer is already costing us thousands of dollars."

sands of dollars."

She said conversation with the borough may have been just as beneficial. McDevitt said she understood Corrado's point of view.

"It seems excessive, and it doesn't advance the issue any further. It has us stuck where we were without informing progress any further," she said.

Resident Jerry Alloco said the letter stating the petition was "fatally misleading" gives the impression the petitioners outwardly lied to their fellow neighbors and residents. He said he witnessed 50 persons signing the petition.

"We took painstaking time to explain everything," he said. Alloco said the petitioners were told by a former borough commissioner that a special election could be held on the issue. He said the petition-

ers have safety concerns and fears of increased traffic and a lack of parking from cannabis retail stores.

Resident Linda Barr said she was profoundly disturbed and deeply disappointed at the legal action taken by the borough.

West Cape May's form of government states within 20 days of the adoption of an ordinance, a petition may be filed asking for a voter referendum. The petitioners missed that deadline, according to Corrado.

The complaint filed in Superior Court states, "Nowhere in their submission do the petitioners make clear that a vote in favor of their proposed amendment would prohibit all retail cannabis sales in the borough and would constitute a silent repeal of that portion of the borough's ordinance."

Mall BID presents proposed budget

By JACK FICHTER
Cape May Star and Wave

CAPE MAY — The Washington Street Mall Business Improvement District (BID) presented its \$74,000 proposed budget to City Council last month.

Michele Konopka said the budget totaled \$74,560 with \$65,560 in anticipated revenue from assessments from its members.

"We have a \$9,000 surplus, which is going to be used in 2023 for our administrative and professional expenses," she said.

An amount of \$5,500 will be used for post office box rental, stationary, bank fees, postage, insurance, book-keeping, audit and legal fees, Konopka said. Membership fees for chambers of commerce and Cape May MAC (Museums + Arts + Culture) total \$1,000, she said. A total of \$13,000 has been budgeted for enhancement projects, which includes tree trimming, lighting on trees and drip irrigation.

Konopka said the budget contains \$35,000 for décor and maintenance, which includes spring, summer, fall and holiday décor and planter boxes and baskets on Carpenters Lane, Washington Street, Lyle Lane and Liberty Way. The budget has an \$11,800 line item for advertising and events. For website and social media, the budget earmarks \$6,330, she said. A provision for uncollected assessments is \$1,230, according to Konopka.

TIDES: Jan. 4-11, 2023

DATE	HIGH		LOW	
	A.M.	P.M.	A.M.	P.M.
11	10:27	11:04	3:57	4:48
12	11:03	11:45	4:39	5:23
13	11:43		5:27	6:01
14	12:32	12:30	6:23	6:45
15	1:25	1:26	7:26	7:35
16	2:24	2:31	8:34	8:32
17	3:25	3:40	9:41	9:32
18	4:25	4:46	10:43	10:32

MOON PHASES
Last quarter, Jan. 15 • new moon, Jan. 21

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Projects

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would follow up on the idea.

Medvecky suggested lifeguards visit schools on Cape Island and Lower Township twice this year, once with a beach safety message and a second time to generate interest in the junior lifeguard program for the Cape May Beach Patrol. He suggested printing stickers and T-shirts for the students.

Visiting classrooms individually rather than holding a school assembly may be more effective, Medvecky said.

Committee member Christine DiDonato said she was seeking more input for content for beach safety brochures that could be distributed by hotels.

Steger suggested creating a five-page booklet that would include a map of the city's beaches and information about beach tags. He suggested talking with hotel managers for ideas for content.

The committee discussed plans for a second annual open house at lifeguard headquarters in July.

Last year's open house included a rescue demonstration. DiDonato suggested the city's fire department participate.

Cape May Fire Department Lt. Ed Zebrowski said the U.S. Lifesaving Association (USLA) offers coloring books, stickers and bookmarks free of charge for printing from its website. He said the USLA has a grant program for public education.