

# Cape May Point sets standards for small cell wireless facilities

**By RACHEL SHUBIN**  
Special to the Star and Wave

**CAPE MAY POINT** — The Board of Commissioners passed an ordinance Dec. 6 regarding use of its municipal rights of way for telecommunications companies for the placement of small cell wireless facilities.

"Because this issue was only discussed in closed sessions, I have some questions," resident Catherine Busch said. "The sizes of the cabinets, antennas and equipment mentioned in the ordinance are 3 cubic feet and 16 cubic feet. How was that chosen and why isn't it smaller?"

Special attorney Edward Purcell was included in the meeting by conference call to answer questions.

"Sixteen feet is what facilities decide and technologically it can't get a lot smaller than that," Purcell said. "From the municipality's perspective, we can regulate where they go and the uniform requirements. But we can't create standards that would inhibit ability of facilities to go in the right of way."

Busch asked whether the cabinets are fan-cooled and about the potential noise level.

"They are fan-cooled, small cells," Purcell said.

He said New Jersey municipalities can adopt the

state's model noise ordinance. Noise issues would have to go with a general noise ordinance, Purcell said.

Solicitor Brock Russell said the borough has a noise ordinance but has not adopted the model noise ordinance.

"Any ordinance enacted by a municipality that limits its decibels has to be approved by the New Jersey Department of Environmental Protection," Russell said. "But it doesn't mention this equipment, probably because it hasn't caught up with the technology."

Busch asked if the cabinets could be located on buildings as well as poles.

"There is no provision in the ordinance for it being on buildings like the municipal one or the water tower," Busch said.

Purcell said this ordinance deals only with the right of way.

"It will be treated as something really unique because these facilities will be placed in the right of way," Purcell said. "It is a specialized approach to take care of the right of way."

Commissioner Bob Mullock said the commissioners did discuss a central location since Cape May Point is so small.

"What about co-location for other telecommuni-

cation companies?" Busch said. "Can the borough require that?"

Purcell said co-location would be a requirement by the nature of the process.

"You are lucky that you are covered by Atlantic City Electric because they allow co-location on their poles," Purcell said. "As far as the new poles that go up, they will be limited. Once there is a set number of poles, they would have to co-locate."

The Planning Board can review the ordinance in regards to zoning and provide feedback to the Board of Commissioners.

Russell said the proposed ordinance goes from the governing body to the Planning Board under land-use laws.

The Planning Board gets it and reviews it and can make recommendations but is not allowed to make the final decision, he said.

The borough owns the streets where the roadway is but homeowners can attend meetings and speak, according to Purcell.

"We are looking to have the smallest, least-obstructive boxes," Deputy Mayor Anita VanHeeswyk said. "These were the smallest we could get."

In other business, the Board of Commissioners voted to reject all the bids submitted for Lake Lily Park.

"The bids were terrible and well beyond estimates we had received early on," Mullock said. "We are going to pull back and completely rebid in a different fashion."

Mullock said he met with an engineer and the bids will be split into three pieces.

"We are going to bid aggressively by itself and are going to cut in half what bids were given on this go," Mullock said. "That's our goal and we think we can get close to that."

Mullock reported Public Works sold 12 pieces of equipment, generating \$11,168 for the borough.

"We did get trash bids

in today and went over them," Mullock said.

Three different companies submitted bids for trash and recycling collection.

"We have a bid that we are highly interested in and a legal review will be done soon," Mullock said. "If it comes through as we plan, we will have one company do trash and recycling and we required this time that they are both picked up by noon."

Mullock said the amount they would pay for the bid, if approved, would cost the borough less at the fifth year than what the borough paid at the fifth year 10 years ago.

Preliminary numbers for the 2019 borough budget show there will not be an increase in cost for water.

"However, the past changes on the waste water treatment (sewage) is going up 10 percent a year," Mullock said. "There is nothing we can do about that since the county processes the sewage and sends us a bill. We then divide it by the number of homes in the municipality. We do the best we can."

Mullock said the West Cape May Point drainage project will help reduce stormwater flow into sewer pipes.

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## Museum invites public to Victorian Christmas

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This free exhibit showcases the sweet sounds of Victorian music boxes and gramophones. Included in the exhibition is a rare Capital Cuff music box made in New Jersey in the 1880s.

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December 22, 3-3:30 P.M.					

New Year's Eve Masses

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New Year's Day Masses

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