

MAY 13, 2021
REGULAR MEETING MINUTES

The Regular Meeting of the Board of Commissioners of the Borough of Cape May Point was called to order by Clerk Wallace at 6:00 PM. The Open Public Meetings Statement was read by the Mayor who then led those present in the flag salute. Mayor Moffatt, Commissioner Busch and Commissioner vanHeeswyk answered roll call. Also in attendance: Administrator Ed Grant, Clerk Elaine Wallace, and Solicitor John Amenhauser. This meeting was held electronically via Zoom under local operation guidance from the NJDCA, pursuant to P.L. 2020, c.11.

COMMISSIONERS' REPORTS:

Commissioner Busch reported on the Yale Avenue water project. Additional water services need to be added, which will result in a change order. Hopefully, the project will still finish on time. A notice was sent out to people to clarify the restoration. The Borough chose to apply for an NJDOT grant to redo Harvard Avenue this year since there is a gap of over an inch in the road. If it isn't repaved, it will worsen and require reconstruction, which is much more expensive. Bill Gibson is working on some ideas for renovating the maintenance building as well as the pole barn. There have been some changes already at the recycling yard, including installation of a berm and landscaping to help screen it from Oak Avenue. When options and quotes are compiled, Ms. Busch will bring them back to the Commission. Lastly, she reported a boat may be seen on Lake Lily today and once a month over the next 2 months. Clean-Flo, Inc., will be treating the lake with natural products that will restore the ecosystem gradually in an environmentally friendly way. The process was discussed at length at the Environmental Commission meeting.

Commissioner vanHeeswyk advised she looked into the possibility of purchasing software that would allow people to pay taxes and water/sewer bills online with a credit card. The price of \$2,400 plus \$1,200 annually was not within the Borough's budget. The borough already allows property owners to make electronic payments through ACH. Anyone interested can sign up using the application form found in the Document Center on the Borough website. Mrs. vanHeeswyk also report on stricter enforcement of CRS rules and regulations. Now, every property within the floodplain will have to have an engineer prepare a topographical survey of their property if they submit any construction or zoning permit. All applications go through the Zoning Officer, then to Cape May and through the Borough's Floodplain Administrator. She learned during the recent Coastal Coalition meeting that engineers are backed up 3 months on these surveys, and warned the public to plan accordingly.

Mayor Moffatt reported the new electric vehicle for the beach tag program has arrived. He also said things are moving forward with the beach patrol and beach tag programs.

ADMINISTRATOR'S REPORT:

Administrator Grant reported on multiple training sessions he's been taking for JIF and various State agencies. He has worked with the County on interim traffic calming

measures and coordinated with them and a property owner along Lighthouse Avenue to get a dead tree removed from the County right-of-way. He is also working on submitting a grant application to NJDEP to cover a portion of the new beach tagger electric vehicle. He also spoke with the Borough Solicitor to follow up on the past discussion about hot tubs. Mr. Amenhauser felt it would be a fairly straight forward process to amend the ordinance. Mayor Moffat would like to allow above ground hot tubs. The Commissioners decided it should be discussed more at a work session and both ordinances should be considered. Mr. Grant also reported JIF is compiling a list of contractors and negotiating fees for having background checks performed on potential new hires. And lastly, certain regulations have changed that necessitate the printing of new tickets books, which would cost the Borough approximately \$3,000. Mr. Grant contacted the judge and court administrator who are working on an alternative, but it must be approved by the Courts before sharing it with us.

PUBLIC QUESTIONS ON AGENDA ITEMS: None

APPROVAL OF MINUTES:

March 23, 2021 Closed Session

April 8, 2021 Regular Meeting

April 27, 2021 Work Session

Motions: vanHeeswyk, Moffatt

Roll call: all in favor

ORDINANCES FOR INTRODUCTION/PUBLICATION: None

RESOLUTIONS:

70-21 Authorizing Special Event Permit for Derek Lillemon

Motions: vanHeeswyk, Moffatt

Roll call: all in favor

71-21 Authorizing Special Event Permit for cape May Point Civic Club, Inc.

Motions: vanHeeswyk, Moffatt

Roll call: all in favor

72-21 Approval of Bill List

Motions: vanHeeswyk, Moffatt

Roll call: all in favor

73-21 Authorizing Executive/Closed Session in Accordance with the Provisions of the Open Public Meetings Act, specifically N.J.S.A. 10:4-12(b) – Attorney Client Privilege/Potential Litigation – Volunteer Fire Company

Motions: vanHeeswyk, Moffatt

Roll call: all in favor

ORDINANCES FOR SECOND READING AND PUBLIC HEARING:

04-2021 Ordinance Amending Chapter 146 Water and Sewer Utility of the Borough of Cape May Point Municipal Code

Commissioner Busch explained there were numerous changes designed to help the utility meet fiscal challenges including the 10% rate increase from Cape May and inadequate surplus to pay for emergency repairs and debt service. She gave a summary of the changes contained in the ordinance. Beginning with the 3rd quarter 2021 billing, the base water rate will increase to \$110 and excess water will be billed each quarter instead of once per year. Beginning with the 1st quarter 2022 billing, the Borough will begin billing for excess sewer based on quarterly water consumption at a rate of \$5.05 per thousand gallons. Both water and sewer rates will automatically increase by 1% annually. These changes will meet the Borough's obligations and hopefully build up a reserve. The Borough also hopes the quarterly billing will help protect the 35% of residents who are deemed low income. In addition to the changes in rates and billing, the ordinance also includes language about what happens in a water emergency.

Motion to open public hearing: Busch, vanHeeswyk

Roll call: all in favor

Helen Chezem asked if there would be any consideration on sewer charges in the summer to account for water used for lawn maintenance since it won't go through the sewer. Commissioner Busch explained there is a mechanism to allow someone to install a separate water meter, at their own expense, for outside water usage. Ms. Chezem asked the Borough to consider decreasing the expense in the summer for all residents. Commissioner Busch said it could be considered in the future, but the City of Cape May charges excess sewer at \$17.70 over 5,000 gallons. The Borough is already being more generous than the town from whom it purchases water.

Bob Mullock felt the Borough did a good job with the water rates based on existing issues. He pointed out Cape May charges the Borough a desalination rate on all water purchased, but in the last few years the City has purchased water from Lower Township to meet peak demand. He suggested the Borough look into purchasing water itself from Lower Township and store it in the water tank to decrease the water we'd need to buy from Cape May and eliminate paying the desal rate on that water. He thought that if both Cape May Point and West Cape May did that, it would eliminate the need to Cape May City to expand their desalination plant. Lastly, he didn't want to see the Borough sell its water utility to a private water company. Commissioner Busch assured him she had no intention of selling the water utility. She also said she would consider other options when the current contract comes up for renewal in 2025. Mr. Mullock thought the City might be willing to renegotiate early since they are facing the expense of possible expansion of their plant. Ms. Busch was uncertain if Lower Township would have available capacity to sell water to the Borough, and if they did, it might require additional pipelines to supply the Borough.

Mary Kelly thanked Commissioner Busch for her hard work on looking into all the alternatives regarding the water rates and for all the information she provided to the public.

When no one else wished to speak, the public hearing was closed.

Motion to adopt: Busch, vanHeeswyk

Roll call: all in favor

PUBLIC PORTION:

Mayor Moffatt reported he received a letter of appreciation for the Public Works employees Bill Gibson, David Gray and Anthony Famiano from a thankful property owner.

When no one else wished to speak, the meeting was recessed into closed session at 6:38 pm and reconvened at 6:44 pm on motion of Mayor Moffatt, seconded by Commissioner vanHeeswyk.

There being no further business, the meeting was adjourned at 6:46 pm on motion of Mayor Moffatt, seconded by Commissioner vanHeeswyk.

Respectfully submitted,

Accepted:

Elaine L. Wallace, RMC, CMR
Municipal Clerk

Commissioner Busch

Mayor Moffatt

Commissioner vanHeeswyk