

MAY 12, 2022
REGULAR MEETING MINUTES

The Regular Meeting of the Board of Commissioners of the Borough of Cape May Point was called to order by Solicitor Amenhauser at 6:00 PM. The Open Public Meetings Statement was read by the Solicitor 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 and Deputy Clerk Kelly Redington. 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 that the road reconstruction of Yale Avenue was delayed due to the recent multi-day nor'easter. Grinding of the road will begin on Monday, May 16, which will take approximately one week. They may or may not do the asphalt basecourse after this step; that has not been determined yet. Afterwards they will have to reset the newly installed storm drains before the final course of asphalt. The project will not be completed by Memorial Day; however, they will not be doing any construction activities Friday, May 27 through Monday, May 30. Once the final surface course is in place, they will perform final restoration and line striping. Commissioner Busch then stated we are working with our Borough Engineer on the beginning stages of a new project that includes the simple milling and repaving of Harvard Avenue in the fall.

Separately, Commissioner Busch shared that the recent six days of nor'easter winds caused some beach erosion at St. Peter's and Surf Avenue beaches, however those beaches typically grow during the summer months. Public Works has purchased a new type of beach mat from a company that provides products for accessibility, and the mats will be used at the Coral Avenue and St Peter's beaches. If they work well can expand to other beaches in the coming years.

Commissioner vanHeeswyk stated that many municipalities in NJ passed resolutions that opposed the pending DEP flood ordinance. As a result of this the New Jersey Department of Environmental Protection (NJDEP) has recognized that they need to reevaluate their proposed code coordinated flood ordinance. NJ DEP is also reevaluating the proposed rule changes in light of the FEMA risk rating 2.0.

ADMINISTRATOR'S REPORT:

Mr. Grant shared that Borough hall is now open to the public. Also, we have received requests for a speed monitor on Lighthouse Avenue this summer, and as a result we have contacted the county to request one. Finally, Mr. Grant reported on two issues related to the Atlantic County JIF (Joint Insurance Fund). The first is working with our attorney on a consent form for minors who work for the borough to receive medical treatment if injured. The second is that we have scheduled department head safety meetings in June and August.

PUBLIC QUESTIONS ON AGENDA ITEMS ONLY: None

APPROVAL OF MINUTES: None

RESOLUTIONS:

- 59-22 Approving Flood Insurance Promotion Activity with the Atlantic-Cape Multi-Jurisdictional Program for Public Information
Motions: vanHeeswyk, Moffatt
Roll call: all in favor
- 60-22 Resolution Requesting Permission for the Dedication by Rider for Donations – Acceptance of Bequests and Gifts - Community Tree Fund as Required by N.J.S.A. 40A:5-29
Motions: Busch, vanHeeswyk
Roll call: all in favor
- 61-22 Declaring the Official Opening Date of Cape May Point Beaches to Bathing and Fishing for 2022 Season
Motions: Moffatt, vanHeeswyk
Roll call: all in favor
- 62-22 Authorizing an Application to Sustainable Jersey for a NJ Urban & Community Forestry Grant
Motions: Busch, vanHeeswyk
Roll call: all in favor
- 63-22 Authorizing Special Event Permit for Kerry Durkan Braun and The ALS Association – Greater Philadelphia
Motions: Moffatt, vanHeeswyk
Roll call: all in favor
- 64-22 Authorizing Special Event Permit for Christopher Hewitt
Motions: Moffatt, vanHeeswyk
Roll call: all in favor
- 65-22 Approval of Bill List
Motions: vanHeeswyk, Moffatt
Roll call: all in favor
- 66-22 Authorizing an Executive/Closed Session in Accordance with the Provisions of the Open Public Meetings Act N.J.S.A. 10:4-12(b) – Attorney/Client Privilege and Contract Negotiations
-Bequest to CMPTA
-Pending OPRA Litigation Update
-Fence Replacement on Borough Right of Way
Motions: vanHeeswyk, Moffatt
Roll call: all in favor

MAYORAL APPOINTMENTS:

Planning Board

Joseph Remy - Class IV – 4-year term expiring 4/8/2026
Ellen Pfendner – Class IV – 4-year term expiring 4/8/2026
Jeffrey Sowers – Class IV – 4-year term expiring 4/8/2026
William Wallace – Alternate #1 - 2-year term expiring 4/8/2024

Motions to receive and file: vanHeeswyk, Moffatt

Roll call: all in favor

PUBLIC PORTION:

The public portion of the meeting was opened on motion of Commissioner vanHeeswyk; seconded by Mayor Moffatt.

Matt Adams discussed the replacement of the fence on his property that is in the right of way, which is one of the topics that will be covered under closed session.

Sandy Allison asked if there are any ordinances that restrict the length of time that a dumpster may be placed in the street during construction because of concern over traffic and parking on narrow streets in the borough. Planning Board Chair Mary Kelly shared that she received a copy of an ordinance in Wildwood Crest that addresses this, but the Planning Board has not had the time or resources to deal with this. Commissioner vanHeeswyk stated that while we do not have an ordinance in place, the Planning Board would be the appropriate group to address this issue.

When no one else wished to speak, the meeting was recessed into closed session at 6:27 pm on motion of Commissioner vanHeeswyk, seconded by Mayor Moffatt, and reconvened at 7:10 pm on motion of Mayor Moffatt, seconded by Commissioner vanHeeswyk.

There being no further business, the meeting was adjourned at 7:12 pm on motion of Commissioner Busch, seconded by Mayor Moffatt.

Respectfully submitted,

Accepted:

Elaine L. Wallace, RMC, CMR
Municipal Clerk

Commissioner Busch

Mayor Moffatt

Commissioner vanHeeswyk