

**JULY 28, 2020**  
**WORK SESSION MINUTES**

The Work Session of the Board of Commissioners of the Borough of Cape May Point was called to order by Clerk Wallace at 12:00 PM. The Open Public Meetings Statement was read by the Clerk who then led those present in the flag salute. Mayor Moffatt, Commissioner Mullock and Commissioner vanHeeswyk answered roll call. Also in attendance: Administrator Ed Grant, Clerk Elaine Wallace, and Solicitor Brock Russell. This meeting was held via teleconference under local operation guidance from the NJDCA, pursuant to P.L. 2020, c. 11.

**ACMJIF RENEWAL PRESENTATION:**

Executive Director Paul Miola presented renewal and history information to the Board as part of the renewal process. The JIF is a great value for municipalities, offering low premium and financial stability with \$48 million in cash and a \$24 million surplus to meet increasing demands of risk. In addition to great coverage, the JIF offers training to employees. The Board thanked Mr. Miola for his presentation. According to Commissioner vanHeeswyk, the Borough did a cost analysis of traditional insurance in 2010 and found JIF saved around \$60,000 annually in premiums.

**TRAFFIC CALMING DISCUSSION: Bob Church County Engineer**

Administrator Grant explained there is only one outstanding issue in connection with the **traffic islands on Lighthouse near Sea Grove**. The plan is to have plantings in the center of the island and recently it was suggested the islands be paved with the pervious material used for the Lake Lily walkway rather than traditional paving. County Engineer Bob Church clarified he will look into the possibility of using pervious paving with shrubberies under 30" in height. The Borough would be responsible for any irrigation heads and maintenance. The changes at the **intersections of Cape and Pavilion** include curbing and sidewalks. The Borough's master plan recommends against curbs and sidewalks wherever possible. Mr. Church explained sidewalks would be necessary to lead to crosswalks, but any remaining areas will be vegetated. Mayor Moffatt confirmed that areas where paving is being removed should be replaced with vegetation. The same treatment will be done at the **intersection of Ocean and Pavilion**. The East Lake and Coral intersections with Lighthouse have been partially done by the Borough. The County plans include installation of curbing and sidewalk. The question of a bike path at Coral was discussed, but were not included in the plan. The **speed tables on Cape Avenue** were finalized. The Borough asked that the markings be as unobtrusive as possible. Mr. Church explained the County will meet the minimum requirements dictated by traffic safety regulations and no more. At the conclusion of the discussion, Mr. Church stated the County will send final plans for approval by the Borough once they are revised based on the discussion.

Commissioner Mullock asked Mr. Church the status of the Sunset Bike Path project. Mr. Church asserted the bike path and resurfacing of Sunset would have to be done

concurrently, and those projects are in a holding pattern due to funding. He has made the administration aware the projects are ready to advance to final design and he is waiting for feedback and loosening of funds. Once that is received the consultant will be given the order to proceed.

### **COMMISSIONERS' DISCUSSION (NEW BUSINESS/OLD BUSINESS)**

Historic Preservation Survey: Commissioner Mullock would like to see a question put on the November ballot. Mayor Moffatt preferred a survey be sent to all property owners, as a question on the ballot only gets the responses of local voters, and he and the administrator are looking into options on how to do that. Mr. Mullock disagreed, feeling a referendum is needed and action taken quickly to stop the piece by piece loss of the Borough's historic buildings. Commissioner vanHeeswyk was in favor of a survey; if it were to be a ballot question, she felt it should be a non-binding referendum. Solicitor Russell explained the timing for getting a referendum on the ballot might be too tight to accomplish. Administrator Grant suggested waiting for public comments and then revisiting at on the next agenda.

Commissioner Mullock reported the Environmental Commission recommended approving the dune day plan submitted by the Taxpayers Association. Commissioner vanHeeswyk asked if the plan took into consideration the beach replenishment areas. Mr. Mullock said they are trying to keep plantings up=dune because of replenishment and to protect blanket area. The EC previously had good discussion about algae in the lake, which is a problem all over the state, but this past week the algae has decreased. There was also discussion about Lake Lily as part of the Cape Island Creek watershed. Lastly, he reported Public Works has received the new equipment, which cost 50% of what was budgeted.

Commissioner vanHeeswyk explained one resolution being considered today is the 2020 update to the Municipal Plan for Public Information, which earns points toward the Borough's CRS review. As part of NJ Coastal Coalition, the Borough is able to partner with the NJDEP and USACE to do a study to help mitigate flood issues, which would help homeowners with their insurance premiums. Also, the Army Corps of Engineers advertised for bids for the beach replenishment on July 16<sup>th</sup> and will be opening them on August 18<sup>th</sup>. Lastly, she encouraged everyone to list Cape May Point as a second home with the US Census, stressing the importance of representation for the County. In a related matter, she was able to obtain specific population numbers while working on hazard mitigation. The 2010 census showed 291 (up from 239 in 2000). There is a figure of 204 from 2017, which Mrs. vanHeeswyk feels is more realistic.

Mayor Moffatt advised the Borough was sent a detailed COVID-19 response plan, that the Borough is going to crack down on and follow. He also reported there is a new sign that clearly marks the State Park on the Alexander beach, and hopes the signs might alleviate some of the issues there. Dr. Moffatt also reported he will be speaking with the Police Chief with regard to the crosswalk sign at Whilldin and Lincoln, as well as some other matters he's been working on. Commissioner

vanHeeswyk asked if the crosswalk sign could be moved to the other side of the intersection since no one parks on that side.

### **ADMINISTRATOR'S REPORT**

Mr. Grant is working on several tasks in connection with Sustainable Jersey. He is waiting to hear back from a company that has provided information on doing a study on algae at Lake Lily. He is waiting for a response to his request for an extension on the 2019 Sustainable Jersey rain garden grant. He is working with the CFO to determine if the state will allow relief on transfer regulations related to COVID-19 expenses. The Borough is working on enforcement at the construction site at Oxford and Lake Drive. Lastly, he reported the County is finishing up on the Borough's request for reimbursement for the Lake Lily project through the Open Space grant.

**PUBLIC QUESTIONS ON RESOLUTIONS ONLY:** None

### **RESOLUTIONS:**

- 85-20 Resolution Authorizing the Execution of a Contract Renewing Membership in the Atlantic County Municipal Joint Insurance Fund  
*Motions: vanHeeswyk, Moffatt*  
*Roll call: all in favor*
- 86-20 Approving 2020 Dune Plan for Dunes and More Day  
*Motions: Mullock, Moffatt*  
*Roll call: all in favor*
- 87-20 Authorization to Accept the Audit Report for 2019  
*Motions: vanHeeswyk, Moffatt*  
*Roll call: all in favor*
- 88-20 Authorizing an Agreement with New Jersey Audubon for Triangle Park Invasive Plant Management Project  
*Motions: Mullock, vanHeeswyk*  
*Roll call: all in favor*
- 89-20 Acceptance of Project and Approval of Final Payment Lake Lily Park Landscaping Contract #3  
*Motions: Mullock, vanHeeswyk*  
*Roll call: all in favor*
- 90-20 Approval of Bill List  
*Motions: vanHeeswyk, Moffatt*  
*Roll call: all in favor*
- 91-20 Approving the 2020 Update to the Multi-Jurisdictional Program for Public Information  
*Motions: vanHeeswyk, Moffatt*  
*Roll call: all in favor*

**PUBLIC PORTION:**

Jeff Sowers, 711 Cape Avenue, thanked the Borough for partnering with the County on traffic issues. He suggested asking the County to look into making Lincoln Avenue between Cape and Ocean a one-way street. Cars parked along that street almost entirely blocks one lane of traffic. Making it one-way would solve that problem.

Carol Lutfy, 200 Oxford, was interested in continuing the historic preservation discussion with the public. She then asked if the Borough has made any policy decision about the proliferation of rabbits. She estimated there to be about 30 right now on Oxford between Coral and the lake. The commissioner anticipated the migration of predatory birds and return of coyotes in the fall will take care of the situation naturally.

Mike Keosky thanked Ed Grant and Bob Church for their work on moving the traffic calming projects forward. He asked if the traffic tables on Cape would be at intersections. They will not be. Clerk Wallace will send him a copy of the plan showing the locations. Mr. Keosky also commented on the suggestion of having a referendum on the November ballot about historic preservation. He understood the deadline to be short and would like to know exactly what it all means before voting on it.

Jim Imbriaco asked if it would be possible to put a moratorium on demolition on any house built before a certain date in an effort to stop the loss of more historic properties before the question of historic preservation can be asked. Solicitor Russell felt that was not a possibility. Commissioner Mullock again asserted he would like a 60-day waiting period before any buildings could be demolished to see if they could be saved or moved. Mr. Keosky would be in favor of that, but only for historic buildings, not all demolitions.

Catherine Busch, 308 Yale, as member of the Planning Board, endorsed the Mayor's preference of a survey of all property owners rather than a question on the ballot because it gives second homeowners the opportunity to provide input.

Joe Glazer, 317 Ocean, thanked Dr. Moffatt and Ms. Busch for wanting to include non-resident homeowners. He also suggested it be made clear exactly what is meant by historic preservation and what the impact would be. A broad band-aid approach makes homeowners nervous about what burdens might be imposed. Mr. Glazer took exception to Mr. Mullock's claim that historic preservation increases values. He felt several homes recently demolished were on the market for a long time before being purchased and demolished, which he felt indicated the cost of updating was too high. And a homeowner who sells a home with a mandate about restricting demolition is going to realize less value for selling that home. Mr. Glazer felt the diverse architecture and small cottages of any age are what make Cape May Point what it is.

Commissioner vanHeeswyk thanked Mr. Glazer for using the term “diversity of architecture”. She was chair of the planning board in the late 1980 when 2 well-known architects were on a subcommittee for historic preservation. Both architects agreed it was the diverse architecture that gave Cape May Point its character, rather than a particular style or age. In addition, the Borough’s zoning and green spaces contribute to the character of Cape May Point.

Sandy Allison, 305 Alexander, hoped a conclusion could be reached since the question has been going on for 40 years. She also liked the idea of putting a moratorium on demolition to see what alternatives are possible.

Mary Kelly stated she wasn’t sure how a ballot question could be worded because one of the problems for the Planning Board was defining what would be historic and what the Borough wants to protect.

When no one else wished to speak, the meeting was adjourned at 1:51 pm on motion of Commissioner Mullock, seconded by Commissioner vanHeeswyk.

Respectfully submitted,

Accepted:

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Elaine L. Wallace, RMC, CMR  
Municipal Clerk

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Commissioner Mullock

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Commissioner vanHeeswyk

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Mayor Moffatt