

**JANUARY 10, 2019  
REGULAR MEETING MINUTES**

The Regular Meeting of the Board of Commissioners of the Borough of Cape May Point was called to order by Mayor Moffat 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 Mullock and Commissioner vanHeeswyk answered roll call. Also in attendance: Administrator Steve O'Connor, Clerk Elaine Wallace, and Solicitor Brock Russell.

**COMMISSIONERS' REPORTS:**

Commissioner Mullock reported on his plan to divide the Lake Lily bid into 3 phases and have the Public Works department do much of the site preparation work in order to attain cost savings. He thanked everyone who has been working on this important project. He also reported the Borough expects to do more road and drainage work this spring, so people should be prepared for some disruption for a short time.

Commissioner vanHeeswyk reported many municipalities are using the Borough's recently adopted right-of-way ordinance as a model in adopting their own ordinance governing small cell units. She thanked Brock Russell and special counsel Ed Purcell for drafting the ordinance and getting it done ahead of the curve.

Mayor Moffatt thanked Chief Marino for attending the meeting. Chief Marino explained the need for each town to designate its own location for emergency warming shelters when a Code Blue is declared. The Cape May Police lobby will serve as the Borough's warming center. Mayor Moffatt announced the Borough is not buying a new Polaris this year. Instead, he is hoping to be able to purchase a 4-wheel drive electric vehicle when they are released in September.

**APPROVAL OF MINUTES:** None

**ORDINANCES FOR INTRODUCTION/PUBLICATION:** None

**RESOLUTIONS:**

- 01-19 Resolution Providing Temporary Appropriations for the Year 2019  
*Motions: vanHeeswyk, Moffatt*  
*Roll call: all in favor*
  
- 02-19 Designation of the Official Instrument for the Publication of Legal Notices  
*Motions: vanHeeswyk, Moffatt*  
*Roll call: all in favor*
  
- 03-19 2019 Cash Management Plan  
*Motions: vanHeeswyk, Moffatt*

- Roll call: all in favor*
- 04-19 Resolution Authorizing the Sewer/Water Clerk and Tax Collector to Cancel Overpayments or Delinquencies under \$10.00  
*Motions: Mullock, vanHeeswyk*  
*Roll call: all in favor*
- 05-19 Designating Authorizing Signatories on Borough Bank Accounts  
*Motions: vanHeeswyk, Moffatt*  
*Roll call: all in favor*
- 06-19 Schedule of 2019 Municipal Holidays / Borough Hall Closings  
*Motions: vanHeeswyk, Moffatt*  
*Roll call: all in favor*
- 07-19 Authorizing Tax Assessor to File Regular Appeals to the Cape May County Board of Taxation  
*Motions: vanHeeswyk, Moffatt*  
*Roll call: all in favor*
- 08-19 Resolution to Establish the Rate of Interest for Nonpayment of Taxes or Assessments for the Borough of Cape May Point for the Year 2019  
*Motions: vanHeeswyk, Moffatt*  
*Roll call: all in favor*
- 09-19 Award of Professional Services Contract for Borough Solicitor – Brock D. Russell, Esq.  
*Motions: vanHeeswyk, Moffatt*  
*Roll call: all in favor*
- 10-19 Award of Professional Services Contract for Borough Auditor – Michael Garcia of Ford, Scott and Associates, LLC  
*Motions: vanHeeswyk, Moffatt*  
*Roll call: all in favor*
- 11-19 Award of Professional Services Contract for Bond Counsel McManimon, Scotland & Bauman, LLC  
*Motions: vanHeeswyk, Moffatt*  
*Roll call: all in favor*
- 12-19 Award of Professional Services Contract for Borough Engineer – Bruce Graham  
*Motions: Mullock, Moffatt*  
*Roll call: all in favor*
- 13-19 Award of Contract for Website Services for 2019  
*Motions: vanHeeswyk, Moffatt*

- Roll call: all in favor*
- 14-19 Award of Contract for MIS Services for 2019  
*Motions: vanHeeswyk, Moffatt*  
*Roll call: all in favor*
- 15-19 Award of Contract for Animal Control Services for the Year 2019  
*Motions: Moffatt, vanHeeswyk*  
*Roll call: all in favor*
- 16-19 Award of Professional Services Contract for Borough Planner – Michael Sullivan  
*Motions: vanHeeswyk, Moffatt*  
*Roll call: all in favor*
- 17-19 Award of Professional Services Contract for CRS Coordinator  
*Motions: vanHeeswyk, Moffatt*  
*Roll call: all in favor*
- 18-19 Award of Professional Services Contract for Floodplain Administrator  
*Motions: vanHeeswyk, Moffatt*  
*Roll call: all in favor*
- 19-19 Award of Contract for 2019 Annual Beach Profile Survey  
*Motions: Mullock, Moffatt*  
*Roll call: all in favor*
- 20-19 Appointing Risk Management Consultant  
*Motions: vanHeeswyk, Moffatt*  
*Roll call: all in favor*
- 21-19 Designating Public Agency Compliance Officer for 2019  
*Motions: vanHeeswyk, Moffatt*  
*Roll call: all in favor*
- 22-19 Annual Schedule of Meetings for 2019  
*Motions: vanHeeswyk, Moffatt*  
*Roll call: all in favor*
- 23-19 Authorizing Special Event Permit to Joseph Maio  
*Motions: vanHeeswyk, Moffatt*  
*Roll call: all in favor*
- 24-19 Authorizing the Disposal of Surplus Property  
*Motions: Mullock, Moffatt*  
*Roll call: all in favor*

- 25-19 Office of Emergency Management Appointments  
*Motions: Mullock, vanHeeswyk*  
*Roll call: all in favor*
- 26-19 Reappointments to Green Team for 2019  
*Motions: Mullock, Moffatt*  
*Roll call: all in favor*
- 27-19 Designating Cape May Police Department Lobby as Municipal  
 Emergency Warming Center for Cape May Point  
*Motions: vanHeeswyk, Moffatt*  
*Roll call: all in favor*
- 28-19 Approval of Bill List  
*Motions: vanHeeswyk, Moffatt*  
*Roll call: all in favor*

**ORDINANCES FOR SECOND READING AND PUBLIC HEARING:** None

**MAYORAL APPOINTMENTS:** The following appointments were received and filed on motion of Commissioner vanHeeswyk, seconded by Commissioner Mullock.

**Environmental Commission**

- Emelia Oleson – Member – 3-year term expiring 1/31/2022
- Ed Grant – Member – 3-year term expiring 1/31/2022
- Barbara Bassett – Alternate #2 – 2-year term expiring 1/31/2021

**PUBLIC PORTION:**

Helena Bew thanked the Tax Collector for being so kind and helpful when she had questions. She then expressed concern over hearing there is a proposal to put in a 2-story building in the floodplain. Regardless of the other issues surrounding the proposal, she felt it was irresponsible to knowingly put in a building in a floodplain. Commissioner Mullock understood her concerns but he pointed out that Cape May Point is built on a flood plain. If we didn't build on a flood plain there would be no Cape May Point. Commissioner Mullock displayed the latest FEMA map showing the Borough flooding in a Category 1 hurricane. Both the water tower and the Lighthouse/Sunset public works sites would be dry while the Firehouse would be flooded and Borough Hall would be surrounded by floodwaters. Mullock noted the two public works sites are within ten inches in elevation of each other. In a Category 3 hurricane all Borough buildings would be flooded and wind damaged. Commissioner Mullock stated it is readily possible to build an affordable Public Works building which would survive a Category 5 hurricane. This would protect first responders, public works staff and residents who were unable to escape in time. Public works recovery equipment, selected Fire House equipment would be saved to help restore the town. He also stated we need to protect the water tower and water

infrastructure. Commissioner vanHeeswyk commented on the sustainability study done by the College of NJ which provided projections of normal water levels and flooding caused by a Category 1 hurricane in 2030 and 2050. They are important tools to use when planning future infrastructure. The project was completed 5 years ago, and since then, the progress has sped up. According to those projections, only one of the public works sites will be dry. She hoped that would be considered when planning public works locations.

Helen Chezem commented on the projected flood maps and confirmed the current public works building would not be flooded, while the water tower site is in a flood zone. She also commented the vacant lot owned by the Borough near the water tower could be used better as an area for flood mitigation instead of displacing more water by putting a 4,500 square foot building on it. She felt rebuilding on the current public work site to be a better alternative.

Sandy Allison asked the Borough to paint white lines on the roadway at the intersection of Pearl and Alexander as suggested in a county study to help with traffic calming. She also advised the bulletin board at Alexander beach needs to be repaired. Lastly, she asked if the incline to the deck at Alexander would be made gentler.

Helena Bew asked if the Borough has clearly established that a second building is necessary.

Stephanie Maggio wished everyone a good 2019. She thanked the Commissioners for their thoughtfulness and all the work they do.

When no one else wished to speak, the meeting was adjourned at 7:21 pm on motion of Commissioner Mullock, seconded by Mayor Moffatt.

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