

MARCH 12, 2019
WORK SESSION MINUTES

The Work Session of the Board of Commissioners of the Borough of Cape May Point was called to order by Mayor Moffatt at 12:08 PM. The Open Public Meetings Statement was read by the Mayor who then led those present in the flag salute. Mayor Moffatt and Commissioner vanHeeswyk answered roll call. Commissioner Mullock was absent. Also in attendance: Administrator Steve O'Connor, Clerk Elaine Wallace, and Solicitor Brock Russell.

ADMINISTRATOR'S REPORT: Administrator O'Connor had no updates on Borough projects since his last report. He reached out to County Engineer Bob Church about coming to discuss traffic calming matters that were endorsed by the previous County Engineer. Mr. Church would like to bring the consultant who designed the plan and will hopefully be able to meet with the Borough sometime in April. He also reported he attended the most recent Animal Shelter meeting on behalf of the Borough.

COMMISSIONERS' DISCUSSION (NEW BUSINESS/OLD BUSINESS)

Proposed Right-of-Way Agreement amendments: Solicitor Russell asked Ed Purcell to review the requested changes. Some were good suggestions that tighten up the agreement. He will have the clerk incorporate the items that Mr. Purcell approved to create a new standard agreement.

Commissioner vanHeeswyk read aloud a statement from Planning Board Chair Greenberg about appointment of a subcommittee to address historic preservation. He expects a report at the April Planning Board meeting. Mr. Greenberg stressed the Planning Board is only advisory and any ordinances would have to be written by the governing body.

Mayor Moffatt reminded everyone of the rally against seismic testing in the Atlantic at Cape May Convention Hall on Monday, March 18th. He also announced Senator Andrzejczak is sponsoring a bill to increase shore protection funding and the Borough will be considering a resolution endorsing that legislation at the regular meeting. The Jersey Shore Partnership is having an event Monday, March 25th at The Reeds to raise awareness. Commissioner vanHeeswyk asked the resolution be put on the agenda because federal funding may be lost and State funding is currently only \$25 million. The proposed legislation would increase State funding to \$50 million. She is worried the Borough could suffer with its next replenishment scheduled for 2020.

REVIEW OF NEXT REGULAR MEETING AGENDA: The Clerk reviewed the agenda items for the March 14, 2019 meeting.

PUBLIC PORTION:

Connie Campanella asked what the animal shelter meeting was about. Mr. O'Connor explained that every municipality has to be represented on the Board. Ms. Campanella also asked how Mr. Greenberg's letter about the subcommittee on

historic preservation fits in with the Board directive at the last work session to do it expeditiously. Commissioner vanHeeswyk stated a member of the public reported that, not the Board. The Planning Board was already aware of the topic as it related to flood regulations. Catherine Busch, a member of the Planning Board, stated it is the Chair's prerogative to appoint subcommittees, which he must have done after the January meeting. The January meeting discussion had more to do with FEMA flood elevations and the effect they may have on older houses. Commissioner vanHeeswyk said the 2008 historic preservation discussion encompassed the entire town because Wilkes Barre was given exemption from flood regulations in a historic area and the thought was it would be better for the town. That is not necessarily the case now, as circumstances have changed.

Catherine Busch commented on the January Planning Board meeting at which the Board discussed suggesting the Borough change its stormwater management plan to govern lots less than 1 acre. The Commissioners have not yet received official correspondence to that effect from the Planning Board.

Mary Kelly asked if any further consideration was given to recording meetings, feeling it might alleviate problems of miscommunication. She also expressed concern that the minutes are not approved and posted timely, sometimes being months behind, making it difficult for people to know what is happening in town. She also asked about quotes not being the minutes and letters read at meetings but not in the minutes. Solicitor Russell explained correspondence is not attached to minutes. Commissioner vanHeeswyk also explained that minutes are not verbatim, but summary and they are the official record of a meeting, not a recording which can be destroyed after the minutes have been approved. The Planning Board is a different circumstance because they are a quasi-judicial board and are required to record hearings. Catherine Busch suggested the comments about delayed Planning Board minutes be addressed to that Board. Ms. Kelly commented on the stormwater management plan, which was adopted as directed in the 2007/2008 master plan, but it was adopted in a way that limits it to parcels over 1 acre. Solicitor Russell explained that is by state law. Ms. Kelly wanted to know if the Borough could apply it to smaller parcels. Mr. Russell said there are standards in Residential Site Improvement Standards (RSIS) that apply and the Borough isn't allowed to adopt a stormwater management plan to get around the RSIS. Catherine Busch stated the Borough should be getting a report from the Planning Board with regard to this matter. Ms. Kelly stated that looking back over the minutes for several years shows these are not new issues and wondered why additional resources aren't being allocated to hire experts and move things along more quickly. Solicitor Russell countered that the Borough introduced an ordinance quickly after stormwater concerns were raised last year. Unfortunately, it was found to be inconsistent with the master plan and now it is being handled more carefully. In addition, the Borough was one of the first municipalities to handle the right-of-way regulations for small cell towers. Commissioner vanHeeswyk affirmed the Borough has budgeted funds so it is able to hire the professionals necessary in these cases. Lastly, Ms. Kelly stated she is not trying to be critical of the commissioners or administration, just expressing concerns she has based on her personal experience.

Sandy Allison has found that things being posted late have made it difficult to follow events when not in town. She also commented that there is a lot of work being done but she doesn't see a lot of permits in windows. She also announced Kyle Rossner of the County Mosquito Commission has agreed to give a presentation at the June 13th Borough Meeting. She also asked about the adjustments needed at the Alexander Avenue beach entrance platform, but there was no information to give since Commissioner Mullock was absent.

Mary Kelly announced the County Mosquito Commission will have a booth at the Civic Club Bazaar this year.

When no one else wished to speak, the meeting was adjourned at 12:47 pm on motion of Commissioner vanHeeswyk, seconded by Mayor Moffatt.

Respectfully submitted,

Accepted:

Elaine L. Wallace, RMC, CMR
Municipal Clerk

A B S E N T
Commissioner Mullock

Commissioner vanHeeswyk

Mayor Moffatt