

**DECEMBER 19, 2023  
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 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' DISCUSSION/REPORTS:**

Draft Ordinances for Open Burning and Paragliders/Drones: Solicitor Amenhauser asked for thoughts from the commissioners on the latest revisions of the draft ordinances. The consensus on the paragliders/drones was that the ordinance should ban both manned and unmanned recreational aircraft and combine the language from both drafts. The open burning draft refers to the state regulations and then supplements them with local rules which include definitions and prohibitions. Items such as proximity to lot lines, buildings, etc. are covered by the state regulations. Mr. Amenhauser said he would add the statutory reference to the draft so people can look them up directly and then provide an updated draft. Administrator Grant stated the fire company supported the proposed guidelines. He will forward them a copy when the new draft is completed.

Draft Beach Management Plan: Commissioner Busch explained the purpose of the Beach Management Plan is to protect portions of the beach for the benefit of beach-nesting, endangered birds and certain plants. She met with the state to review the previous plan and to discuss necessary changes. The major changes were:

- the precautionary beach was moved from Alexander Beach to Lighthouse Beach adjacent to the State Park and its precautionary beach making it more conducive to beach nesters and plants
- dogs will not be allowed on beach starting April 1<sup>st</sup> to be in-line with the state park regulations; the NJDEP will work with the park to have them end date match the borough's
- kite flying is already prohibited, but drones will be added in the new plan

Commissioner Busch and Clerk Wallace will review for accuracy all the ordinance references in the plan because some numbering has changed. Mayor Moffatt expressed concern that the map shows the precautionary beach going all the way to the Lehigh Beach entrance. That beach is very popular for swimming. Ms. Busch explained the beach can still be used for swimming, but the portion set aside for plants will be symbolically roped off in some way. Alexander beach didn't allow swimming because of underwater hazards, not because it was the precautionary beach. She will verify the intended boundaries with the state and provide feedback on the draft. Once a final plan is prepared and attachments are included, there will be a memorandum of understanding that will have to be approved at a meeting.

Lehigh Avenue Parking: Commissioner Busch showed a drawing for proposed angled parking on Lehigh Avenue adjacent to the Science Center. The Borough will be replacing water mains on Lehigh and Ocean Avenue and then the roads will be resurfaced. At that time, the borough will use 1 additional foot of the right-of-way to create angled parking adjacent to the Science Center and be able to keep parallel parking on the other side of the street. The proposed change will add 20 spaces, including 1 handicapped space, where only 6 cars could park parallel. The commissioners were all in favor of the change.

Commissioner vanHeeswyk reported she has been working on the 2024 budget. She commented on an article in the Herald about the ratio of debt service to revenue within the county. Cape May Point's ratio is only 1% compared to some other towns that are as high as 23%. This has a big positive impact on the borough's budget. She also mentioned the increased cost of cyber insurance and how the borough has a \$900 item on the bill list that will fund an increase in the borough cyber rating which will save thousands of dollars in the event of a cyber incident.

Mayor Moffatt reported his department's budget is complete and ready to present.

Commissioner Busch reported the recent road closure on Lighthouse Avenue was due to a contractor installing water/sewer laterals to a property being developed. The work was being supervised by the county, since Lighthouse is a county road, but the borough also has someone there to make sure borough infrastructure is protected. The completion date is unknown. Ms. Busch also announced the contract with Gold Medal for trash/recycling collection expires at the end of the year. The new contractor will be Pinelands beginning on January 2<sup>nd</sup>. Due to the holidays, pickup will be on Tuesday for the next two weeks. More information will be sent via email alert by the clerk.

**ADMINISTRATOR'S REPORT:**

Mr. Grant reported the veterans memorial survey has been delayed due to a title search issue. He anticipated having it in time to meet with the committee after the first of the year. He also reported the state put emergency debris removal out to bid. Once awarded, the borough will be able to use it to award its own contract. The fire truck tabulations were completed and the final purchase will be roughly \$50,000 less than originally anticipated. He thanked Bill Gibson for his assistance during the process. Lastly, he also commented on the borough spending an additional \$900 to attain advanced-level cyber security rating, a wise investment that will garner the best coverage and big savings on deductibles.

**PUBLIC QUESTIONS ON AGENDA ITEMS ONLY:** None

**APPROVAL OF MINUTES:**

December 7, 2023

*Motion: vanHeeswyk, Moffatt*

Roll call: all in favor

**ORDINANCES FOR INTRODUCTION AND PUBLICATION:** None

**RESOLUTIONS:**

- 127-23 Authorizing Purchase of Rosenbauer Pumper with Commander Chassis through HGACBuy Purchasing Cooperative  
*Motion: Moffatt, vanHeeswyk*  
*Roll call: all in favor*
- 128-23 Authorizing the Refund of Affordable Housing Payment  
*Motion: vanHeeswyk, Moffatt*  
*Roll call: all in favor*
- 129-23 Authorizing Water Bill Adjustment in Accordance with Ch. 146-17.d “Water Leakage Policy” of the Code of the Borough of Cape May Point  
*Motion: Busch, Moffatt*  
*Roll call: all in favor*
- 130-23 Approval of Bill List  
*Motion: vanHeeswyk, Moffatt*  
*Roll call: all in favor*

**ORDINANCES FOR SECOND READING/ PUBLICAT HEARING/ ADOPTION:** None

**PUBLIC PORTION:**

Bob Mullock thanked everyone for their support of the Science Center. He felt the parking change will be favorable for everyone. He asked if the Lehigh Avenue beach entrance will remain the same under the new beach management plan since Science Center uses the ramp to take school children to the beach as part of its programs. Commissioner Busch stated the ramp will remain and the restricted area should be clearly marked so there shouldn't be any issue. Mr. Mullock also reported the Science Center will be joining with other non-profits and the NJDEP to do a major project in 2024 to monitor the movements of oyster catchers.

Sandy Allison asked if Alexander Avenue would be opened to swimming and beach raking once it is no longer the precautionary beach. Mayor Moffatt reiterated that swimming is prohibited here due to underwater hazards, not because it was the precautionary beach. The beach will probably be raked like the other beaches. Ms. Allison asked if existing fire pits will be grandfathered when the new ordinance goes into effect. The current draft does not address grandfathering.

When no one else wished to speak, the meeting was adjourned at 12:48 pm on motion of Commissioner vanHeeswyk, seconded by Mayor Moffatt.

Respectfully submitted,

Accepted:

Elaine L. Wallace, RMC, CMR  
Municipal Clerk

Commissioner Busch

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Mayor Moffatt

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Commissioner vanHeeswyk