

**BOROUGH OF CAPE MAY POINT  
COMMISSIONER'S MEETING  
December 13, 2011**

**OPEN PUBLIC MEETINGS ACT STATEMENT**

A meeting of the Board of Commissioners of the Borough of Cape May Point was called to order by Mayor Carl Schupp on Tuesday, December 13, 2011 at 9:30 a.m. in the Conference Room at the Cape May Point Municipal Building located at 215 Lighthouse Avenue. Mayor Schupp announced that this meeting having been properly posted and advertised in the Cape May Star & Wave, was being held in accordance with the Open Public Meetings of 1975 (N.J.S.A. 10:4-6) also known as the Sunshine Law. The Municipal Clerk took the following roll call vote:

**ROLL CALL**

<b>Commissioner Henderson</b>	<b>PRESENT</b>
<b>Commissioner vanHeeswyk</b>	<b>PRESENT</b>
<b>Commissioner Schupp</b>	<b>PRESENT</b>

**REVIEW UPCOMING MEETING AGENDA FOR DECEMBER 13, 2011**

The Board of Commissioners reviewed Agenda with some discussion. Liz Shay explained Resolution 100-11 which cancels the need for an Emergency Appropriation to Pay Unemployment Claims for 2011. She added that this will negate the need to borrow the money from next year's municipal budget. All agreed.

**REPORTS OF THE COMMISSIONERS AND GENERAL DISCUSSION**

**Commissioner Schupp** stated that he has offered the Borough's support for the Cape May Maritime Museum and Lifesaving Station to be built in the Cape May Point area. He mentioned that this our verbal support for the building to be placed at the State Park and in no way encumbers the Borough. Commissioner vanHeeswyk stated that she agrees to support this project as long as it is not in Cape May Point as it would draw too many visitors. She stated that she suggested the area near the gun tower and Sunset Beach which is owned by the State. Commissioner Henderson also agreed as long as it is non-financial. Commissioner Henderson stated that this organization is also interested in purchasing the Brandywine Lighthouse. He added that the Brandywine Lighthouse is considered a part of Cape May Point because the electricity comes from the Point. It is about 8 miles away and can only be seen in clear weather. Commissioner vanHeeswyk asked if a resolution is necessary. Mayor Schupp stated that he would write a letter offering our support.

**Mayor Schupp** addressed Commissioner Henderson's plan to make the Beach Patrol Chief's position seasonal. He stated that the position requires a large amount of overtime and work to be done throughout the year. He stated that it also requires the current person holding the job to pay \$5000 in rent to stay here during the season which should take into consideration when making the salary for the position. He stated that he strongly opposes any change to this position, including the salary, the pension, etc. Commissioner Henderson explained that the current position is a year-round, full-time position which offers a pension. He stated that this position is clearly seasonal and he cannot justify the position being year-round and include a pension. He stated that he could only address what the taxpayers pay in the yearly budget and expect from us. Commissioner Henderson stated that many of the Mayor's concerns have crossed his mind and he simply wanted to address what is best for the taxpayers of this town. He stated that he cannot make a seasonal job a year-round no-show position. Mayor Schupp stated that that it is his opinion that Commissioner Henderson is changing this position and will not be here to deal with the problems that this decision will cause.

**Commissioner Henderson** stated that he had no report other than to say that there are no outstanding JIF claims at this time.

**Commissioner vanHeeswyk** stated that the resignation of Lori Griffa has caused some communication problems with the Department once known as the Council On Affordable Housing. Commissioner vanHeeswyk stated that the state is awaiting a court decision which will determine the course of

affordable housing statewide. Discussion ensued regarding the use of the current COAH funds in the Cape May Point COAH Trust Fund.

Commissioner Henderson stated that the concept of what used to be a RCA is not addressing the issue of inclusionary zoning which is why COAH was established.

Commissioner vanHeeswyk stated that she has included an Ordinance on the agenda to amend Chapter 90 of the Borough Code. She explained that this ordinance amends construction in Flood Zones A1-A-30, AE and AH zones. She stated that the current ordinance as amended would allow piles, post, piers or columns or elevation on walls or a crawlspace. She stated that one of the reasons she ran for office was to preserve cottages and prevent homeowners from having to move a cottage, drive piles and then place that cottage back on top of the piles causing financial burdens and could compromise the integrity of the structure.

Commissioner Henderson questioned the use of walls or a crawlspace in lieu of pilings. Commissioner vanHeeswyk stated that A zones do not require pilings, however V zones do. She mentioned that the Borough has no V zones that are buildable. Commissioner vanHeeswyk stated that this brings her full-circle and fulfills one of her reasons for running for office. She also mentioned that the Construction Official is happy with this ordinance change. Commissioner Henderson stated that moving water is the determining factor for storm zones and stated that the flood maps are subject to change this coming year. Commissioner vanHeeswyk asked Mayor Schupp about the recently purchased doors lock which were, in her opinion necessary for security of the three administrative offices. She cited an incident of someone entering an office and removing checks without authority. She asked Mayor Schupp to pay for the door locks. He refused. She stated that it is her responsibility to secure the administrative offices of the borough but did not have a budget for "hardware" which is why she requested the locks be paid from PW Buildings and Grounds.

#### **PUBLIC PORTION**

**Sally Sachs** stated that the Environmental Commission discussed the possibility of contacting the County to discuss the purchase of a parcel of land through County Open Space. She asked if one of the Commissioners had done so or would be doing so. Mayor Schupp stated that he would contact Barbara Earnst at the Open Space Department. Mayor Schupp stated that his one concern is loss of three lots on our ratables. She also mentioned that at the Lake Committee meeting it was determined that three wells would be needed in the circle to provide an adequate amount of water.

Liz Shay stated that the bill list provided to the Commissioners today is merely a draft and asked that they review it for accuracy.

Commissioner vanHeeswyk made a motion to enter into Executive Session. Commissioner Henderson seconded the motion. The Municipal Clerk took a roll call:

<b>Commissioner Henderson</b>	<b>YES</b>
<b>Commissioner vanHeeswyk</b>	<b>YES</b>
<b>Commissioner Schupp</b>	<b>YES</b>

#### **RESOLUTION NO. 96-11 EXECUTIVE SESSION RESOLUTION**

**WHEREAS**, NJSA 10:4-12 Allows for a Public Body to go into closed session during Public Meeting; and

**WHEREAS**, the Governing Body of Cape May Point has deemed it necessary to go into closed session to discuss certain matters are exempted from the Public; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Commissioners of the Borough of Cape May Point, in the County of Cape May And State of New Jersey will go into closed session for the following reason(s) as outlined:

## Potential Litigation

The board reconvened the meeting at 11:10 am.

### **ADJOURN**

Upon motion by Commissioner vanHeeswyk, seconded by Commissioner Henderson the meeting was adjourned at 11:15 am. The Municipal Clerk took a final roll call vote.

### **ATTEST:**

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Constance A. Mahon, Municipal Clerk

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Commissioner Henderson

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Commissioner vanHeeswyk

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Commissioner Schupp