

**BOARD OF COMMISSIONERS
MEETING MINUTES
June 30, 2011**

OPEN PUBLIC MEETINGS ACT STATEMENT

A meeting of the Board of Commissioners was called to order at 10:00 on Thursday, June 30, 2011 in the Conference Room at the municipal building located at 215 Lighthouse Avenue. Mayor Schupp announced that this meeting having been properly posted and advertised, 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

Commissioner Henderson	PRESENT
Commissioner vanHeeswyk	PRESENT
Commissioner Schupp	PRESENT

Mayor Schupp asked that everyone mark their calendars for a special meeting on Wednesday, July 6, 2011 at 3:00 pm to discuss the energy audit upgrades. He stated that this would be an open public meeting.

VOUCHERS

Commissioner Henderson made a motion to approve the vouchers as presented for payment. (Bill list attached) Commissioner vanHeeswyk seconded the motion and the Clerk took a roll call vote as follows:

Commissioner Henderson	YES
Commissioner vanHeeswyk	YES
Commissioner Schupp	YES

Commissioner Henderson discussed disaster recovery. He stated that there are 2 aspects of disaster recovery to discuss: the first issue being the preservation of records, the second being restoration of borough buildings. Commissioner Henderson stated that our current plan may not be workable or practical.

Records preservation and recovery:

Commissioner Henderson explained that our present plan is to load the paper records onto Borough trucks and carry them inland to a pre-arranged safe place. He stated that he doesn't think anyone believes this is a practical plan as it might involve multiple trips and the roads would be crowded and maybe one-way (preventing return for more paper), unless we move the paper three days before the storm might hit when there would be little knowledge of the storm's actual track. He stated that the other part of the "plan" imagines that we (the Borough staff) would use our private cars to assist this paper movement, somehow displacing our own personal items that we want to preserve in favor of Borough paperwork. He stated that there is little likelihood of this happening from a practical standpoint. He stated that the only alternative that occurs to him is to use the big safe in the Municipal Building. He suggested that we review the building plans to ensure its stability, but it might be that the safe is or could easily be made watertight (except for the door) up to ceiling height. If so, then we could seal the door with duct tape. He stated that he has used it as a temporary repair in racing sailboats after a collision. He suggested that an added precaution would be to move the important stuff a few feet off the floor. Commissioner Henderson stated that he would like to reach a decision on this or some other plan for adequate paper preservation. He added that long-term, we should scan or digitize everything, but that is not going to happen in the next couple of years. He stated that he is assuming that we could take our computers and at least the hard drive from the server with us.

Restoration of Borough Buildings:

Commissioner Henderson stated that there are companies with whom we could make advance arrangements to restore our buildings to usefulness. He surmised that this means removing/replacing water-damaged sheetrock, windows, mold, etc. He stated that a question is: if our present buildings were

that badly damaged, would we go to the expense of repair, or would we simply rebuild? He stated that he feels that we could run the government from a trailer for some time after a genuine emergency, so he doesn't see building restoration as an actual crisis.

Town Infrastructure Recovery:

Commissioner Henderson stated that the town's recovery in this recovery segment includes digging out the streets, debris removal, etc. He mentioned that the scale would be far beyond what our Public Works Department could handle. Commissioner Henderson stated that there are companies that provide this service, and we could make advance arrangements at no cost until the service was invoked. He stated that this is what Avalon has done recently. He stated that the issue that we need to decide is how or whether we that can handle the ultimate cost of such an arrangement. he guessed that it could run into millions of dollars. Commissioner Henderson stated that he talked briefly a couple of times with the Borough Administrator of Avalon, who says that FEMA covers at least 75% of the damages so our actual net cost "should be manageable." He did add, however, that we might have to float a bond to make the payments and then hope for FEMA reimbursement, but that he need someone more knowledgeable about government to check this. Commissioner Henderson stated that he has not yet contacted any company about this, but has reviewed the website for the company Avalon uses. He also mentioned that he has have a copy of the request for bids that Avalon sent out and mentioned that they only got one response.

Commissioner vanHeeswyk stated that a representative from FEMA came to visit the borough to review the Borough's Flood Plain Management. She stated that she discovered that the Borough is not receiving credit for some of the things we have been doing. She mentioned that some of our repetitive losses that have been reported should be removed as they have been remediated. She stated that we would continue to work with FEMA to increase our rating.

Commissioner vanHeeswyk stated that she attended a seminar in Ocean County regarding coastal flooding issues. She stated that Cape May County appears to be well-prepared with technology such as LIDAR. It was very apparent that Cape May County is leading other coastal counties in the planning process for water level rise. Commissioner vanHeeswyk stated that emails and OPRA have been the headlines in local newspapers lately. She stated that we all need to take a lesson from recent situations that developed in Lower Township. Solicitor Russell recommended that the Board of Commissioners send any correspondence via email to the Clerk for dissemination to other board members.

Commissioner vanHeeswyk stated that our auditors have completed the 2010 audit and would be making their findings and recommendations.

Commissioner Schupp reminded his fellow Commissioners that the 4th of July Parade in Cape May is scheduled for July 2nd at 1:00 pm. He reported that the chairs at St. Peter's Beach deck have been vandalized several times. He stated that the police have been contacted. Commissioner Schupp stated that Senator VanDrew responded positively to our resolution regarding the PILOT program. He reported that Jack Shaw located a downed electric wire in the Pavillion Circle. He added that prompt reported may have averted a serious situation. Mayor Schupp stated that he scheduled a meeting with the Lake Committee to discuss the aeration system in Lake Lily. He stated that he would report back to the governing body.

**RESOLUTION NO. 64-11
BATHING, FISHING AND KAYAKING BEACHES**

WHEREAS, Section 58-11B of the annotated code of the Borough of Cape May Point requires that the commissioners declare by resolution which beaches are open or closed to swimming, fishing and kayaking, and

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Cape May Point that;

1. Bathing/swimming is allowed on protected beaches and within the designated areas only between the hours of 10 A.M. and 5 P.M.
2. A Protected Beach is defined as one with a "Life Guard on Duty" or "Protected Beach" sign at the

entrance and a Lifeguard stand on the beach occupied by a the Borough of Cape May Point certified lifeguard. No stand or no life guard means that it is unprotected and no swimming allowed.

3. June 11th thru June 28th, St. Pete's and Stites/Brainard will be open. Other beaches may open depending on beach population and density at the discretion of the Chief of the Beach Patrol or his designee.
4. June 28th thru Labor Day, all beaches will be opened and manned, with the exception of Whilldin, Coral, Lighthouse and Alexander Avenue.
5. All beaches are subject to closure at any time during the summer months at the discretion of the Beach Patrol Chief or his designee.
6. Whilldin and Coral will be unprotected beach because of the short distance to the beach-saver reef. The beach may be occupied. No swimming will be allowed at any time.
7. Alexander is designated as a potential wildlife area by the Fish and Wildlife department. The beach may be occupied. No swimming will be allowed at any time.
8. Fishing from the beach is allowed in all non-bathing areas during regular operating hours from 10 A.M. to 5 P.M. Tags are required.
9. A lane is designated north of the Alexander jetty for launching and recovering kayaks.

All activities described above require beach tags starting June 11th 2011 and ending Labor Day 2011. All or part of the activities may be closed due to no-population or weather, especially lightning, and/or high dangerous waves, at the discretion of the Chief of the Beach Patrol or his designee. Rules determining the above activities are described in Section 58 of the Code Book and the Operating Manual for the Beach Patrol.

Commissioner Henderson made a motion to approve the above resolution which was seconded by Commissioner vanHeeswyk. Upon the following roll call vote the resolution was adopted:

Commissioner Henderson YES
Commissioner vanHeeswyk YES
Commissioner Schupp YES

RESOLUTION No. 65-11

Title: Authorizing the Borough of Cape May Point to Maintain a Petty Cash Fund (In The Amount Not to Exceed \$100.00)

WHEREAS, N.J.S.A. 40A:5-21 authorizes the establishment of a Petty Cash Fund for the Borough Clerk's Office in the Borough of Cape May Point; and

WHEREAS, it is the desire of the Board of Commissioners that said fund be under the direction of the Borough Clerk who will be the custodian of the fund; and

WHEREAS, the Borough Clerk, or his/her designee, is the authorized custodian of the fund.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Borough of Cape May Point that:

1. During the year 2011, Constance A. Mahon, Borough Clerk, be and hereby is authorized and permitted to maintain a Petty Cash Fund in the amount not to exceed \$100.00

pursuant to the provisions of N.J.S.A. 40A:5-21. Said Petty Cash Fund will be used by such office or department to pay claims for small miscellaneous expenses.

2. Constance A. Mahon, Borough Clerk, having custody of the Fund be bonded in an amount not less than the petty cash fund and will maintain said Fund in accordance with the laws and regulations governing its operation.
3. The Borough Clerk shall submit two (2) certified copies of this Resolution to the Treasurer and the Director of the Division of Local Government Services.

Commissioner Henderson made a motion to approve the above resolution which was seconded by Commissioner vanHeeswyk. Upon the following roll call vote the resolution was adopted:

Commissioner Henderson YES
Commissioner vanHeeswyk YES
Commissioner Schupp YES

RESOLUTION 66-11

Title: Authorizing the Borough of Cape May Point to Maintain a Petty Cash fund to be Used by the Cape May Point Beach Patrol (in The Amount Not to Exceed \$100.00)

WHEREAS, N.J.S.A. 40A:5-21 authorizes the establishment of a Petty Cash Fund for the Cape May Beach Patrol in the Borough of Cape May Point; and

WHEREAS, it is the desire of the Board of Commissioners that said fund be under the direction of the Borough CFO who will be the custodian of the fund; and

WHEREAS, the CFO, or his/her designee, is the authorized custodian of the fund.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Cape May Point that:

1. During the year 2011, Lizabeth Shay, Interim CFO, be and hereby is authorized and permitted to maintain a Petty Cash Fund in the amount not to exceed \$100.00 pursuant to the provisions of N.J.S.A. 40A:5:21. Said Petty Cash Fund will be used by the Cape May Point Beach Patrol to pay claims for small miscellaneous expenses.
2. Lizabeth Shay, CFO, having custody of the Fund be bonded in an amount not less than the petty cash fund and will maintain said Fund in accordance with the laws and regulations governing its operation.
3. The Borough Clerk shall submit two (2) certified copies of this Resolution to the Treasurer and the Director of the Division of Local Government Services.

Commissioner Henderson made a motion to approve the above resolution which was seconded by Commissioner vanHeeswyk. Upon the following roll call vote the resolution was adopted:

Commissioner Henderson **YES**
Commissioner vanHeeswyk **YES**
Commissioner Schupp **YES**

PUBLIC PORTION

Ann Brecker suggested that helicopters be utilized for evacuation purposes and also to move important Borough records out of town. She also mentioned that Ocean City did a fabulous job recovering from the early 1960's hurricane that hit Cape May County and suggested that we contact them to get advice.

ADJOURNMENT

Upon motion by Commissioner Henderson, seconded by Commissioner vanHeeswyk the meeting was adjourned at 11:50 am.

John G.N. Henderson, Commissioner

Anita vanHeeswyk, Commissioner

Carl F. Schupp, Commissioner