

In compliance with COVID-19 guidelines this meeting will be conducted via electronic conferencing using Zoom <https://www.zoom.us/> or by phone +1 646 558 8656 (New York), Meeting ID: 858 9913 3017 Passcode: 440541

Direct link: <https://us02web.zoom.us/j/85899133017?pwd=RDhKUKlTRlhWZE1WOTRyVTByNFRHUT09>

In addition, members of the public may send questions or comments for inclusion during the public portion to the Borough Clerk at ewallace@capemaypoint.org by Monday, April 26th at 12:00 Noon.

**AGENDA
BOROUGH OF CAPE MAY POINT
BOARD OF COMMISSIONERS**

WORK SESSION OF APRIL 27, 2021 – 12:00 PM

MEETING CALLED TO ORDER / SUNSHINE STATEMENT / FLAG SALUTE

In compliance with the Open Public Meeting Act, Chapter 231, Public Laws of 1975, this meeting was properly advertised in the annual notice and this agenda was properly distributed and duly posted on the Borough Hall bulletin board as the required notice under law.

ROLL CALL: Commissioner Busch, Mayor Moffatt, Commissioner vanHeeswyk

COMMISSIONERS' DISCUSSION (NEW BUSINESS / OLD BUSINESS)

- Hot Tubs and Pool Maintenance
- Environmental Commission Logo

ADMINISTRATOR'S REPORT

PUBLIC QUESTIONS ON AGENDA ITEMS ONLY

ORDINANCE FOR INTRODUCTION / PUBLICATION:

- 03-2021 Ordinance by the Borough of Cape May Point in the County of Cape May and State of New Jersey Prohibiting the Operation of Any Class of Cannabis Businesses within Its Geographical Boundaries and Amending Section 150-4 of the Borough of Cape May Point Municipal Code
Second Reading/Public Hearing/Consideration for Adoption – June 10th at 6 pm
- 04-2021 Ordinance Amending Chapter 146 Water and Sewer Utility of the Borough of Cape May Point Municipal Code
Second Reading/Public Hearing/Consideration for Adoption – May 13th at 6 pm

RESOLUTIONS

- 63-21 Authorizing the Application for and the Execution of a Subcontract for the Municipal Alliance Program
- 64-21 Authorizing Special Event Permit for Michael Gazzara
- 65-21 Resolution Acknowledging Closure of Certain Developer's Escrow Accounts and Authorizing Refunds as Necessary as Recommended by the Planning Board
- 66-21 Authorizing Addendum to Interlocal Services Agreement with Cape May City for Bulk Water Rate Adjustment
- 67-21 Authorizing Special Event Permit for Riley Hollandsworth

68-21 Resolution Endorsing Fair Elections

69-21 Approval of Bill List

PUBLIC PORTION

ADJOURNMENT

The Board of Commissioners welcomes the participation of interested parties during the public portions of its meetings. For the Board to conduct the business of the Borough in the most productive and open manner possible, questions and comments may be limited to four (4) minutes per person. In addition, each person may only speak once per meeting on a single topic. If you wish to address the Board, please raise your hand and the moderator will try to accommodate everyone in the order in which they are recognized.

**BOROUGH OF CAPE MAY POINT
COUNTY OF CAPE MAY
STATE OF NEW JERSEY**

RESOLUTION 63-21

**AUTHORIZING THE APPLICATION FOR AND THE EXECUTION OF
A SUBCONTRACT FOR THE MUNICIPAL ALLIANCE PROGRAM**

WHEREAS, the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, the Board of Commissioners of the Borough Cape May Point, County of Cape May, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore, has an established Municipal Alliance Committee; and,

WHEREAS, the Board of Commissioners further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Board of Commissioners has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Cape May;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Cape May Point, County of Cape May, State of New Jersey hereby recognizes the following:

1. The Board of Commissioners does hereby authorize submission of a strategic plan for the Lower Cape Municipal Alliance grant for fiscal year 2022 in the amount of:

DEDR	\$26,215.00
Cash Match	\$ 6,553.75
In-Kind	\$19,661.25

The Borough of Cape May Point Cash Match portion will be \$65.54

2. The Board of Commissioners acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Busch						
Moffatt						
vanHeeswyk						

CERTIFICATION OF AVAILABILITY OF FUNDS

I, James V. Craft, Chief Finance Officer of the Borough of Cape May Point, hereby certify that funds will be available in the 2021 Current Fund Account 1-01-20-110-021 to authorize the application for the execution of a subcontracting for the Municipal Alliance Program for an amount not to exceed \$65.54. I further certify that this commitment together with all previously made commitments does not exceed the appropriation balance available for this purpose.

Dated: April 27, 2021

Signed: James V Craft

James V. Craft

Chief Financial Officer

Certification

I hereby certify that the foregoing is a true and exact copy of a Resolution duly passed and adopted by a majority of full membership of the Board of Commissioners of the Borough of Cape May Point, County of Cape May, New Jersey, at a meeting held on April 27, 2021.

Municipal Clerk

**BOROUGH OF CAPE MAY POINT
COUNTY OF CAPE MAY
STATE OF NEW JERSEY**

RESOLUTION 64-21

**AUTHORIZING SPECIAL EVENT PERMIT FOR
MICHAEL GAZZARA**

WHEREAS, Michael Gazzara has applied for a Special Event Permit for a wedding ceremony on the St. Pete's beach/beach entrance on Thursday, May 13, 2021 from 9:30 am to 1:30 pm; and

WHEREAS, the applicant has supplied all documentation required under Ordinance No. 551-08, including the requisite Certificate of Insurance, and has further pledged to comply with all applicable rules and regulations pertaining to the conduct of said Special Event.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Cape May Point, County of Cape May, New Jersey that the Borough Clerk is hereby authorized to issue a Special Event Permit to Michael Gazzara for a wedding ceremony on Thursday, May 13th from 9:30 am to 1:30 pm on the St. Pete's beach/ beach entrance, with the condition that all CDC guidelines in effect at the time of the event are strictly followed.

	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Busch						
Moffatt						
vanHeeswyk						

I hereby certify that the foregoing is a true copy of a Resolution duly passed and adopted by a majority of full membership of the Board of Commissioners of the Borough of Cape May Point, County of Cape May, New Jersey, at a meeting held on April 27, 2021.

Municipal Clerk

**BOROUGH OF CAPE MAY POINT
COUNTY OF CAPE MAY
STATE OF NEW JERSEY**

RESOLUTION 65-21

**RESOLUTION ACKNOWLEDGING CLOSURE OF CERTAIN DEVELOPER'S
ESCROW ACCOUNTS AND AUTHORIZING REFUNDS IF NECESSARY AS
RECOMMENDED BY THE PLANNING BOARD**

WHEREAS, the Borough of Cape May Point Planning Board has recommended to the Governing Body to close certain accounts and return escrow monies, in necessary, to the following:

Block	Lot	Name	Property Address	File #	Amount
26	18	John Toates & Mary Denney	413 Princeton Ave	PB2019-02	\$0/close acct.
11	10.02	Michael Thompson	323 Brainard Ave	PB2019-03	\$0/close acct.
26	18	John Toates & Mary Denney	413 Princeton Ave	PB2020-04	\$300/close acct.

NOW, THEREFORE, BE IT RESOLVED the Board of Commissioners of the Borough of Cape May Point, County of Cape May, State of New Jersey, hereby approves the closure of the above referenced escrow accounts.

	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Busch						
Moffatt						
vanHeeswyk						

Certification

I hereby certify that the foregoing is a true copy of a Resolution duly passed and adopted by a majority of full membership of the Board of Commissioners of the Borough of Cape May Point, County of Cape May, New Jersey, at a meeting held on April 27, 2021.

Municipal Clerk

**BOROUGH OF CAPE MAY POINT
COUNTY OF CAPE MAY
STATE OF NEW JERSEY**

RESOLUTION 66-21

**AUTHORIZING ADDENDUM TO INTERLOCAL SERVICES AGREEMENT
WITH CAPE MAY CITY FOR BULK WATER RATE ADJUSTMENT**

WHEREAS, pursuant to Resolution 22-16, the Borough of Cape May Point entered into the most recent agreement with the City of Cape May for the provision of potable water (“Agreement”); and

WHEREAS, paragraph 2 of that Agreement states “The bulk rate as established herein shall be reviewed by the parties on each 5th year interval of this agreement, commencing January 1, 2021”; and

WHEREAS, paragraph 6 of the Agreement addresses the capital and operational costs of the desalination facility known as the “desalination rate” which “may be adjusted from time to time based on the language herein”; and

WHEREAS, the City of Cape May has notified the Borough that beginning May 1, 2021, the bulk water rate will be \$5.30 and the desalination rate will be \$2.75 for a combined total water rate of \$8.05; and

WHEREAS, the remaining terms of the Agreement shall remain in force and effect unless specifically amended as set forth above.

NOW, THEREFORE, BE IT RESOLVED the Board of Commissioners of the Borough of Cape May Point, County of Cape May, State of New Jersey, hereby authorizes the Mayor and Borough Clerk to sign the Addendum to Interlocal Service Agreement authorizing the new total water rate of \$8.05 effective May 1, 2021.

	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Busch						
Moffatt						
vanHeeswyk						

I hereby certify that the foregoing is a true copy of a Resolution duly passed and adopted by a majority of full membership of the Board of Commissioners of the Borough of Cape May Point, County of Cape May, New Jersey, at a meeting held on April 27, 2021.

Municipal Clerk

**BOROUGH OF CAPE MAY POINT
COUNTY OF CAPE MAY
STATE OF NEW JERSEY**

RESOLUTION 67-21

**AUTHORIZING SPECIAL EVENT PERMIT FOR
RILEY HOLLANDSWORTH**

WHEREAS, Riley Hollandsworth has applied for a Special Event Permit for a wedding ceremony on the Stites/Brainard beach on Wednesday, May 12, 2021 from 7:00 pm to 9:00 pm; and

WHEREAS, the applicant has supplied all documentation required under Ordinance No. 551-08, including the requisite Certificate of Insurance, and has further pledged to comply with all applicable rules and regulations pertaining to the conduct of said Special Event.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Cape May Point, County of Cape May, New Jersey that the Borough Clerk is hereby authorized to issue a Special Event Permit to Riley Hollandsworth for a wedding ceremony on Wednesday, May 12th from 7:00 pm to 9:00 pm on the Stites/Brainard beach, with the condition that all CDC guidelines in effect at the time of the event are strictly followed.

	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Busch						
Moffatt						
vanHeeswyk						

I hereby certify that the foregoing is a true copy of a Resolution duly passed and adopted by a majority of full membership of the Board of Commissioners of the Borough of Cape May Point, County of Cape May, New Jersey, at a meeting held on April 27, 2021.

Municipal Clerk

**BOROUGH OF CAPE MAY POINT
COUNTY OF CAPE MAY
STATE OF NEW JERSEY**

RESOLUTION 68-21

RESOLUTION ENDORSING FAIR ELECTIONS

WHEREAS, the Cape May Point Board of Commissioners recognizes the importance of the public having faith in a fair and equal election to choose their representatives; and

WHEREAS, the New Jersey primary election ballots are configured to stack the deck for certain candidates at the expense of others, thereby undermining the integrity of elections and hindering our democracy; and

WHEREAS, New Jersey is the only state in the nation that organizes its primary election ballots by bracketing groupings of candidates in a column (or row), rather than by listing the office sought followed immediately by the names of all candidates running for that office; and

WHEREAS, an August 2020 paper by Julia Sass Rubin, Associate Professor of Rutgers University, entitled "Does the County Line Matter?" found that the difference between being on the county line and not being on the county line varied a candidate's share of the vote by as much as 50 percentage points in some 2020 Primary Election races; and

WHEREAS, New Jersey's voters are deprived of a fair and democratic process as they are forced to cast their vote on a ballot in a system that provides an arbitrary advantage to certain candidates over others from the inception, based simply on whether or not they are favored by the party elites.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Cape May Point, County of Cape May, State of New Jersey, does hereby endorse the elimination of rows, lines and columns due to bracketing so that all candidates will be selected fairly by the voters, not the party elites.

	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Busch						
Moffatt						
vanHeeswyk						

I hereby certify that the foregoing is a true copy of a Resolution duly passed and adopted by a majority of full membership of the Board of Commissioners of the Borough of Cape May Point, County of Cape May, New Jersey, at a meeting held on April 27, 2021.

Municipal Clerk

**BOROUGH OF CAPE MAY POINT
COUNTY OF CAPE MAY
STATE OF NEW JERSEY**

RESOLUTION 69-21

APPROVAL OF BILL LIST

WHEREAS, the Borough of Cape May Point has received certain claims against it by way of voucher, which have been duly reviewed by the Board of Commissioners.

NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Borough of Cape May Point, County of Cape May, State of New Jersey that the attached claims are hereby approved for payment in the total amount of \$51,034.11.

	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Busch						
Moffatt						
vanHeeswyk						

I hereby certify that the foregoing is a true copy of a Resolution duly passed and adopted by a majority of full membership of the Board of Commissioners of the Borough of Cape May Point, County of Cape May, New Jersey, at a meeting held on April 27, 2021.

Municipal Clerk

April 26, 2021
11:16 AM

BOROUGH OF CAPE MAY POINT
Check Register By Check Id

Page No: 1

Range of Checking Accts: OTHER to OTHER Range of Check Ids: 16051 to 16081
Report Type: All Checks Report Format: Condensed Check Type: Computer: Y Manual: Y Dir Deposit: Y

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
PO #	Description			Contract	
16051	04/27/21	ANCOA005 ANCO ACE HARDWARE			1842
21-00190	INVOICE		63.94		
16052	04/27/21	ATL01 ATLANTIC CITY ELECTRIC			1842
21-00189	ELECTRIC BILLS		1,799.14		
21-00214	ELECTRIC BILLS		<u>2,506.74</u>		
			4,305.88		
16053	04/27/21	BEA02 BEAVER SUPPLY COMPANY			1842
21-00178	WHITE ROCK		63.67		
16054	04/27/21	CAP14 CAPE MAY COUNTY MUA			1842
21-00197	SOLID WASTE DUMP FEE MAR 2021		625.56		
16055	04/27/21	CAP17 CAPE 47 LUMBER			1842
21-00186	STAINLESS STEEL SCREWS		181.99		
16056	04/27/21	CAP31 CAPE MINING & RECYCLING LLC			1842
21-00196	STUMPS/TREE PARTS		47.10		
21-00205	STUMPS/TREE PARTS		<u>20.00</u>		
			67.10		
16057	04/27/21	CAS01 CASA PAYROLL SERVICE			1842
21-00192	PAYROLL		124.75		
16058	04/27/21	CIT02 CITY OF CAPE MAY			1842
21-00194	EMS 1ST QUARTER 2021		5,863.50		
16059	04/27/21	CIT03 CITY OF CAPE MAY			1842
21-00183	MARCH 2021		6,002.40		
16060	04/27/21	COU02 COURT HOUSE OFFICE SUPPLIES			1842
21-00199	OFFICE SUPPLIES 2020		28.96		
16061	04/27/21	FAR01 FARM CREDIT EAST, ACA			1842
21-00167	STATEMENT		57.15		
16062	04/27/21	FOR01 FORD SCOTT AND ASSOCIATES, LLC			1842
21-00182	2020 AUDIT/2021 BUDGET		12,600.00		
16063	04/27/21	GARDE005 GARDEN STATE LABORATORIES, INC			1842
21-00126	WATER TESTING		120.00		
21-00206	WATER TESTING		<u>120.00</u>		
			240.00		
16064	04/27/21	JAC01 J & A CLEANING SERVICE			1842
21-00203	CLEANING		300.00		
16065	04/27/21	JER04 JERSEY CAPE			1842
21-00165	2021 BEACH TAGS		4,455.00		

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
PO #	Description			Contract	
16066	04/27/21	LAW01	LAWN DOCTOR OF S. CAPE MAY CO		1842
21-00201	TREATMENT AT CIRCLE		769.00		
16067	04/27/21	MDI01	M. DIDONATO		1842
21-00200	FACE MASK SIGNS FOR BEACH		120.00		
16068	04/27/21	MGL01	MGL PRINTING SOLUTIONS		1842
21-00174	RENTAL/FIRE INSPEC FORMS		135.00		
21-00193	HOMESTEAD BENEFIT FORMS		48.00		
			<u>183.00</u>		
16069	04/27/21	MUN01	MUNICIPAL CLERKS' ASSN. N.J.		1842
21-00198	MCANJ VIRTUAL CONFERENCE		125.00		
16070	04/27/21	ONE02	ONE CALL CONCEPTS		1842
21-00195	MARK OUTS		54.34		
16071	04/27/21	PIE01	PIER 47 MARINA		1842
21-00209	REPAIR		224.39		
16072	04/27/21	REG01	REGISTRARS ASSN. OF NEW JERSEY		1842
21-00151	2021 DUES		25.00		
16073	04/27/21	SME01	SMELTZER AND SONS		1842
21-00185	STONES		119.99		
16074	04/27/21	SOU06	SOUTH JERSEY GAS		1842
21-00215	GAS BILLS		524.16		
16075	04/27/21	SOU07	SOUTH JERSEY OVERHEAD DOOR		1842
21-00168	BROKEN SPRING		925.00		
21-00207	REPAIR		1,015.30		
			<u>1,940.30</u>		
16076	04/27/21	STO01	STOCKTON UNIVERSITY		1842
21-00179	TASK 1 MAINTAIN & SURVEY		10,105.05		
16077	04/27/21	SWA01	SWAIN'S ACE HARDWARE		1842
21-00181	2021 MARCH INVOICES		1,283.79		
16078	04/27/21	USBAN005	US BANK EQUIPMENT FINANCE		1842
21-00188	COPIER		155.00		
16079	04/27/21	VER01	VERIZON		1842
21-00212	PHONE BILLS		231.49		
16080	04/27/21	VER03	VERIZON WIRELESS		1842
21-00213	CELLPHONE		73.67		
16081	04/27/21	XTE01	XTEL COMMUNICATIONS INC		1842
21-00202	LONG DISTANCE CHARGES		120.03		

Check #	Check Date	Vendor		Reconciled/Void	Ref Num
PO #	Description		Amount Paid		Contract

16081	XTEL COMMUNICATIONS INC			Continued	
Report Totals		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
	Checks:	31	0	51,034.11	0.00
	Direct Deposit:	<u>0</u>	<u>0</u>	<u>0.00</u>	<u>0.00</u>
	Total:	<u>31</u>	<u>0</u>	<u>51,034.11</u>	<u>0.00</u>

Totals by Year-Fund Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
CURRENT	0-01	28.96	0.00	0.00	28.96
CURRENT	1-01	42,946.86	0.00	0.00	42,946.86
	1-05	<u>8,058.29</u>	<u>0.00</u>	<u>0.00</u>	<u>8,058.29</u>
Year Total:		51,005.15	0.00	0.00	51,005.15
Total of All Funds:		<u><u>51,034.11</u></u>	<u><u>0.00</u></u>	<u><u>0.00</u></u>	<u><u>51,034.11</u></u>