

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: 819 6696 5626 Passcode: 004714

**Direct link:** <https://us02web.zoom.us/j/81966965626?pwd=N29ZRHJXOTIOWE5VnZSTXAzMGhhUT09>

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](mailto:ewallace@capemaypoint.org) by 12:00 Noon the Monday before the meeting.

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

**BOROUGH MEETING OF MAY 23, 2023 – 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/REPORTS**

- Cape May County Commissioner Director Len Desiderio Presents ARPA Grant Award

**ADMINISTRATOR'S REPORT**

**PUBLIC QUESTIONS ON AGENDA ITEMS ONLY**

**APPROVAL OF MINUTES**

May 11, 2023 Regular Meeting

**ORDINANCES FOR INTRODUCTION AND PUBLICATION:** None

**RESOLUTIONS**

- 68-23 Authorizing Execution of a Subrecipient Grant Agreement with the County of Cape May for an American Rescue Plan Act Infrastructure Grant
- 69-23 Authorizing Special Event Permit – Cape May Point Taxpayers Association
- 70-23 Resolution to Affirm the Borough of Cape May Point's Civil Rights Policy with Respect to All Officials, Appointees, Employees, Prospective Employees, Volunteers, Independent Contractors, and Members of the Public that Come into Contact with Municipal Employees, Officials and Volunteers
- 71-23 Approval of Bill List

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

**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 NO. 68-23**

**AUTHORIZING EXECUTION OF A SUBRECIPIENT GRANT AGREEMENT WITH  
THE COUNTY OF CAPE MAY FOR AN AMERICAN RESCUE PLAN ACT  
INFRASTRUCTURE GRANT**

**WHEREAS**, pursuant to Resolution 42-23, the Borough of Cape May Point submitted a grant application to the County of Cape May for funds through the American Rescue Plan Act Infrastructure Grant; and

**WHEREAS**, Cape May County has awarded a grant in the amount of \$400,000.

**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 Clerk to sign the Subrecipient Grant Agreement with the County of Cape May for an infrastructure grant in the amount of \$400,000.

	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Busch						
Moffatt						
vanHeeswyk						

I hereby certify the foregoing is a true copy of a Resolution duly passed and adopted by a majority of the 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 May 23, 2023.

\_\_\_\_\_  
Municipal Clerk

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

**RESOLUTION 69-23**

**AUTHORIZING SPECIAL EVENT PERMIT FOR CAPE MAY POINT  
TAXPAYERS ASSOCIATION**

**WHEREAS**, the Cape May Point Taxpayers Association has applied for a Special Event Permits for a concert in Pavilion Circle on Saturday, September 2, 2023 from 4:00 pm to 7:00 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.

**WHEREAS**, the Taxpayers' Association has respectfully requested that the Governing Body waive the usual facilities use fees as they are a non-profit organization which benefits the taxpayers and community of Cape May Point; and

**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 Special Event Permit to the Cape May Point Taxpayers Association for a concert on Saturday, September 2, 2023 from 4:00 pm to 7:00 pm in Pavilion Circle.

**BE IT FURTHER RESOLVED** that the fees for the permit have been waived.

	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 May 23, 2023.

\_\_\_\_\_  
Municipal Clerk

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

**RESOLUTION 70-23**

**A RESOLUTION TO AFFIRM THE BOROUGH OF CAPE MAY POINT'S CIVIL RIGHTS POLICY WITH RESPECT TO ALL OFFICIALS, APPOINTEES, EMPLOYEES, PROSPECTIVE EMPLOYEES, VOLUNTEERS, INDEPENDENT CONTRACTORS, AND MEMBERS OF THE PUBLIC THAT COME INTO CONTACT WITH MUNICIPAL EMPLOYEES, OFFICIALS AND VOLUNTEERS**

**WHEREAS**, it is the policy of the Borough of Cape May Point to treat the public, employees, prospective employees, appointees, volunteers and contractors in a manner consistent with all applicable civil rights laws and regulations including, but not limited to the Federal Civil Rights Act of 1964 as subsequently amended, the New Jersey Law against Discrimination, the Americans with Disabilities Act and the Conscientious Employee Protection Act, and

**WHEREAS**, the governing body of the Borough of Cape May Point has determined that certain procedures need to be established to accomplish this policy

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

**Section 1:** No official, employee, appointee or volunteer of the Borough by whatever title known, or any entity that is in any way a part of the Borough shall engage, either directly or indirectly in any act including the failure to act that constitutes discrimination, harassment or a violation of any person's constitutional rights while such official, employee, appointee volunteer, or entity is engaged in or acting on behalf of the Borough's business or using the facilities or property of the Borough.

**Section 2:** The prohibitions and requirements of this resolution shall extend to any person or entity, including but not limited to any volunteer organization or inter-local organization, whether structured as a governmental entity or a private entity, that receives authorization or support in any way from the Borough to provide services that otherwise could be performed by the Borough.

**Section 3:** Discrimination, harassment and civil rights shall be defined for purposes of this resolution using the latest definitions contained in the applicable Federal and State laws concerning discrimination, harassment and civil rights.

**Section 4:** The Borough Administrator shall establish written procedures for any person to report alleged discrimination, harassment and violations of civil

rights prohibited by this resolution. Such procedures shall include alternate ways to report a complaint so that the person making the complaint need not communicate with the alleged violator in the event the alleged violator would be the normal contact for such complaints.

**Section 5:** No person shall retaliate against any person who reports any alleged discrimination, harassment or violation of civil rights, provided however, that any person who reports alleged violations in bad faith shall be subject to appropriate discipline.

**Section 6:** The Borough Administrator shall establish written procedures that require all officials, employees, appointees and volunteers of the Borough as well as all other entities subject to this resolution to periodically complete training concerning their duties, responsibilities and rights pursuant to this resolution.

**Section 7:** The Administrator shall establish a system to monitor compliance and shall report at least annually to the governing body the results of the monitoring.

**Section 8:** At least annually, the Administrator shall cause a summary of this resolution and the procedures established pursuant to this resolution to be communicated within the Borough. This communication shall include a statement from the governing body expressing its unequivocal commitment to enforce this resolution. This summary shall also be posted on the Borough's web site.

**Section 9:** This resolution shall take effect immediately.

**Section 10:** A copy of this resolution shall be published in the official newspaper of the Borough in order for the public to be made aware of this policy and the Borough's commitment to the implementation and enforcement of this policy.

	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 May 23, 2023.

---

Municipal Clerk