

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

BOROUGH MEETING – JANUARY 9, 2020 – 6:00 PM

MEETING CALLED TO ORDER / SUNSHINE STATEMENT

In compliance with the Open Public Meeting Act, Chapter 231, Public Laws of 1975, this meeting was properly advertised in the annual notice and duly posted at the Borough Hall bulletin board.

FLAG SALUTE

ROLL CALL: Commissioner Mullock, Commissioner vanHeeswyk, Mayor Moffatt

COMMISSIONERS' REPORTS

APPROVAL OF MINUTES

December 3, 2019 Work Session
December 17, 2019 Work Session

ORDINANCES FOR INTRODUCTION / PUBLICATION – *None*

RESOLUTIONS

- 01-20 Resolution Providing Temporary Appropriations for the Year 2020
- 02-20 Designation of the Official Instrument for the Publication of Legal Notices
- 03-20 2020 Cash Management Plan
- 04-20 Resolution Authorizing the Sewer/Water Clerk and Tax Collector to Cancel Overpayments or Delinquencies under \$10.00
- 05-20 Designating Authorizing Signatories on Borough Bank Accounts
- 06-20 Schedule of 2020 Municipal Holidays / Borough Hall Closings
- 07-20 Authorizing Tax Assessor to File Regular Appeals to the Cape May County Board of Taxation
- 08-20 Resolution to Establish the Rate of Interest for Nonpayment of Taxes or Assessments for the Borough of Cape May Point for the Year 2020
- 09-20 Award of Professional Services Contract for Borough Solicitor – Brock D. Russell, Esq.
- 10-20 Award of Professional Services Contract for Borough Auditor – Michael Garcia of Ford, Scott and Associates, LLC
- 11-20 Award of Professional Services Contract for Bond Counsel McManimon, Scotland & Bauman, LLC
- 12-20 Award of Professional Services Contract for Borough Engineer – Bruce Graham
- 13-20 Award of Professional Service Contract for Labor Counsel – Michael of Brown & Connery LLP
- 14-20 Award of Contract for MIS Services for 2020
- 15-20 Award of Contract for Animal Control Services for the Year 2020
- 16-20 Award of Professional Services Contract for Borough Planner – Michael Sullivan
- 17-20 Award of Professional Services Contract for CRS Coordinator
- 18-20 Award of Professional Services Contract for Floodplain Administrator
- 19-20 Award of Contract for 2020 Annual Beach Profile Survey
- 20-20 Appointing Risk Management Consultant
- 21-20 Award of Professional Services Contract for Affordable Housing Administrative

- Agent for 2020
- 22-20 Annual Schedule of Meetings for 2020
- 23-20 Reappointments to Green Team for 2020
- 24-20 Designating Public Agency Compliance Officer for 2020
- 25-20 Approval of Right-of-Way Permit for Small Cell Project at 520 pearl Avenue
- 26-20 Supporting Recertification of the Official Designation of Cape May County as a "Coast Guard Community"
- 27-20 Appointment to Cape May Point Fire Company Number 1
- 28-20 Reappointing James Craft as Chief Financial Officer in Accordance with N.J.S.A. 40A:9-140.2
- 29-20 Approval of Bill List

ORDINANCES FOR SECOND READING / PUBLIC HEARING / ADOPTION - None

MAYORAL APPOINTMENTS

Environmental Commission

- Catherine Busch – Member – 3-year term expiring 1/31/2023
- Jamie Goren – Member – 3-year term expiring 1/31/2023
- Sandy Allison – Member – 3-year term expiring 1/31/2023
- Barbara Bassett – Alternate #1 – 2-year term expiring 1/31/2022

Planning Board

- Mary Kelly – Alternate #3 – unexpired 2-year term expiring 4/8/2020
- Jeff Sowers – Alternate #4 – unexpired 2-year term expiring 4/8/2021

PUBLIC PORTION

ADJOURNMENT

Borough of Cape May Point

RESOLUTION 01-20

A RESOLUTION PROVIDING TEMPORARY APPROPRIATIONS FOR THE YEAR 2020

WHEREAS, in the normal operation of the business of the Borough of Cape May Point, it will be necessary for making contracts, commitments and payments prior to the adoption of the regular budget for the Borough of Cape May Point; and

WHEREAS, revised Statute 40A:4-19 of the State of New Jersey provides that the Governing Body of any municipality may make temporary appropriations to provide for any contracts, commitments or payments made between the beginning of the budget year and the adoption of the final budget; and

WHEREAS, the date of this resolution is within the thirty-one (31) days of the month of January, 2020 and will become effective January 1, 2020; and

WHEREAS, the total amount of appropriation hereunder of \$402,635.00 do not exceed twenty six and one quarter percent (26.25%) of the total appropriations of the Borough of Cape May Point for 2019, exclusive of any 2019 appropriations made for debt service, capital improvement fund and public assistance.

BE IT RESOLVED that the following appropriations be made and that a certified copy of this Resolution be transmitted to the Chief Financial Officer for his records:

Department of Public Affairs and Safety

Director's Office	
Salaries & Wages	2,500.00
Other Expense	250.00
Beach Fee Program	
Salaries & Wages	-
Other Expense	1,405.00
Lifeguards	
Salaries & Wages	-
Other Expense	2,998.75
Municipal Court	
Other Expense	14,200.00

First Aid Organizations	
Other Expense	6,250.00
Animal Control	
Other Expense	700.00
Aid to Volunteer Fire Company	
Other Expense	2,250.00
Rental Fire Inspector	
Salaries & Wages	875.00
Code Enforcement	
Salaries & Wages	2,125.00
Other Expense	125.00
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Subtotal	\$33,678.75

Department of Revenue and Finance

Director's Office	
Salaries & Wages	2,500.00
Other Expense	200.00
Annual Audit	
Other Expense	4,625.00
Administrative Consultant	
Salaries & Wages	13,500.00
Other Expense	0.00
Municipal Clerk's Office	
Salaries & Wages	15,000.00
Other Expense	2,875.00
Assessment Searches	
Salaries & Wages	662.50
Computer Operations	
Other Expense	3,750.00
Elections	
Salaries & Wages	0.00
Other Expense	0.00
Financial Administration	
Salaries & Wages	9,925.00

Other Expense	1,900.00
Registrar of Vital Statistics	
Salaries & Wages	825.00
Assessment of Taxes	
Salaries & Wages	3,650.00
Other Expense	250.00
Codification of Ordinances	
Other Expense	1,000.00
Collection of Taxes	
Salaries & Wages	3,650.00
Other Expense	318.75
Tax Searches	
Salaries & Wages	0.00
Legal Services and Costs	
Other Expense	6,125.00
Rent of Fire Hall	
Other Expense	900.00
Municipal Land use Law (NJSA 40:55D-1)	
Planning/Zoning Board	
Salaries & Wages	1,550.00
Other Expense	3,000.00
Floodplain Administrator	
Salaries & Wages	1,125.00
Advertising and Printing	
Other Expense	550.00
Other Insurance Premiums	
General Liability	2,875.00
Worker's Compensation	3,800.00
Employee Group Insurance	0.00
Health Benefits Waiver S & W	0.00
Subtotal	<u>84,556.25</u>

Department of Public Works and Parks

Director's Office	
Salaries & Wages	2,500.00
Other Expense	500.00
Engineering Service and Costs	
Other Expense	3,000.00
Public Buildings and Grounds	
Other Expense	14,750.00
Public Works Maintenance	
Salaries & Wages	24,875.00
Other Expense	3,750.00
Road Repair and Maintenance	
Other Expense	1,250.00
Beach Restoration and Maintenance	
Other Expense	2,750.00
Cape May Point Environmental Com	2,950.00
Garbage and Trash Removal	
Other Expense	11,500.00
Recycling	
Other Expense	8,100.00
Parks and Public Property	
Other Expense	3,250.00
Emergency Management Services	
Salaries & Wages	500.00
Other Expense	100.00
Subtotal	<hr/>
	79,775.00

Other

State Uniform Construction Code	
Construction Official	
Salaries & Wages	3,900.00
Other Expense	-
Electric, Natural Gas	4,000.00

Telephone	1,662.50
Street Lighting	4,375.00
DCRP	375.00
Social Security System	10,312.50
Cape May City - Interlocal Services Agreement	
Police Protection - Contractual	<u>80,000.00</u>
Total Appropriations within 26.25% Limit	<u>302,635.00</u>

MUNICIPAL DEBT SERVICE

Bond Principal	-
Interest	-
BAN Interest	-
BAN Principal	-
Capital Improvement Fund	<u>100,000.00</u>
Grand Total General Government	<u><u>402,635.00</u></u>

SEWER AND WATER UTILITY

OPERATIONS

Salaries and Wages	\$20,687.50
Other Expenses	\$140,100.00

DEBT SERVICE

Payment of Notes - Interest	\$0.00
Payment of Bonds - Interest	\$0.00
Payment on BAN/Cap Notes	\$0.00
Payment of Bonds - Principal	\$0.00
Capital Improvement Fund	\$6,250.00

STATUTORY EXPENDITURES

FICA	\$1,787.50
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Grand Total Sewer and Water Utility	\$168,825.00
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**BOROUGH OF CAPE MAY POINT
COUNTY OF CAPE MAY
STATE OF NEW JERSEY**

RESOLUTION NO. 02-2020

**DESIGNATION OF THE OFFICIAL INSTRUMENT
FOR THE PUBLICATION OF LEGAL NOTICES**

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 Cape May Star & Wave is designated as the newspaper for the publication of LEGAL NOTICES for the Borough of Cape May Point.

BE IT FURTHER RESOLVED that The Press of Atlantic City and The Herald are designated as alternate official newspapers.

	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Mullock						
vanHeeswyk						
Moffatt						

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 January 9, 2020.

Municipal Clerk

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

RESOLUTION 03-20

2020 CASH MANAGEMENT PLAN

BE IT RESOLVED by the Commissioners of the Borough of Cape May Point, County of Cape May, that for the Year 2020, the following shall serve as the **Cash Management Plan** of the Borough of Cape May Point.

1. Cash Management and Investment Objectives

The Borough of Cape May Point objectives in this area are:

- A. Preservation of capital.
- B. Adequate safekeeping of assets.
- C. Maintenance of liquidity to meet operating needs.
- D. Diversification of the Borough's portfolio to minimize risks associated with individual investments.
- E. Maturity requirements to meet timing of maturity of investments to match the need for cash.
- F. Investment of assets in accordance with State and Federal Laws and regulations.
- G. Costs and Fees of buying, storing and redeeming investment instruments.

2. Designation of Official Depositories

1. The following Government Unit Depository Protection Act approved banks are authorized depositories for deposit of funds:

**BANK OF AMERICA
SUN NATIONAL BANK
STURDY SAVINGS
PNC BANK
OCEAN FIRST
TD BANK
MBIA CLASS
NJ CASH MANAGEMENT FUND
SOVEREIGN BANK
CREST SAVINGS BANK**

2. Designated official depositories are required to submit to the Chief Financial Officer, a copy of the Governmental Unit Deposit Protection Act Notification of eligibility, which is filed semi- annually with the Department of Banking June 30th and December 31st of each year.

3. Designated official depositories are required to submit to the Chief Financial Officer a copy of the institution's "Annual Report" on an annual basis.

3. Cash Management

- 1. All funds shall be deposited within 48 hours of receipt in accordance with N.J.S.A. 40A:5-15.
- 2. The Chief Financial Officer shall minimize the possibility of idle cash accumulating in accounts by assuring that the amounts in excess of negotiated compensating balances are kept in interest bearing accounts or promptly swept into the investment portfolio.
- 3. The method of calculating banking fees and compensating balances shall be reviewed on a monthly basis.

4. Investment decisions shall be guided by the cash flow projections prepared by the Chief Financial Officer.
5. The Chief Financial Officer shall make (when appropriate) transfers between Borough bank accounts via on-line banking.

4. Permissible Investments

1. Bonds or other obligations of the United States of America or obligations guaranteed by the United States of America.
2. Government money market mutual funds.
3. Any federal agency or instrumentality obligations authorized by Congress that matures within 397 days from the date of purchase, and has a fixed rate of interest not dependent on any index or external factors.
4. Bonds or other obligations of the local unit or school districts of which the local unit is a part.
5. Any other obligations with maturities not exceeding 397 days, as permitted by the Division of Investments.
6. Local Government investment pools.
7. New Jersey State Cash Management Fund.
8. Repurchase agreements of fully collateralized securities.

5. Authority for Investment Management

1. The Chief Financial Officer is authorized and directed to make investments on behalf of the Borough. All investment decisions shall be consistent with this plan and all appropriate regulatory constraints.

6. Safekeeping

1. Securities purchased on behalf of the Borough shall be delivered electronically or physically to the Borough's custodial bank, which shall maintain custodial and/or safekeeping accounts for such securities on behalf of the Borough.

7. Reporting

1. The Chief Financial Officer shall report to the Borough Commissioners all purchases of investments in accordance with N.J.S.A. 40A:5-15.2.

8. Audit

1. The Cash Management Plan shall be subject to annual audit conducted pursuant to N.J.S.A. 40A:5-14.

	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Mullock						
vanHeeswyk						
Moffatt						

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 January 9, 2020.

Municipal Clerk

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

RESOLUTION 04-20

**A RESOLUTION AUTHORIZING THE WATER/SEWER CLERK AND TAX
COLLECTOR TO CANCEL OVERPAYMENTS OR DELINQUENCIES UNDER
\$10.00**

WHEREAS, the Governing Body of a Municipality may designate Municipal Employee(s) to process without further action on the part of the Governing Body, the cancellation of any property tax, water/sewer overpayments or delinquencies of ten dollars (\$10.00) or less; and

WHEREAS, the Borough of Cape May Point desires to designate employee(s) for such purposes.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Cape May Point, County of Cape May and State of New Jersey that the Tax Collector and Water/Sewer Clerk for the Borough of Cape May Point, be designated as the Municipal Employees hereby authorized to cancel from record any overpayment or delinquency of ten dollars (\$10.00) or less.

	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Mullock						
vanHeeswyk						
Moffatt						

Certification

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Municipal Clerk

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

RESOLUTION NO. 05-20

DESIGNATING AUTHORIZED SIGNATORIES ON BOROUGH BANK ACCOUNTS

BE IT RESOLVED by the Commissioners of the Borough of Cape May Point, County of Cape May, State of New Jersey, that the following are hereby authorized to sign checks on behalf of the Borough of Cape May Point on all accounts with financial institutions designated as Official Depositories for the funds of the Borough:

Commissioner Robert Moffatt
Commissioner Anita vanHeeswyk
Commissioner Robert Mullock
Clerk Elaine L. Wallace

BE IT FURTHER RESOLVED that check withdrawals from Borough bank accounts require at least two (2) of the aforementioned signatories.

IT IS FURTHER RESOLVED that the following individuals will have the access and authorization necessary to electronically transfer funds between Borough accounts:

Commissioner Anita vanHeeswyk
Chief Financial Officer James Craft
Tax Collector Kim Stevenson

	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Mullock						
vanHeeswyk						
Moffatt						

Certification

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Municipal Clerk

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

RESOLUTION 06-20

SCHEDULE OF 2020 MUNICIPAL HOLIDAYS / BOROUGH HALL CLOSINGS

BE IT RESOLVED, by the Governing Body of the Borough of Cape May Point, that the following will be observed as Holidays on which Municipal Offices will be closed:

	<u><i>OBSERVED</i></u>
New Year's Day	1/1/2020
Martin Luther King Day	1/20/2020
President's Day	2/17/2020
Good Friday	4/10/2020
Memorial Day	5/25/2020
Independence Day	7/3/2020
Labor Day	9/7/2020
Columbus Day	10/12/2020
Veterans Day	11/11/2020
Thanksgiving Day	11/26/2020
Day after Thanksgiving	11/27/2020
Christmas	12/24, 25 & 28/2020
New Year's Day 2021	1/1/2021

	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Mullock						
vanHeeswyk						
Moffatt						

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 January 9, 2020.

Municipal Clerk

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

RESOLUTION 07-20

**AUTHORIZING TAX ASSESSOR TO FILE REGULAR APPEALS
TO THE CAPE MAY COUNTY BOARD OF TAXATION**

WHEREAS, by the directive of the Cape May County Board of Taxation and pursuant to N.J.A.C. 18:12A-1.6(c), the governing body of the Borough of West Cape May may designate that any and all tax appeals for an increase or decrease of assessment may be submitted to the County Board of Taxation by the Tax Assessor; and

WHEREAS, it is deemed to be in the best interest of the Borough of Cape May Point that the Tax Assessor be authorized to file same on behalf of the Borough for the year 2020 for the disposition by the County Board of Taxation.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Cape May Point, the governing body thereof, that Dianne Kelly, Tax Assessor of the Borough of Cape May Point is hereby authorized, empowered and directed to file regular appeals with the Cape May County Board of Taxation on behalf of the Borough for the year 2020.

BE IT FURTHER RESOLVED by the Board of Commissioners of the Borough of Cape May Point, the governing body therefore, that a certified copy of this Resolution shall be forwarded to Dianne Kelly and the Cape May County Board of Taxation.

	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Mullock						
vanHeeswyk						
Moffatt						

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Municipal Clerk

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

RESOLUTION 08-20

**A RESOLUTION TO ESTABLISH THE RATE OF INTEREST FOR NONPAYMENT OF
TAXES OR ASSESSMENTS FOR THE BOROUGH OF CAPE MAY POINT
FOR THE YEAR 2020**

WHEREAS, N.J.S.A. 54: 4-67 authorizes a Municipality to access certain interest penalties for delinquencies in payment of installments of taxes and assessments;

NOW, THEREFORE, BE IT RESOLVED, by the Commissioners of the Borough of Cape May Point, County of Cape May, and State of New Jersey, that pursuant to N.J.S.A. 54:4-67, interest shall be charged on unpaid taxes at the rate of eight percent (8%) per annum on the first \$1,500.00 of the delinquency, and at the rate of eighteen (18%) per annum on any amount in excess of \$1,500.00, to be calculated from the date the tax was payable until the date of actual payment provided that no interest shall be charged if payment of any installment is made on or before the tenth calendar day following the date upon which the same became payable. Should the combination of interest, taxes, and other municipal charges accumulate to a total delinquency in excess of \$10,000.00 an additional interest penalty shall be added at the rate of six percent (6%) per annum on top of all other taxes, interest and charges due.

BE IT FURTHER RESOLVED, that in accordance with N.J.S.A. 54: 5-61 the holder of a tax title shall be entitled to collect from the owner or other persons having interest in the lands, in addition to the expenses provided in N.J.S.A. 54: 5-61 a sum equal to two percent (2%) of the costs exceeding the sum of \$200.00; four percent (4%) when the taxes, interest, and cost exceed the sum of \$5,000.00 and six percent (6%) when the taxes and cost exceed the sum of \$10,000.00.

	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Mullock						
vanHeeswyk						
Moffatt						

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Municipal Clerk

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

RESOLUTION 09-20

**AWARD OF PROFESSIONAL SERVICES CONTRACT FOR
BOROUGH SOLICITOR – BROCK D. RUSSELL, ESQ.**

WHEREAS, the Borough of Cape May Point has a need to acquire the services of a Borough Solicitor for the performance of legal work and related duties associated therewith as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the Chief Financial Officer has determined and certified in writing that the value of the acquisition will exceed \$17,500; and

WHEREAS, the term of this contract is 1 year commencing January 1, 2020, expiring December 31, 2020; and

WHEREAS, Brock D. Russell has submitted a proposal indicating he will provide the services of Borough Solicitor for a fee of \$15,000 for general duties with a provision for hourly charges for services beyond the general duties, but not exceeding \$25,000; and

WHEREAS, Brock D. Russell, Esq. has completed and submitted a Business Entity Disclosure Certification which certifies that he has not made any reportable contributions to a political or candidate committee in the Borough of Cape May Point in the previous one year, and will not make any reportable contributions pursuant to N.J.S.A. 19:44-1 through the term of his contract; and

WHEREAS, in accordance with N.J.A.C. 5:30-5.4 the Chief Financial Officer certifies that the funds will be available in the 2020 Municipal Budget for said services; and

WHEREAS, the services to be performed by the Solicitor are regulated by law within the meaning of the Local Public Contracts Laws (N.J.S. 40:1-1 et seq.) and hence are exempt from competitive bidding.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Cape May Point, the governing body thereof, that Brock D. Russell, Esq. be appointed as Solicitor of the Borough of Cape May Point for a term of one (1) year effective January 1, 2020 and expiring December 31, 2020.

BE IT FURTHER RESOLVED, the Mayor and Municipal Clerk are hereby authorized to execute the aforementioned professional services agreement on

behalf of the Borough of Cape May Point in accordance with the terms and provisions of the Local Public Contacts Law.

BE IT FURTHER RESOLVED, that the Business Entity Certification and the Determination of Value be placed on file with this resolution.

BE IT FURTHER RESOLVED that a notice of this decision shall be published according to N.J.S.A. 40A:11-5(1)(a)(i).

	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Mullock						
vanHeeswyk						
Moffatt						

CERTIFICATION OF AVAILABILITY OF FUNDS

I, James V. Craft, Chief Finance Officer of the Borough of Cape May Point, hereby certify that funds are available in the Current Fund Account 0-01-20-155-021 to authorize the execution of a professional services contract with Brock Russell, Esq. as Solicitor for the Borough of Cape May Point for a one (1) year term commencing January 1, 2020 for an amount not to exceed \$25,000.00.

I further certify that this commitment together with all previously made commitments does not exceed the appropriation balance available for this purpose.

Dated: January 9, 2020

Signed: James V. Craft

James V. Craft, Chief Financial Officer

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 January 9, 2020.

Municipal Clerk

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

RESOLUTION 10-20

**AWARD OF PROFESSIONAL SERVICES CONTRACT FOR BOROUGH
AUDITOR – MICHAEL GARCIA OF FORD, SCOTT AND ASSOCIATES, L.L.C.**

WHEREAS, the Borough of Cape May Point has a need to acquire the services of a Borough Auditor for the performance of auditing/accounting work and related duties associated therewith as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the Chief Financial Officer has determined and certified in writing that the value of the acquisition will exceed \$17,500; and

WHEREAS, the term of this contract is 1 year commencing January 1, 2020, expiring December 31, 2020; and

WHEREAS, Michael S. Garcia of Ford, Scott and Associates, L.L.C. has submitted a proposal indicating he will provide the services of Borough Auditor for an amount not to exceed \$29,600; and

WHEREAS, Michael S. Garcia has completed and submitted a Business Entity Disclosure Certification which certifies that he has not made any reportable contributions to a political or candidate committee in the Borough of Cape May Point in the previous one year, and will not make any reportable contributions pursuant to N.J.S.A. 19:44-1 through the term of his contract; and

WHEREAS, in accordance with N.J.A.C. 5:30-5.4 the Chief Financial Officer certifies that the funds will be available in the 2020 Municipal Budget for these services; and

WHEREAS, the services to be performed by the Auditor are regulated by law within the meaning of the Local Public Contracts Laws (N.J.S. 40:1-1 et seq.) and hence are exempt from competitive bidding.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Cape May Point, the governing body thereof, that Michael Garcia be appointed as Auditor of the Borough of Cape May Point for a term of one (1) year effective January 1, 2020 and expiring December 31, 2020.

BE IT FURTHER RESOLVED, the Mayor and Municipal Clerk are hereby authorized to execute the aforementioned professional services agreement on behalf of the Borough of Cape May Point in accordance with the terms and provisions of the Local Public Contracts Law.

BE IT FURTHER RESOLVED, that the Business Entity Certification and the Determination of Value be placed on file with this resolution.

BE IT FURTHER RESOLVED that a notice of this decision shall be published according to N.J.S.A. 40A:11-5(1)(a)(i).

	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Mullock						
vanHeeswyk						
Moffatt						

CERTIFICATION OF AVAILABILITY OF FUNDS

I, James V. Craft, Chief Finance Officer of the Borough of Cape May Point, hereby certify that funds are available in the Current Fund Account 0-01-20-135-021 and Water/Sewer Fund Account 0-05-55-502-052 to authorize the execution of a professional services contract with Michael Garcia of Ford, Scott and Associates as the Municipal Auditors for the Borough of Cape May Point for a one (1) year term commencing January 1, 2020 for an amount not to exceed \$29,600.00.

I further certify that this commitment together with all previously made commitments does not exceed the appropriation balance available for this purpose.

Dated: January 9, 2020

Signed: James V. Craft

James V. Craft, Chief Financial Officer

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 January 9, 2020.

Municipal Clerk

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

RESOLUTION 11-20

**AWARD OF PROFESSIONAL SERVICES CONTRACT FOR BOND COUNSEL
MCMANIMON, SCOTLAND & BAUMAN, L.L.C.**

WHEREAS, the Borough of Cape May Point has a need to acquire the services of a Bond Counsel for the performance of legal work and related duties associated therewith as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the Chief Financial Officer has determined and certified in writing that the value of the acquisition may exceed \$17,500; and

WHEREAS, the term of this contract is 1 year commencing January 1, 2020, expiring December 31, 2020; and

WHEREAS, McManimon, Scotland & Bauman, L.L.C. has submitted a proposal indicating the firm will provide the services of Bond Counsel pursuant to the terms of said proposal in an amount not to exceed \$10,000.00; and

WHEREAS, McManimon, Scotland & Bauman, L.L.C. has completed and submitted a Business Entity Disclosure Certification which certifies the firm has not made any reportable contributions to a political or candidate committee in the Borough of Cape May Point in the previous one year, and will not make any reportable contributions pursuant to N.J.S.A. 19:44-1 through the term of his contract; and

WHEREAS, in accordance with N.J.A.C. 5:30-5.4 the Chief Financial Officer certifies that the funds will be available in the 2020 Municipal Budget for these services; and

WHEREAS, the services to be performed by the Bond Counsel are regulated by law within the meaning of the Local Public Contracts Laws (N.J.S. 40:1-1 et seq.) and hence are exempt from competitive bidding.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Cape May Point, the governing body thereof, that McManimon, Scotland & Bauman, L.L.C. be appointed as Bond Counsel of the Borough of Cape May Point for a term of one (1) year effective January 1, 2020 and expiring December 31, 2020.

BE IT FURTHER RESOLVED, the Mayor and Municipal Clerk are hereby authorized to execute the aforementioned professional services agreement on

behalf of the Borough of Cape May Point in accordance with the terms and provisions of the Local Public Contacts Law.

BE IT FURTHER RESOLVED, that the Business Entity Certification and the Determination of Value be placed on file with this resolution.

BE IT FURTHER RESOLVED that a notice of this decision shall be published according to N.J.S.A. 40A:11-5(1)(a)(i).

	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Mullock						
vanHeeswyk						
Moffatt						

CERTIFICATION OF AVAILABILITY OF FUNDS

I, James V. Craft, Chief Finance Officer of the Borough of Cape May Point, hereby certify that funds are available in the Current Fund Account 0-01-20-155-021 to authorize the execution of a professional services contract with Erin Law of McManimon, Scotland, Baumann. as Bond Counsel for the Borough of Cape May Point for a one (1) year term commencing January 1, 2020 for an amount not to exceed \$10,000.00.

I further certify that this commitment together with all previously made commitments does not exceed the appropriation balance available for this purpose.

Dated: January 9, 2020

Signed: James V Craft

James V. Craft, Chief Financial Officer

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 January 9, 2020.

Municipal Clerk

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

RESOLUTION 12-20

**AWARD OF PROFESSIONAL SERVICES CONTRACT FOR
BOROUGH ENGINEER – BRUCE GRAHAM**

WHEREAS, the Borough of Cape May Point has a need to acquire the services of a Borough Engineer for the performance of engineering work and related duties associated therewith as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the Chief Financial Officer has determined and certified in writing that the value of the acquisition may exceed \$17,500; and

WHEREAS, the term of this contract is 1 year commencing January 1, 2020, expiring December 31, 2020; and

WHEREAS, Bruce Graham of Van Note Harvey Associates has submitted a proposal indicating the firm will provide the services of Borough Engineer pursuant to the terms of said proposal in an amount not exceed \$25,000.00; and

WHEREAS, Bruce Graham has completed and submitted a Business Entity Disclosure Certification which certifies that he has not made any reportable contributions to a political or candidate committee in the Borough of Cape May Point in the previous one year, and will not make any reportable contributions pursuant to N.J.S.A. 19:44-1 through the term of his contract; and

WHEREAS, in accordance with N.J.A.C. 5:30-5.4 the Chief Financial Officer certifies that the funds will be available in the 2020 Municipal Budget for these services; and

WHEREAS, the services to be performed by the Bond Counsel are regulated by law within the meaning of the Local Public Contracts Laws (N.J.S. 40:1-1 et seq.) and hence are exempt from competitive bidding.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Cape May Point, the governing body thereof, that Bruce Graham be appointed as Borough Engineer of the Borough of Cape May Point for a term of one (1) year effective January 1, 2020 and expiring December 31, 2020.

BE IT FURTHER RESOLVED, the Mayor and Municipal Clerk are hereby authorized to execute the aforementioned professional services agreement on

behalf of the Borough of Cape May Point in accordance with the terms and provisions of the Local Public Contacts Law.

BE IT FURTHER RESOLVED, that the Business Entity Certification and the Determination of Value be placed on file with this resolution.

BE IT FURTHER RESOLVED that a notice of this decision shall be published according to N.J.S.A. 40A:11-5(1)(a)(i).

	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Mullock						
vanHeeswyk						
Moffatt						

CERTIFICATION OF AVAILABILITY OF FUNDS

I, James V. Craft, Chief Finance Officer of the Borough of Cape May Point, hereby certify that funds are available in the Current Fund Account 0-01-26-292-021 to authorize the execution of a professional services contract with Bruce Graham of Van Note – Harvey Associates as Borough Engineer for the Borough of Cape May Point for a one (1) year term commencing January 1, 2020 for an amount not to exceed \$25,000.00.

I further certify that this commitment together with all previously made commitments does not exceed the appropriation balance available for this purpose.

Dated: January 9, 2020

Signed: James V. Craft

James V. Craft, Chief Financial Officer

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 January 9, 2020.

Municipal Clerk

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

RESOLUTION 13-20

**AWARDING A PROFESSIONAL SERVICES CONTRACT TO
BROWN & CONNERY, LLP**

WHEREAS, the Borough of Cape May Point (hereinafter referred to "Borough") desires to retain **BROWN & CONNERY, LLP** (hereinafter referred to as "Contractor") as Special Counsel/Labor Relations pursuant to a non-fair and open basis.

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1, *et seq.*, provides that contracts for professional services may be awarded without public advertisement therefore; and

WHEREAS, under the Local Public Contracts Law, the subject contract is a contract for professional services because:

(A) Professional services of the type herein sought are of such a nature as to require a high degree of trust or confidence in the individual entity providing the service and, in fact, may require the creation of a confidential or fiduciary relationship between that individual or entity and the municipality; and

(B) The services required are highly specialized or technical in nature; and

(C) The services require peculiar ability or skill and demand a high degree of specialized knowledge or expertise; and

(D) The services are such that their relative worth must be judged by subjective considerations that are not susceptible of valuation by competitive bidding; and

(E) The individual or entity who will provide these services has demonstrated competence and particular expertise in the services required; and

(F) The individual or entity who will perform these services is held to and fully adheres to the strict ethical standards that govern the involved profession; and

(G) The services include advice to and consultation with the municipality that require both knowledge and judgment on the part of the individual or entity providing services, as well as the confidence of the municipal officials such that competitive bidding is not feasible or practical; and

(H) The services to be provided are such that their nature, scope and duration are not capable of precise measurement, but rather require a flexibility and discretion that render competitive bidding impractical and inefficient; and

(I) Contractor already has a high degree of familiarity with the labor relations of the Borough.

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

1. All of the statements of the preamble are incorporated herein by this reference thereto as though the same were set forth at length.

2. The Mayor and Borough Clerk be and they are hereby authorized to execute a Professional Services Contract retaining **BROWN & CONNERY, LLP** to perform the following professional services: **SPECIAL COUNSEL/LABOR RELATIONS** in an amount not to exceed **\$3,000** in the form annexed hereto as Exhibit "A" with the term of that agreement terminating on December 31, 2020.

3. The statutory language required by N.J.S.A. 10:2-1 and 10:5-33 hereby incorporated into the contract by reference and the contractor is bound by said language together with the other provisions of the anti-discrimination laws of the State of New Jersey, Chapter 127 of the Laws of 1975.

4. This Resolution shall only be effective when a copy of a certification of availability of funds prepared by Chief Financial Officer of the Borough is attached hereto.

5. The Business Disclosure Entity Certification and the determination of value shall be placed on file with this Resolution.

6. A notice of the letting of this contract shall be published in the Borough's official newspaper within ten (10) days of the date of this resolution, which notice shall state that this Resolution and the Contract are on file and available for public inspection in the office of the Borough Clerk.

7. This Resolution only shall become effective when a copy of the New Jersey Business Registration Certificate of the Contractor herein is submitted to the Borough of Cape May Point pursuant to the provisions of N.J.S.A. 52:32-44b(1) and a copy of that New Jersey Business Registration Certificate shall be placed on file with this Resolution.

	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Mullock						
vanHeeswyk						
Moffatt						

CERTIFICATION OF AVAILABILITY OF FUNDS

I, James V. Craft, Chief Finance Officer of the Borough of Cape May Point, hereby certify that funds are available in the Current Fund Account 0-01-20-155-000-021 to authorize the execution of a professional services contract with Brown & Connery, LLP as Special Counsel/Labor Counsel for the Borough of Cape May Point for an amount not to exceed \$3,000.00

I further certify that this commitment together with all previously made commitments does not exceed the appropriation balance available for this purpose.

Dated: January 9, 2020

Signed: James V. Craft
 James V. Craft
 Chief Financial Officer

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 January 9, 2020.

 Municipal Clerk

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

RESOLUTION NO. 14-20

AWARD OF CONTRACT FOR M.I.S. SERVICES FOR 2020

WHEREAS, there is a need in the Borough of Cape May Point to contract for M.I.S. services; and

WHEREAS, based on satisfactory service and reliability in the year 2019 it is the recommendation of the Commissioner of Revenue and Finance that Barber Consulting Services, L.L.C be awarded M.I.S. services contract for 2020.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Borough of Cape May Point that Barber Consulting Services, L.L.C. be awarded the contract for M.I.S Services for a one-year contract expiring December 31, 2020 at the standard rate of \$75.00 per hour and \$150.00 per hour for weekends, holidays and emergencies with the total contract not to exceed \$2,500.00.

	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Mullock						
vanHeeswyk						
Moffatt						

CERTIFICATION OF AVAILABILITY OF FUNDS

I, James V. Craft, Chief Finance Officer of the Borough of Cape May Point, hereby certify that funds are available in the Current Fund Account 0-01-20-140-021, Computer Operations OE, to authorize the execution of a professional services contract with Barber Consulting Services for M.I.S services for an amount not to exceed \$2,500.00 for a one (1) year term commencing January 1, 2020.

I further certify that this commitment together with all previously made commitments does not exceed the appropriation balance available for this purpose.

Dated: January 9, 2020

Signed: James V Craft

James V. Craft, Chief Financial Officer

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 January 9, 2020.

Municipal Clerk

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

RESOLUTION 15-20

**AWARDING CONTRACT FOR ANIMAL CONTROL
SERVICES FOR THE YEAR 2020**

WHEREAS, there is a need in the Borough of Cape May Point to contract for Animal Control Services to patrol and monitor the Borough for stray, lost or injured animals, and to provide services necessary to treat, trap or impound said animals; and

WHEREAS, the services of an Animal Control Officer is further required to enforce all State and Local ordinances including, but not limited to, vaccination and licensing requirements.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Borough of Cape May Point that an agreement be entered into with Stephen Serwatka of Animal Control of South Jersey in the amount of \$60.00 per hour, in an amount not to exceed \$1,000.00. The term of this contract shall begin on January 1, 2020 and end December 31, 2020.

	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Mullock						
vanHeeswyk						
Moffatt						

CERTIFICATION OF AVAILABILITY OF FUNDS

I, James V. Craft, Chief Finance Officer of the Borough of Cape May Point, hereby certify that funds are available in the Current Fund Account 0-01-27-232-021, Animal Control, to authorize the execution of a contract with Stephen Serwatka of Animal Control of South Jersey in the amount of \$60.00 per hour for the Borough of Cape May Point for a one (1) year term commencing January 1, 2020 for an amount not to exceed \$1,000.00. I further certify that this commitment together with all previously made commitments does not exceed the appropriation balance available for this purpose.

Dated: January 9, 2020

Signed: James V Craft

James V. Craft, Chief Financial Officer

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 January 9, 2020.

Municipal Clerk

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

RESOLUTION 16-20

**AWARD OF PROFESSIONAL SERVICES CONTRACT FOR
BOROUGH PLANNER – MICHAEL SULLIVAN**

WHEREAS, the Borough of Cape May Point requires the services of a professional planner and the Local Public Contract Law (N.J.S.A. 40A:11-1 et seq.) provides for the award of contracts for professional services without advertising for bids; and

WHEREAS, the Borough has determined that the value of the following contract will not exceed \$17,500.00 and therefore is not subject to the provisions of N.J.S.A. 19:44A-20.5; and

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Cape May Point, County of Cape May and State of New Jersey, that Michael Sullivan, ASLA, AICP of the firm Clarke, Canton, Hintz is hereby appointed as municipal planner for the year 2020, at the rate agreed upon in the contract attached hereto, in an amount not to exceed \$15,000.00.

BE IT FURTHER RESOLVED, the Mayor and Municipal Clerk are hereby authorized to execute the aforementioned professional services agreement on behalf of the Borough of Cape May Point in accordance with the terms and provisions of the Local Public Contacts Law.

BE IT FURTHER RESOLVED that a notice of this decision shall be published according to N.J.S.A. 40A:11-5(1)(a)(i).

	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Mullock						
vanHeeswyk						
Moffatt						

CERTIFICATION OF AVAILABILITY OF FUNDS

I, James V. Craft, Chief Finance Officer of the Borough of Cape May Point, hereby certify that funds are available in the Current Fund Account 0-01-21-180-021 to authorize the execution of a professional services contract with Michael Sullivan, ASLA, AICP of Clarke, Canton, Hintz as municipal planner for the Borough of Cape May Point for a one (1) year term commencing January 1, 2020 for an amount not to exceed \$15,000.00.

I further certify that this commitment together with all previously made commitments does not exceed the appropriation balance available for this purpose.

Dated: January 9, 2020

Signed: James V Craft

James V. Craft, Chief Financial Officer

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 January 9, 2020.

Municipal Clerk

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

RESOLUTION NO. 17-20

AWARD OF CONTRACT FOR CRS COORDINATOR SERVICES

WHEREAS, the Borough of Cape May Point is a participant in the Community Rating System with the National Flood Insurance Program; and

WHEREAS, based on satisfactory service and reliability in the year 2019 it is the recommendation of the Commissioner of Revenue and Finance that Lou Belasco be awarded a contract to provide CRS Coordinator services for the year 2020.

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 Louis Belasco be awarded a professional service contract for CRS Coordinator Services in the amount of \$3,500 for a one-year contract expiring December 31, 2020.

	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Mullock						
vanHeeswyk						
Moffatt						

CERTIFICATION OF AVAILABILITY OF FUNDS

I, James V. Craft, Chief Finance Officer of the Borough of Cape May Point, hereby certify that funds are available in the Current Fund Account 0-01-21-181-011 to authorize the execution of a professional services contract with Louis Belasco for CRS Coordinator Services for a one (1) year term commencing January 1, 2020 for \$3,500.

I further certify that this commitment together with all previously made commitments does not exceed the appropriation balance available for this purpose.

Dated: January 9, 2020

Signed: James V Craft

James V. Craft, Chief Financial Officer

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 January 9, 2020.

Municipal Clerk

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

RESOLUTION NO. 18-20

**AWARD OF PROFESSIONAL SERVICE CONTRACT
FOR CERTIFIED FLOODPLAIN MANAGER**

WHEREAS, the Borough of Cape May Point requires the services of a Floodplain Manager; and

WHEREAS, based on satisfactory service and reliability in the year 2019, it is the recommendation of the Commissioner of Revenue and Finance that Lou Belasco be awarded a contract to provide certified floodplain manager services for 2020.

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 Louis Belasco be awarded a professional service contract, for a one-year term expiring December 31, 2020 in an amount not to exceed \$4,500.

	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Mullock						
vanHeeswyk						
Moffatt						

CERTIFICATION OF AVAILABILITY OF FUNDS

I, James V. Craft, Chief Finance Officer of the Borough of Cape May Point, hereby certify that funds are available in the Current Fund Account 0-01-21-181-011 to authorize the execution of a professional services contract with Louis Belasco for Certified Floodplain Manager for a one-year term commencing January 1, 2020 for \$4,500.

I further certify that this commitment together with all previously made commitments does not exceed the appropriation balance available for this purpose.

Dated: January 9, 2020

Signed: James V Craft

James V. Craft, Chief Financial Officer

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 January 9, 2020.

Municipal Clerk

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

RESOLUTION NO. 19-20

AWARD OF CONTRACT FOR 2020 ANNUAL BEACH PROFILE SURVEY

WHEREAS, the Cape May Point Beach Cells 0 thru 6 (Lighthouse to Emerald Beaches) have recently been reconstructed by the Army Corps of Engineers; and

WHEREAS, it is critical that these beaches be closely monitored; and

WHEREAS, it is critical to have regular annual data on each of its beach fronts in order to keep informed as to the ever changing ocean floor, so the Borough can properly plan for any corrective action that is needed; and

WHEREAS, Dr. Stewart Farrell is a professor at Stockton State College and a recognized expert in this field and has been providing beach profiles for the Borough since 1988.

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 that the annual contract for Beach Profile Surveying is hereby awarded to Dr. Stewart Farrell of Stockton State College for the year 2020 as specified in attached contract.

1. Nine (9) sites will be surveyed ONCE per year comparing current data to the year 2004 Army Corps reconstructed beaches.
2. Field data will be collected and analyzed while under supervision.
3. A final report will be issued upon completion of work.
4. A presentation will be made at a Borough meeting.
5. Total project costs are not to exceed \$11,633.77.

BE IT FURTHER RESOLVED, this contract is awarded in accordance with the Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(a) and as such shall be printed in the Cape May Star & Wave.

	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Mullock						
vanHeeswyk						
Moffatt						

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 January 9, 2020.

Municipal Clerk

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 2020 Current Fund Account 0-01-28-380-021 to authorize the execution of a professional services contract with Dr. Steward Farrell of Stockton State College for beach surveys for 2020 for an amount not to exceed \$11,633.77.

I further certify that this commitment together with all previously made commitments does not exceed the appropriation balance available for this purpose.

Dated: January 9, 2020

Signed: James V Craft

James V. Craft, Chief Financial Officer

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

RESOLUTION 20-20

**APPOINTING RISK MANAGEMENT CONSULTANT
ATLANTIC COUNTY MUNICIPAL JOINT INSURANCE FUND**

WHEREAS, the Borough of Cape May Point is a member of the Atlantic County Municipal Joint Insurance Fund, a self-insurance pooling fund, and;

WHEREAS, the Bylaws of said Fund require that each municipality appoint a RISK MANAGEMENT CONSULTANT to perform various professional services as detailed in the Bylaws and;

WHEREAS, the Bylaws indicate a fee not to exceed six percent (6%) of the municipal assessment which expenditure represents reasonable compensation for the services required and was included in the cost considered by the governing body and;

WHEREAS, the judgmental nature of the Risk Management Consultant's duties renders comparative bidding impractical;

NOW THEREFORE, BE IT RESOLVED that the governing body of the Borough of Cape May Point does hereby appoint Michael McLaughlin of Marsh & McLennan Agency as its Risk Management Consultant in accordance with 40A:11-5 and;

BE IT FURTHER RESOLVED that the governing body is hereby authorized and directed to execute the Consultant's Agreement annexed hereto and to cause a notice of this decision to be published according to NJSA 40A:11-5(1)(a)(i).

	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Mullock						
vanHeeswyk						
Moffatt						

CERTIFICATION OF AVAILABILITY OF FUNDS

I, James V. Craft, Chief Finance Officer of the Borough of Cape May Point, hereby certify that funds are available in the Current Fund Account 0-01-23-197-021 to authorize the execution of a professional services contract with Michael McLaughlin of Marsh & McLennan Agency as its Risk Management Consultant in accordance with 40A:11-5 for the Borough of Cape May Point for a one (1) year term commencing January 1, 2020 for an amount not to exceed 6% of the municipal assessment. I further certify that this commitment together with all previously made commitments does not exceed the appropriation balance available for this purpose.

Dated: January 9, 2020

Signed: James V. Craft

James V. Craft, Chief Financial Officer

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 January 9, 2020.

Municipal Clerk

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

RESOLUTION NO. 21-20

**AWARD OF CONTRACT FOR AFFORDABLE HOUSING
ADMINISTRATIVE AGENT FOR 2020**

WHEREAS, there exists the need to contract for an Administrative Agent to provide necessary services related to the provision of affordable housing in the Borough of Cape May Point; and

WHEREAS, Triad Associates is a firm specializing in affordable housing related services; and

WHEREAS, Triad Associates has completed and submitted the necessary professional services contract documentation including a Business Entity Disclosure Certification which certifies that Triad Associates will not make any reportable contributions pursuant to N.J.S.A. 19:44A-1; and

WHEREAS, this contract is contingent upon the certification of this Resolution by the Chief Financial Officer as to the availability of funds.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Borough of Cape May Point that Triad Associates be appointed Administrative Agent of the Borough of Cape may point for a contract expiring December 31, 2020 in an amount not to exceed \$5,000.

	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Mullock						
vanHeeswyk						
Moffatt						

CERTIFICATION OF AVAILABILITY OF FUNDS

I, James V. Craft, Chief Finance Officer of the Borough of Cape May Point, hereby certify that funds are available in the Trust Fund Account T-13-56-850-808 to authorize the execution of a professional services contract with Triad Associates as Affordable Housing Administrative Agent for the Borough of Cape May Point for a one (1) year term commencing January 1, 2020 for an amount not to exceed \$5,000.00.

I further certify that this commitment together with all previously made commitments does not exceed the appropriation balance available for this purpose.

Dated: January 9, 2020

Signed: James V. Craft
James V. Craft
Chief Financial Officer

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 January 9, 2020.

Municipal Clerk

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

RESOLUTION 22-20

ANNUAL SCHEDULE OF MEETINGS FOR 2020

BE IT RESOLVED by the Commissioners of the Borough of Cape May Point, County of Cape May, and State of New Jersey that the 2020 Annual Schedule of Commissioner's Meetings shall be as follows:

	Tuesday 12:00 PM Borough Hall	Thursday 6:00 PM Fire House	Tuesday 12:00 PM Borough Hall
January	7 th	9 th	28 th
February	11 th	13 th	25 th
March	10 th	12 th	24 th *
April	7 th	9 th	28 th
May	12 th	14 th	26 th
June	9 th	11 th	23 rd *
July	7 th	9 th	28 th
August	11 th	13 th	25 th
September	8 th	10 th	22 nd *
October	6 th	8 th	27 th
November	10 th	12 th	24 th
December	8 th	10 th	22 nd
January 2021	5 th *	7 th *	26 th

BE IT FURTHER RESOLVED that all 2020 evening Commissioner's business meetings shall be held the second Thursday of every month, unless otherwise noted (*), commencing at **6:00 PM** in the Cape May Point Volunteer Fire Company's Meeting Room, 412 Yale Avenue, Cape May Point, NJ 08212.

BE IT FURTHER RESOLVED that all 2020 afternoon work session meetings shall be held the Tuesday before the regular business meeting and the last Tuesday of the month, unless otherwise noted (*), commencing at **12:00 PM** in the Commissioner's Conference Room at Borough Hall, 215 Lighthouse Avenue, Cape May Point, NJ 08212.

BE IT FURTHER RESOLVED that official action may be taken at any meeting of the Borough Commissioners.

	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Mullock						
vanHeeswyk						
Moffatt						

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 January 9, 2020.

Municipal Clerk

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

RESOLUTION 23-20

REAPPOINTMENTS TO GREEN TEAM FOR 2020

NOW THEREFORE BE IT RESOLVED that the Board of Commissioners of the Borough of Cape May Point appoints the following to the Green Team for terms of 1 year expiring December 31, 2020:

Barbara Bassett, Resident Citizen
Catherine Busch, Chairperson of the Environmental Commission
Connie Campanella, Board of Directors, Taxpayers' Association
Isabelle Neary, Environmental Commission Member
Steve O'Connor, Borough Administrator
Emelia Oleson, Clean Communities Coordinator
Mike Neary, Resident Citizen

	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Mullock						
vanHeeswyk						
Moffatt						

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 January 9, 2020.

Municipal Clerk

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

RESOLUTION 24-20

DESIGNATING PUBLIC AGENCY COMPLIANCE OFFICER FOR 2020

WHEREAS, N.J.A.C. 17:27-1.1 provides that no public work contracts can be awarded nor any monies paid until the prospective contractor has agreed to contract performance which complies with an approved affirmative action program; and

WHEREAS, N.J.A.C. 17:27-3.2 provides that each public agency shall annually designate an officer or employee to serve as its public agency compliance officer.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Cape May Point, Cape May County, that Steve O'Connor, Borough Administrator, be designated as the Public Agency Compliance Officer for a one-year term ending December 31, 2020.

	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Mullock						
vanHeeswyk						
Moffatt						

cc: CFO
NJ Dept. of Treasury, CCA Unit

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 January 9, 2020.

Municipal Clerk

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

RESOLUTION NO. 25-20

**APPROVAL OF RIGHT-OF-WAY PERMIT FOR SMALL CELL PROJECT
AT 520 PEARL AVENUE**

WHEREAS, New Cingular Wireless PCS, LLC, a Delaware limited liability company by AT&T Mobility Corporation (hereinafter “Cingular”) has submitted an application to the Board of Commissioners of the Borough of Cape May Point (hereafter referred to as “Municipality”) for a Right-of-Way Permit for a small cell project within the Borough right-of-way at 520 Pearl Avenue;

WHEREAS, the Borough Engineer, Bruce Graham, P.E., found that Cingular has satisfied all of the technical requirements set forth in his review letter of November 5, 2019;

WHEREAS, the Municipality finds that Cingular has met all the applicable requirements set forth in Borough of Cape May Point Code § 130-18.

NOW THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Cape May Point that Right-of-Way Permit for the Cingular Application for a small cell project in the Borough right-of-way at 520 Pearl Avenue is hereby approved.

	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Mullock						
vanHeeswyk						
Moffatt						

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 January 9, 2020.

Municipal Clerk

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

RESOLUTION NO. 26-20

**SUPPORTING RECERTIFICATION OF THE OFFICIAL DESIGNATION OF
CAPE MAY COUNTY AS A “COAST GUARD COMMUNITY”**

WHEREAS, the United States Congress, through federal legislation, has enabled the United States Coast Guard to designate a community having a special relationship with the Coast Guard as a “Coast Guard Community”; and

WHEREAS, local Coast Guard command is empowered to recommend that the “Coast Guard Community” designation be awarded to a surrounding city, county or other juridical entity that meets rigorous application standards; and

WHEREAS, on May 8, 2015, Coast Guard Commandant Admiral Paul Zukunft proclaimed Cape May County a “Coast Guard Community”, an honor claimed by only 18 cities and one other county in the nation.

WHEREAS, the residents of the Borough of Cape May Point and Cape May County continue to enjoy a unique relationship with Coast Guard personnel and their families that has been ongoing for nearly a century, by virtue of, among other things, the Coast Guard’s ownership and maintenance of properties in municipalities throughout the County; and

WHEREAS, most notably, since as early as 1917 the Coast Guard has had a presence at what has grown into the 352-acre site in Cape May City, County of Cape May, now known as Training Center Cape May, or “TRACEN”; and

WHEREAS, Coast Guard personnel and their families reside both in on-base housing in Cape May City and in private housing located in municipalities throughout the County, which, by virtue of its unique geographic configuration as a peninsula surrounded by water, is comprised of 16 contiguous municipalities whose economic, social and civic structures are closely interdependent; and

WHEREAS, Coast Guard families and non-Coast Guard families interact with and support one another on a daily basis in all aspects of community living; and

WHEREAS, the Coast Guard presence at TRACEN today includes over 1,160 total military and civilian personnel working at the base, providing recruit training for all entry-level recruits entering Coast Guard service and graduating an average of more than 2,300 recruits yearly, in addition to providing officer training and education, vessel support, air/sea rescue, investigative services,

communication facilities, and homeland security services, all in furtherance of the continuous coastal patrol and defense of our nation; and

WHEREAS, Coast Guard personnel and their families also welcome over 41,000 additional guests and visitors annually into Cape May County; and

WHEREAS, Cape May County residents and businesses have a longstanding history of recognizing and supporting their Coast Guard neighbors, and wish to formalize their continuing commitment to these men, women and children and make known to the public their commitment by recertifying the designation of “Coast Guard Community”; and

WHEREAS, the Borough of Cape May Point joins with the County of Cape May in this collaborative effort;

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

1. The above recitals are incorporated herein by reference;
2. Upon adoption of this Resolution, the Borough Commissioners are hereby authorized and directed to execute, individually or jointly, any and all documents necessary and appropriate to join efforts with Cape May City to complete an application for regional recertification by the United States Coast Guard as an official “Coast Guard Community”; and
3. The Borough of Cape May Point affirms its lengthy and honored relationship with the United States Coast Guard, and pledges to continue its long history of full and unwavering support for Coast Guard personnel and their families.

	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Mullock						
vanHeeswyk						
Moffatt						

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 January 9, 2020.

Municipal Clerk

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

RESOLUTION 27-20

APPOINTMENT TO CAPE MAY POINT FIRE COMPANY NUMBER 1

NOW THEREFORE BE IT RESOLVED by the governing body of the Borough of Cape May Point, County of Cape May, State of New Jersey, that Lance A. Lipset is hereby appointed to the membership of the Cape May Point Fire Company Number 1 and is entitled to all the rights and privileges thereof.

	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Mullock						
vanHeeswyk						
Moffatt						

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 January 9, 2020.

Municipal Clerk

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

RESOLUTION 28-20

**REAPPOINTING JAMES CRAFT AS CHIEF FINANCIAL OFFICER
IN ACCORDANCE WITH N.J.S.A. 40A:9-140.10**

WHEREAS, on February 9, 2016, James Craft, was reappointed as the Chief Financial Officer of the Borough of Cape May Point for a four-year term ending December 31, 2019; and

WHEREAS, the Board of Commissioners deems it to be in the best interest of the Borough to reappoint James Craft to another term pursuant to N.J.S.A. 40A:9-140.10.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Cape May Point, the governing body thereof, as follows:

1. The averments of the preamble are incorporated by reference.
2. James Craft is hereby reappointed the Chief Financial Officer for a four-year term commencing January 1, 2020.
3. The terms and conditions of the appointment shall be as reflected in the borough's Salary ordinance and resolution.
4. The Borough is authorized to take all steps necessary to perfect his appointment.
5. This resolution shall take effect immediately according to law.

	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Mullock						
vanHeeswyk						
Moffatt						

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 January 9, 2020.

Municipal Clerk