

This meeting will be held via teleconference. To attend, dial 515-603-4909 and use access code 394352. PLEASE MUTE YOUR PHONE TO LIMIT OUTSIDE NOISE DURING THE CALL.

If you wish to speak during the Public Portion, you may unmute your phone to give your name. Please wait to be recognized before continuing.

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

**BOROUGH MEETING – JUNE 11, 2020 – 6:00 PM**

**MEETING CALLED TO ORDER / SUNSHINE STATEMENT**

In compliance with the Open Public Meetings 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 the Statute.

**FLAG SALUTE**

**ROLL CALL:** Commissioner Mullock, Commissioner vanHeeswyk, Mayor Moffatt

**ADMINISTRATOR'S REPORT**

**COMMISSIONERS' REPORTS**

Beach Tag Discussion

**PUBLIC COMMENT ON AGENDA ITEMS ONLY**

**APPROVAL OF MINUTES**

May 14, 2020 Regular Meeting  
May 14, 2020 Closed Session

**ORDINANCES FOR INTRODUCTION / PUBLICATION**

06-2020 Salary Ordinance  
Second Reading/Public Hearing/Consideration to Adopt – July 9, 2020 at 6 pm

**RESOLUTIONS**

77-20 Reappointment of Municipal Tax Assessor Dianne Kelly  
78-20 Designating Public Agency Compliance Officer for 2020  
79-20 Confirmation of Officials for Joint Insurance Fund and Municipal Excess Liability Fund  
80-20 Approval of Right-of-Way Permit for Small Cell Project at 213 Lighthouse Avenue  
81-20 Approval of Bill List

**CERTIFICATE OF RECOGNITION:** Matthew Gibson – LCMR Graduation

**ORDINANCES FOR SECOND READING / PUBLIC HEARING / ADOPTION**

04-2020 An Ordinance Amending Chapter 146 Water and Sewer Utility to Increase Sewer Rates  
05-2020 Ordinance Appropriating \$15,000 from Capital Improvement Fund

**PUBLIC PORTION**

**ADJOURNMENT**

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

**RESOLUTION 77-20**

**REAPPOINTMENT OF MUNICIPAL TAX ASSESSOR  
DIANNE KELLY**

**WHEREAS**, the Board of Commissioners of the Borough of Cape May Point appointed Dianne Kelly the Borough Tax Assessor to a term expiring June 30, 2020; and

**WHEREAS**, Dianne Kelly is certified as a Municipal Tax Assessor pursuant to P.L. 1967; and

**WHEREAS**, the Board of Commissioners wishes to reappoint Dianne Kelly as the Borough Tax Assessor; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Commissioners of the Borough of Cape May Point, in the County of Cape May, and State of New Jersey, that Dianne Kelly be and is hereby reappointed as Tax Assessor of the Borough of Cape May Point for a four-year term beginning July 1, 2020 through June 30, 2024.

	<b>MOTION</b>	<b>SECOND</b>	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
<b>Mullock</b>						
<b>vanHeeswyk</b>						
<b>Moffatt</b>						

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 June 11, 2020.

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

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

**RESOLUTION 78-20**

**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 Ed Grant, Borough Administrator, be designated as the Public Agency Compliance Officer for a term ending December 31, 2020.

	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Mullock						
vanHeeswyk						
Moffatt						

cc: CFO  
NJ Dept. of Treasury, CCA Unit

**CERTIFICATION**

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

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

**RESOLUTION NO. 79-20**

**CONFIRMATION OF OFFICIALS FOR JOINT INSURANCE FUND  
AND MUNICIPAL EXCESS LIABILITY FUND**

**WHEREAS**, it is necessary for the Borough to designate certain persons for the receipt of notices and processing of claims for the Joint Insurance Fund, and

**WHEREAS**, the Borough is desirous of updating the records of the Atlantic County Municipal Joint Insurance Fund with changes.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Commission that the following persons are named in the capacity listed for the Joint Insurance Fund for 2020 and shall remain in said positions until changed by resolution:

Fund Commissioner	Ed Grant, Administrator
Alt. Fund Commissioner	Anita vanHeeswyk, Commissioner
Claims Coordinator	Elaine Wallace, Borough Clerk
Safety Coordinator	Ed Grant, Administrator
Health/Wellness Coordinator	Elaine Wallace, Borough Clerk
EPL Hotline Contact	Ed Grant, Administrator
Alt. EPL Hotline Contact	Elaine Wallace, Borough Clerk

	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. 80-20**

**APPROVAL OF RIGHT-OF-WAY PERMIT FOR SMALL CELL PROJECT  
AT 213 LIGHTHOUSE 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 213 Lighthouse 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 6, 2020;

**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 213 Lighthouse 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 June 11, 2020.

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

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

**RESOLUTION 81-20**

**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 \$185,423.40.

	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 June 11, 2020.

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

Range of Checking Accts: OTHER to OTHER      Range of Check Ids: 15500 to 15541  
 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	
15500	06/11/20	ACE01 ACE PLUMBING & HEATING SUPPLY			1820
	20-00294	DRAINAGE PLUNGER	21.56		
15501	06/11/20	ACT02 ACTION SUPPLY			1820
	20-00293	FILL/FREIGHT	333.78		
15502	06/11/20	ATL06 ATLANTIC CITY CYCLE CENTER			1820
	20-00305	REPAIRS	1,552.50		
15503	06/11/20	AUT02 AUTO ZONE, INC.			1820
	20-00243	PARTS	173.55		
15504	06/11/20	BROWN005 BROWN & CONNERY, LLP			1820
	20-00271	LEGAL	569.85		
	20-00304	LEGAL SERVICES	<u>1,982.96</u>		
			2,552.81		
15505	06/11/20	CAP03 CAPE MAY STAR & WAVE			1820
	20-00286	LEGAL ADVERTISING	50.22		
	20-00311	LEGAL ADVERTISING	<u>19.22</u>		
			69.44		
15506	06/11/20	CAP12 CAPE MAY LUMBER COMPANY			1820
	20-00303	LUMBER	412.02		
15507	06/11/20	CAP14 CAPE MAY COUNTY MUA			1820
	20-00266	WASTEWATER MANAGEMENT	61,266.25		
	20-00282	SOLID WASTE DUMPING FEE	<u>531.81</u>		
			61,798.06		
15508	06/11/20	CAP22 CAPE ISLAND HOME AND GARDEN			1820
	20-00245	FLOWERS	515.03		
15509	06/11/20	CAP31 CAPE MINING & RECYCLING LLC			1820
	20-00279	STUMPS/TREE PARTS	657.96		
	20-00284	STUMPS/TREE PARTS	71.80		
	20-00309	STUMPS/TREE PARTS	<u>31.20</u>		
			760.96		
15510	06/11/20	CAS01 CASA PAYROLL SERVICE			1820
	20-00283	PAYROLL	295.25		
15511	06/11/20	CHU01 CHURCH'S GARDEN CENTER & FARM			1820
	20-00242	APRIL STATEMENT	1,198.70		
15512	06/11/20	CIT02 CITY OF CAPE MAY			1820
	20-00276	POLICE PROTECTION	76,427.00		
	20-00287	EMT 1ST QUARTER 2020	<u>6,546.40</u>		
			82,973.40		

Check #	Check Date	Vendor	Reconciled/Void	Ref Num
PO #	Description	Amount Paid	Contract	
15513	06/11/20	CLA01 CLARKE CATON HINTZ 20-00261 AFFORDABLE HOUSING	3,499.00	1820
15514	06/11/20	CONST005 CONSTELLATION NEW ENERGY INC 20-00291 ELECTRIC CHARGES	4.13	1820
15515	06/11/20	COPIE005 COPIERS PLUS 20-00285 COPIER	112.75	1820
15516	06/11/20	DAT01 DATA NETWORK SOLUTIONS 20-00296 PHONE BILL	310.11	1820
15517	06/11/20	DAV01 DAVE'S TRASH REMOVAL 20-00233 TRASH REMOVAL	1,598.76	1820
15518	06/11/20	ELAIN005 ELAINE WALLACE 20-00307 ZOOM FOR PLANNING BOARD	15.98	1820
15519	06/11/20	FPM01 FP MAILING SOLUTIONS 20-00269 POSTAGE MACHINE	126.00	1820
15520	06/11/20	GAR01 GARDEN STATE HIGHWAY PRODUCTS 20-00272 SPECIAL SIGN	675.00	1820
15521	06/11/20	GARDE005 GARDEN STATE LABORATORIES, INC 20-00288 WATER TESTING	120.00	1820
15522	06/11/20	GOLDM005 GOLD MEDAL ENVIRONMENTAL 20-00299 TRASH/RECYCLING	5,283.33	1820
15523	06/11/20	JAC01 J & A CLEANING SERVICE 20-00281 CLEANING	300.00	1820
15524	06/11/20	LEN01 LENEGAN PLUMBING & HEATING 20-00274 INSTALL CEILING MONTE HEATER	2,500.00	1820
15525	06/11/20	LOW01 LOWE'S 20-00318 STATEMENT	532.43	1820
15526	06/11/20	MDI01 M. DIDONATO 20-00277 SIGNS	55.00	1820
15527	06/11/20	NAT04 VAN EMBDEN, NATHAN, ESQUIRE 20-00278 SOLICITOR 20-00308 SOLICITOR ADMIN	1,182.00 300.00 <u>1,482.00</u>	1820
15528	06/11/20	NJS01 NJ ST. LEAGUE OF MUNICIPALITIE 20-00301 PUBLICATIONS	41.00	1820
15529	06/11/20	ONE02 ONE CALL CONCEPTS 20-00310 MARK OUTS	8.58	1820



Check # PO #	Check Date	Vendor Description	Amount Paid	Reconciled/Void	Ref Num Contract
15530 20-00289	06/11/20	PIE01 PIER 47 MARINA SERVICE	416.82		1820
15531 20-00298	06/11/20	SEA05 SEA GEAR MARINE STATEMENT	623.09		1820
15532 20-00260	06/11/20	SOU01 SOUTH JERSEY CHIEF'S ASSN. DUES & MEMBERSHIP	170.00		1820
15533 20-00270	06/11/20	SOU06 SOUTH JERSEY GAS GAS BILLS	494.29		1820
15534 20-00275	06/11/20	STA11 STATE OF NEW JERSEY UNEMPLOYMENT	10,802.20		1820
15535 20-00290 20-00306	06/11/20	SWA01 SWAIN'S ACE HARDWARE SUPPLIES STATEMENT	284.17 <u>971.05</u> 1,255.22		1820
15536 20-00292	06/11/20	UNI03 UNIVERSAL SUPPLY COMPANY LUMBER	489.27		1820
15537 20-00267	06/11/20	VER01 VERIZON PHONE BILLS	274.53		1820
15538 20-00268	06/11/20	VER03 VERIZON WIRELESS CELL PHONE	116.01		1820
15539 20-00262	06/11/20	WAVE005 WAVE ONE SPORTS CUSTOM NECK GAITER	719.00		1820
15540 20-00295	06/11/20	WETLA005 WETLAWN SPRINKLERS IRRIGATION REPAIRS LAKE LILLY	654.42		1820
15541 20-00300	06/11/20	XTE01 XTEL COMMUNICATIONS INC PHONE	87.42		1820

Report Totals	<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
Checks:	42	0	185,423.40	0.00
Direct Deposit:	<u>0</u>	<u>0</u>	<u>0.00</u>	<u>0.00</u>
Total:	42	0	185,423.40	0.00

Totals by Year-Fund Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
CURRENT	0-01	112,072.09	0.00	0.00	112,072.09
	0-05	<u>61,542.11</u>	<u>0.00</u>	<u>0.00</u>	<u>61,542.11</u>
Year Total:		173,614.20	0.00	0.00	173,614.20
TRUST ACCOUNT EXPENDITURES	T-13	11,809.20	0.00	0.00	11,809.20
Total of All Funds:		<u>185,423.40</u>	<u>0.00</u>	<u>0.00</u>	<u>185,423.40</u>

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

**ORDINANCE NO. 04-2020**

**AN ORDINANCE AMENDING CHAPTER 146 WATER AND SEWER UTILITY**

**WHEREAS**, due to increased sewer charges from the Cape May County MUA, the Borough of Cape May Point has determined that it is necessary to amend its sewer utility rate; and

**WHEREAS**, the Borough wishes to increase the rate charged for sewer to avoid the possibility of a deficit in the water/sewer utility revenues due to insufficient charges vs. costs.

**NOW, THEREFORE, BE IT ORDAINED** by the Board of Commissioners of the Borough of Cape May Point that Chapter 146 "Water and Sewer Utility" is hereby amended as follows (additions shown in underline and deletions shown in ~~striketrough~~):

**SECTION 1**

**ARTICLE III SEWERS**

**146-51 SERVICE CHARGES.**

- a. Each dwelling unit shall be charged for direct or indirect connections or use of the Borough sewer system at the rate of ~~one hundred seven (\$107)~~ one hundred fourteen (\$114) dollars quarterly per equivalent dwelling unit.

**SECTION 3**

All ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

**SECTION 4**

Should any provision of this ordinance be deemed invalid for any reason that invalidity shall not affect the remaining provisions of the ordinance, and the provisions and sections of the ordinance are hereby declared to be severable with respect to their validity.

**SECTION 5**

This ordinance shall take effect twenty (20) days after final passage, according to law.

<b>Final Adoption Vote</b>	<b>MOTION</b>	<b>SECOND</b>	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Mullock						
vanHeeswyk						
Moffatt						

ATTEST:

\_\_\_\_\_  
Elaine L. Wallace  
Borough Clerk

\_\_\_\_\_  
Robert Mullock, Commissioner

\_\_\_\_\_  
Anita vanHeeswyk, Commissioner

\_\_\_\_\_  
Robert Moffatt, Mayor

FIRST READING: \_\_\_\_\_ May 14, 2020

PUBLICATION: \_\_\_\_\_ May 20, 2020

FINAL HEARING: \_\_\_\_\_ June 11, 2020

PUBLICATION: \_\_\_\_\_ June 17, 2020

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

**ORDINANCE NO. 05-2020**

**ORDINANCE APPROPRIATING \$15,000 FROM THE CAPITAL  
IMPROVEMENT FUND**

**BE IT ORDAINED** by the Board of Commissioners of the Borough of Cape May Point, in County of Cape May, New Jersey as follows:

Section 1. \$15,000 is hereby appropriated from the Capital Improvement Fund for the following items:

Engineering Fees Related to Road Improvements

Engineering services/expenses for capital projects are a bondable capital improvement with a useful life that exceeds the minimum of five (5) years.

Section 2. The Borough hereby certifies that is has adopted a capital budget or a temporary capital budget, as applicable, The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purpose authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 3. This ordinance shall take effect after final adoption and publication and otherwise as provided by law.

<b>Final Adoption Vote</b>	<b>MOTION</b>	<b>SECOND</b>	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Mullock						
vanHeeswyk						
Moffatt						

ATTEST:

\_\_\_\_\_  
Elaine L. Wallace  
Borough Clerk

\_\_\_\_\_  
Robert Mullock, Commissioner

\_\_\_\_\_  
Anita vanHeeswyk, Commissioner

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Robert Moffatt, Mayor

FIRST READING: May 14, 2020

PUBLICATION: May 20, 2020

FINAL HEARING: June 11, 2020

PUBLICATION: June 17, 2020