

This meeting will be held via teleconference. To attend, dial 978-990-5189 and use access code 3921850. All participants will be muted during the business portions of the meeting. During the Public Portions, the Borough Clerk will instruct anyone who wishes to speak to dial \*6 on their phone and then press 1 to confirm or 2 to cancel. Each person will be unmuted and recognized in the order in which they entered the queue.

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

**BOROUGH MEETING – AUGUST 13, 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

**COMMISSIONERS' REPORTS/DISCUSSION**

- Request to Remove Tree in Right-of-Way

**ADMINISTRATOR'S REPORT**

**PUBLIC COMMENT ON AGENDA ITEMS ONLY**

**APPROVAL OF MINUTES**

June 11, 2020 Regular Meeting  
June 23, 2020 Work Session  
July 9, 2020 Regular Meeting

**ORDINANCES FOR INTRODUCTION / PUBLICATION**

**RESOLUTIONS**

- 92-20 Authorizing Special Event Permit – Greenawalt
- 93-20 Authorizing Special Event Permit – Cape May Point Taxpayers Association
- 94-20 Authorizing the Application for and the Execution of a Subcontract for the Municipal Alliance Program
- 95-20 Authorizing the Participation of the Borough of Cape May Point in the South jersey Power Co-Operative Contract with Constellation NewEnergy, Inc. for Retail Electric Supply Services
- 96-20 Approval of Bill List
- 97-20 Authorizing Executive/Closed Session in Accordance with the Provision of the Open Public Meetings Act, Specifically N.J.S.A. 10:4-12(b) – Contract Negotiations re: St. Mary's by the Sea

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

- 07-2020 Amending Chapter 105, "Land Use Procedures", Article 1 "Planning Board", Section 8, "Powers and Duties" of the Code of the Borough of Cape May Point
  
- 08-2020 Ordinance Appropriating \$6,000 from the Capital Improvement Fund

**PUBLIC PORTION**

**ADJOURNMENT**

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

**RESOLUTION 92-20**

**AUTHORIZING SPECIAL EVENT PERMIT – GREENAWALT**

**WHEREAS**, Kelly Greenawalt has applied for a Special Event Permit for the purpose of holding a wedding on the Coral Avenue beach on Saturday, September 19, 2020 between 3:00 and 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.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Borough of Cape May Point, County of Cape May, New Jersey that the Borough Clerk is hereby authorized to issue a Special Event Permit to Kelly Greenawalt for use of Coral Avenue beach on Saturday, September 19, 2020 between 3:00 and 7:00 pm.

	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 August 13, 2020.

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

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

**RESOLUTION 93-20**

**AUTHORIZING SPECIAL EVENT PERMITS TO CAPE MAY POINT  
TAXPAYERS ASSOCIATION**

**WHEREAS**, the Cape May Point Taxpayers Association has applied for a special event permit to hold its annual membership meeting in Pavilion Circle on Saturday, September 26, 2020 from 5 pm to 7 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 a Special Event Permit to the Cape May Point Taxpayers Association for its annual membership meeting to be held Saturday, September 26<sup>th</sup> (with a rain date of September 27<sup>th</sup>) from 5 pm to 7 pm in Pavilion Circle.

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

	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 August 13, 2020.

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

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

**RESOLUTION 94-20**

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

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

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

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

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

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

1. The Board of Commissioners does hereby authorize submission of a strategic plan for the Lower Cape Municipal Alliance grant for fiscal year 2021 in the amount of:

DEDR	\$13,279.00
Cash Match	\$ 3,319.75
In-Kind	\$ 9,959.25

The Borough of Cape May Point Cash Match portion will be \$33.00

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

	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
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 will be available in the 2020 Current Fund Account 0-01-20-110-021 to authorize the application for the execution of a subcontracting for the Municipal Alliance Program for an amount not to exceed \$33.00. I further certify that this commitment together with all previously made commitments does not exceed the appropriation balance available for this purpose.

Dated: August 13, 2020

Signed: James V Craft

James V. Craft

Chief Financial Officer

Certification

I hereby certify that the foregoing is a true and exact copy of a Resolution duly passed and adopted by a majority of full membership of the Board of Commissioners of the Borough of Cape May Point, County of Cape May, New Jersey, at a meeting held on August 13, 2020.

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

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

**RESOLUTION 95-20**

**AUTHORIZING THE PARTICIPATION OF THE BOROUGH OF CAPE MAY POINT  
IN THE SOUTH JERSEY POWER CO-OPERATIVE CONTRACT WITH  
CONSTELLATION NEWENERGY, INC. FOR RETAIL ELECTRIC SUPPLY SERVICES**

**WHEREAS**, the Borough of Cape May Point participates in the South Jersey Power Co-Operative (SJPC) which received bids for the provision of electric service on July 29, 2020; and

**WHEREAS**, the bid of Constellation NewEnergy, Inc. was the lowest responsible bid received for the Atlantic City Electric accounts; and

**WHEREAS**, the County of Camden, as lead agency, awarded a contract on July 29, 2020, with Constellation NewEnergy, Inc., 100 Constellation Way, Site 600P, Baltimore, MD 21202 for participants with Atlantic City Electric accounts. The per kWh utility rates are \$0.07897 for Group 3 accounts and \$0.04442 Group 4 accounts in accordance with the specifications for retail electric supply services to the lead agency locations and the participating cooperative members; and

**WHEREAS**, N.J.A.C. 5:34-7.11 permits a municipality to participate in said contract as a registered member of the system and has received the approval of the lead agency and contractor.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of the Borough of Cape May Point, County of Cape May and State of New Jersey, does hereby participate in the contract for the purchase retail electric supply services as a participating contracting unit of the South Jersey Power Co-Operative for a two-year term beginning September 2020 and ending August 2022, at the kWh price above, dependent upon certification of funds by the Chief Financial Officer.

	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 0-01-31-430-021, Utilities OE, to authorize the participation in the South Jersey Power Co-Operative contract with NewEnergy Inc. to furnish and deliver natural gas for an amount not to exceed \$4,000.00 starting September 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: August 6, 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 August 13, 2020.

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

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

**RESOLUTION 96-20**

**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 \$688,283.71.

	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 August 13, 2020.

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

Range of Checking Accts: OTHER to OTHER Range of Check Ids: 15635 to 15670  
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	
15635	08/13/20	ATL01 ATLANTIC CITY ELECTRIC			1824
20-00442	ELECTRIC BILLS		1,658.51		
15636	08/13/20	ATL06 ATLANTIC CITY CYCLE CENTER			1824
20-00446	GEARCASE FOR POLARIS		1,261.33		
15637	08/13/20	BAR01 BARCO PRODUCTS			1824
20-00386	BIKE RACKS		794.20		
15638	08/13/20	CAP01 CAPE MAY POINT BOE			1824
20-00421	2ND HALF SCHOOL TAX LEVY		51,559.00		
15639	08/13/20	CAP12 CAPE MAY LUMBER COMPANY			1824
20-00436	STATEMENT		128.00		
15640	08/13/20	CAP14 CAPE MAY COUNTY MUA			1824
20-00439	USER CHARGE FEE 3RD QUARTER		61,266.25		
15641	08/13/20	CAP31 CAPE MINING & RECYCLING LLC			1824
20-00427	STUMPS/TREE PARTS		20.00		
15642	08/13/20	CAR02 CARROT-TOP INDUSTRIES INC			1824
20-00312	SUPPLIES		47.80		
20-00332	MISCELLANEOUS		<u>512.97</u>		
			560.77		
15643	08/13/20	CIT03 CITY OF CAPE MAY			1824
20-00443	JULY 2020 WATER		50,544.60		
15644	08/13/20	CLA01 CLARKE CATON HINTZ			1824
20-00416	PROF SERVICES		2,057.51		
15645	08/13/20	CMP01 CM POINT VOLUNTEER FIRE CO #1			1824
20-00431	USE OF POLLING PLACE		75.00		
15646	08/13/20	CONST005 CONSTELLATION NEW ENERGY INC			1824
20-00424	ELECTRIC BILL		4.20		
15647	08/13/20	COPIE005 COPIERS PLUS			1824
20-00418	MONTHLY SERVICE/SUPPLY		70.07		
15648	08/13/20	COU02 COURT HOUSE OFFICE SUPPLIES			1824
20-00417	500 BUSINESS CARDS		49.95		
20-00428	OFFICE SUPPLIES		<u>266.42</u>		
			316.37		
15649	08/13/20	COU03 COUNTY OF CAPE MAY			1824
20-00423	3RD QUARTER TAXES		354,323.78		



Check # PO #	Check Date	Vendor Description	Amount Paid	Reconciled/Void	Ref Num Contract
15649		COUNTY OF CAPE MAY 20-00429 JUNE 2020 FUEL	Continued <u>489.69</u> 354,813.47		
15650	08/13/20	DAT01 DATA NETWORK SOLUTIONS 20-00422 PHONE BILL	310.11		1824
15651	08/13/20	DAV01 DAVE'S TRASH REMOVAL 20-00437 TRASH REMOVAL	1,551.64		1824
15652	08/13/20	GENER010 GENERAL CODE 20-00445 2020 SUPPLEMENT	2,700.00		1824
15653	08/13/20	GRR01 GRR CONSULTING SERVICES LLC 20-00433 CONSULTING SERV JULY 2020	4,875.00		1824
15654	08/13/20	JAC01 J & A CLEANING SERVICE 20-00432 CLEANING FOR JULY	375.00		1824
15655	08/13/20	JER04 JERSEY CAPE 20-00419 ADDITIONAL DAILY TAGS	372.00		1824
15656	08/13/20	LOW01 LOWE'S 20-00447 STATEMENT	410.10		1824
15657	08/13/20	NJD05 NJ DEPT OF HEALTH & SENIOR SER 20-00435 DOG LICENSE	6.00		1824
15658	08/13/20	PAT02 PATRICIA D'ARCO 20-00430 RECYCLING TONNAGE GRANT	200.00		1824
15659	08/13/20	PRO02 PRO PET DISTRIBUTORS 20-00412 DOG DISPNERER	836.15		1824
15660	08/13/20	REE01 REEL FIRE PROTECTION INV. 20-00415 FIRE EXT ANNUAL CERTIFICATION	667.65		1824
15661	08/13/20	REN01 RENTAL COUNTRY INC. 20-00440 STATEMENT	111.96		1824
15662	08/13/20	RICKY005 RICKY SLADE CONTRUCTION, INC. 19-00651 Lake Lily Contract#3	47,325.00		1824
15663	08/13/20	SAM01 SAMPLE MEDIA, INC 20-00409 ELECTION ADVERTISING	48.00		1824
15664	08/13/20	SEA01 SEASHOR ASPHALT CORPORATION 20-00413 ASPHALT	320.64		1824
15665	08/13/20	SOUTH010 SOUTH STATE, INC 19-00708 Pearl & Brainard Road Project	101,873.94		1824

Check #	Check Date	Vendor	Reconciled/Void	Ref Num
PO #	Description	Amount Paid	Contract	
15666	08/13/20	STA02 STATE OF NEW JERSEY PWT 20-00434 3RD QUARTER WATER TAX	87.25	1824
15667	08/13/20	SWA01 SWAIN'S ACE HARDWARE 20-00444 JULY STATEMENT	366.33	1824
15668	08/13/20	UNI03 UNIVERSAL SUPPLY COMPANY 20-00414 TREX	327.30	1824
15669	08/13/20	USA01 USA BLUE BOOK 20-00420 PIPE SADDLE	310.34	1824
15670	08/13/20	VER03 VERIZON WIRELESS 20-00426 CELL PHONE	80.02	1824
<hr/>				
Report Totals		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>
	Checks:	36	0	688,283.71
	Direct Deposit:	<u>0</u>	<u>0</u>	<u>0.00</u>
	Total:	<u>36</u>	<u>0</u>	<u>688,283.71</u>

Totals by Year-Fund Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
CURRENT	0-01	426,086.33	0.00	0.00	426,086.33
	0-05	<u>112,208.44</u>	<u>0.00</u>	<u>0.00</u>	<u>112,208.44</u>
Year Total:		538,294.77	0.00	0.00	538,294.77
	C-04	149,198.94	0.00	0.00	149,198.94
	G-02	200.00	0.00	0.00	200.00
TRUST ACCOUNT EXPENDITURES	T-13	590.00	0.00	0.00	590.00
Total of All Funds:		<u>688,283.71</u>	<u>0.00</u>	<u>0.00</u>	<u>688,283.71</u>

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

**RESOLUTION NO. 97-20**

**Authorizing Executive/Closed Session in accordance with the provisions of the Open Public Meetings Act, specifically N.J.S.A. 10:4-12(b)**

**WHEREAS**, the Open Public Meetings Act (N.J.S.A. 10:4-6 et. seq.) requires all meetings of the Board of Commissioners of the Borough of Cape May Point to be held in public, except that N.J.S.A. 10:4-12(b) sets forth nine (9) types of matters that may lawfully be discussed in “Executive or Closed Session,” i.e., without the public being permitted to attend; and

**WHEREAS**, the Board of Commissioners of the Borough of Cape May Point has determined that **ONE (1)** issue is permitted by N.J.S.A. 10:4-12(b) to be discussed without the public in attendance during the Executive or Closed Session to be held on **Thursday, August 13, 2020 at approximately 6:30 PM.**; and

**WHEREAS**, the nine (9) exceptions to public meetings set forth in N.J.S.A. 10:4-12(b) are listed below, and next to each exception is a box within which the number of issues to be privately discussed that fall within that exception shall be written, and after each exception is a space where additional information that will disclose as much information about the discussion as possible without undermining the purpose of the exception shall be written:

\_\_\_\_\_ **“(1) Any matter which, by express provision of Federal law, State statute or rule of court shall be rendered confidential or excluded from public discussion.”** The legal citation to the provision(s) at issue is: \_\_\_\_\_ and the nature of the matter, described as specifically as possible without undermining the need for confidentiality is \_\_\_\_\_

\_\_\_\_\_ **“(2) Any matter in which the release of information would impair a right to receive funds from the state or federal government.”** The nature of the matter, described as specifically as possible without undermining the need for confidentiality is \_\_\_\_\_

\_\_\_\_\_ **“(3) Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information relative to the individual’s personal and family**

circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly.” The nature of the matter, described as specifically as possible without undermining the need for confidentiality is \_\_\_\_\_

\_\_\_\_\_ “(4) Any collective bargaining agreement, or the terms and conditions of which are proposed for inclusion in any collective bargaining agreement, including the negotiation of terms and conditions with employees or representatives of employees of the public body.” The collective bargaining contract(s) discussed are between the Borough and \_\_\_\_\_

\_\_\_\_\_ “(5) Any matter involving the purchase, lease or acquisition of real property with public funds, the setting of bank rates or investment of public funds where it could adversely affect the public interest if discussion of such matters were disclosed.” The nature of the matter, described as specifically as possible without undermining the need for confidentiality is \_\_\_\_\_

\_\_\_\_\_ “(6) Any tactics and techniques utilized in protecting the safety and property of the public provided that their disclosure could impair such protection. Any investigations of violations or possible violations of the law.” The nature of the matter, described as specifically as possible without undermining the need for confidentiality is \_\_\_\_\_

X \_\_\_\_\_ “(7) Any pending or anticipated litigation or contract negotiation in which the public body is or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer.” The parties to and docket numbers of each item of litigation and/or the parties to each contract discussed are \_\_\_\_\_ *contract negotiations – St. Mary’s by the Sea* \_\_\_\_\_

\_\_\_\_\_ “(8) Any matter involving the employment, appointment, termination of employment, terms and conditions or employment, evaluation of the performance, promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all individual employees or appointees whose rights could be adversely affected request, in writing, that such matter or matters be discussed at a public meeting.” Subject to the balancing of the public’s interest and the employee’s privacy rights under *South Jersey Publishing Co. v. New Jersey Expressway Authority*, 124 N.J. 478, the employee(s) and nature of the discussion, described as specifically as possible without undermining the need for confidentiality is \_\_\_\_\_.

\_\_\_\_\_  
**“(9) Any deliberation of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party as a result of an act or omission for which the responding party bears responsibility.”** The nature of the matter, described as specifically as possible without undermining the need for confidentiality is \_\_\_\_\_

**WHEREAS**, the Board of Commissioners shall reconvene the public meeting at the conclusion of the authorized closed or executive session, which may or may not include formal action as a result of the discussion(s) held.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Borough of Cape May Point, assembled in public session on the date of the meeting of the governing body set forth herein above, that a closed session shall be held for the discussion of matters relating to the specific items designated above involving the Borough of Cape May Point. The governing body shall convene a closed session discussion immediately upon passage of this resolution and it is anticipated that the deliberations conducted in closed session shall be disclosed to the public upon conclusion of the matter and/or after determination of the Board of Commissioners that the public interest will no longer be served by such confidentiality and that the meeting will return to open session at the conclusion of the discussion and formal action may be taken if/as authorized.

**BE IT FURTHER RESOLVED** that the Municipal Clerk, at the present public meeting, shall read aloud enough of this resolution so that members of the public in attendance can understand, as precisely as possible, the nature of the matters that will be privately discussed.

**BE IT FURTHER RESOLVED** that the Municipal Clerk, on the next business day following this meeting, shall furnish a copy of this resolution to any member of the public who requests one at the fees authorized by N.J.S.A. 47:1A-1, et. seq.

	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 August 13, 2020.

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

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

**ORDINANCE NO. 07-2020**

**AMENDING CHAPTER 105, "LAND USE PROCEDURES",  
ARTICLE 1 "PLANNING BOARD" SECTION 8, "POWERS AND DUTIES"  
OF THE CODE OF THE BOROUGH OF CAPE MAY POINT**

**WHEREAS**, pursuant to N.J.S.A. 40:55D-29, the governing body may authorize the planning board to prepare a program of municipal capital improvement projects; and

**WHEREAS**, the Board of Commissioners of the Borough of Cape May Point does not feel it is necessary for the Planning Board to prepare a capital improvement plan, feeling that responsibility should be performed by themselves, Borough Employees, and Borough professionals.

**NOW THEREFORE BE IT ORDAINED** by the Board of Commissioners of the Borough of Cape May Point, County of Cape May, State of New Jersey, as follows (additions in underline and deletions in ~~strikethrough~~):

**SECTION 1** Chapter 105 Land Use Procedures, Article 1 Planning Board, Section 8 Powers and Duties is amended as follows:

~~f. To annually prepare a program of municipal capital improvement projects projected over a term of six (6) years, and amendments thereto, and recommend the same to the Governing Body.~~

**SECTION 2** All ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

**SECTION 3** 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 4** This ordinance shall take effect twenty (20) days after final passage, according to law.

Final Adoption Vote	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Mullock						
vanHeeswyk						
Moffatt						

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

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

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

ATTEST:

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

FIRST READING: July 9, 2020

PUBLICATION: July 15, 2020

PUBLIC HEARING: August 13, 2020

PUBLICATION: August 19, 2020



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

**ORDINANCE NO. 08-2020**

**ORDINANCE APPROPRIATING \$6,000 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. \$6,000 is hereby appropriated from the Capital Improvement Fund for the following items:

Dell Server for Borough Hall

Purchase of Real Property is 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: July 9, 2020

PUBLICATION: July 15, 2020

FINAL HEARING: August 13, 2020

PUBLICATION: August 19, 2020