

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. In addition, members of the public may send questions or comments for inclusion during the public portion to the Borough Clerk at ewallace@capemaypoint.org by Wednesday, January 6, 2021 at 2:00 PM.

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

BOROUGH MEETING – JANUARY 7, 2021 – 6:00 PM

MEETING CALLED TO ORDER / SUNSHINE STATEMENT / FLAG SALUTE

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.

ROLL CALL: Commissioner Busch, Commissioner vanHeeswyk, Mayor Moffatt

COMMISSIONERS' REPORTS/DISCUSSION

ADMINISTRATOR'S REPORT

PUBLIC COMMENT ON AGENDA ITEMS ONLY

APPROVAL OF MINUTES

December 10, 2020 Regular Meeting
December 22, 2020 Work Session
January 2, 2021 Reorganization Meeting

ORDINANCES FOR INTRODUCTION / PUBLICATION - None

RESOLUTIONS

| | |
|-------|-----------------------------------------------------------------------------------------------------------------------------------------|
| 05-21 | Resolution Providing Temporary Appropriations for the Year 2021 |
| 06-21 | 2021 Cash Management Plan |
| 07-21 | Authorizing the Water/Sewer Clerk and Tax Collector to Cancel Overpayments or Delinquencies under \$10.00 |
| 08-21 | Resolution to Establish the Rate of Interest for Nonpayment of Taxes or Assessments for the Borough of Cape May Point for the Year 2021 |
| 09-21 | Authorizing the Tax Assessor to File Regular Appeals to the Cape May County Board of Taxation |
| 10-21 | Schedule of 2021 Municipal Holidays / Borough Closings |
| 11-21 | Number Not Used |
| 12-21 | Award of Professional Service Contract for Borough Auditor – Michael Garcia of Ford, Scott and Associates, LLC |
| 13-21 | Award of Professional Service Contract for Bond Counsel – McManimon, Scotland & Bauman, LLC |

- 14-21 Award of Professional Service Contract for Borough Engineer – Bruce Graham
- 15-21 Award of Contract for M.I.S. Services for 2021
- 16-21 Award of Contract for Animal Control Services for 2021
- 17-21 Award of Professional Service Contract for Borough Planner – Michael Sullivan
- 18-21 Award of Contract for CRS Coordinator Services
- 19-21 Award of Contract for Certified Floodplain Administrator
- 20-21 Award of Contract for 2021 Annual Beach Profile
- 21-21 Appointing Risk Management Consultant for Atlantic County Municipal Joint Insurance Fund
- 22-21 Award of Contract for Affordable Housing Administrative Agent for 2021
- 23-21 Authorizing the Award of Contract to GRR Consulting Services, LLC for Operational and Administrative Services
- 24-21 Annual Schedule of Meetings for 2021
- 25-21 Green Team for 2021
- 26-21 Designating Public Agency Compliance Officer for 2021
- 27-21 Resolution to Affirm the Borough of Cape May Point's Civil Rights Policy with Respect to All Officials, Appointees, Employees, Prospective Employees, Volunteers, Independent Contractors, and Members of the Public that Come into Contact with Municipal Employees, Officials and Volunteers
- 28-21 Approval of Bill List
- 29-21 Authorizing Executive/Closed Session in Accordance with the Provisions of the Open Public Meetings Act, Specifically N.J.S.A. 10:4-12(b) – contract negotiations – Borough Solicitor candidates

ORDINANCES FOR SECOND READING / PUBLIC HEARING / ADOPTION - None

MAYORAL APPOINTMENTS

Environmental Commission

Barbara Bassett – Chair – unexpired 3-year term expiring 1/31/2023

Paula Massanari – Alternate #1 – unexpired 2-year term expiring 1/31/2022

PUBLIC PORTION

ADJOURNMENT

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

RESOLUTION NO. 05-21

**RESOLUTION PROVIDING TEMPORARY APPROPRIATIONS
FOR THE YEAR 2021**

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, 2021 and will become effective January 1, 2021; and

WHEREAS, the total amount of appropriation hereunder of \$413,282.50 do not exceed twenty six and one quarter percent (26.25%) of the total appropriations of the Borough of Cape May Point for 2020, exclusive of any 2020 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 or 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 | 14,375.00 |

| | |
|-------------------------------|--------------------|
| First Aid Organizations | |
| Other Expense | 6,250.00 |
| Animal Control | |
| Other Expense | 700.00 |
| Aid to Volunteer Fire Company | |
| Other Expense | 2,306.25 |
| Rental Fire Inspector | |
| Salaries & Wages | 875.00 |
| Code Enforcement | |
| Salaries & Wages | 2,125.00 |
| Other Expense | 125.00 |
| | <hr/> |
| Subtotal | <u>\$33,910.00</u> |

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 | 13,750.00 |
| Other Expense | 0.00 |
| Municipal Clerk's Office | |
| Salaries & Wages | 15,250.00 |
| Other Expense | 2,752.50 |
| Assessment Searches | |
| Salaries & Wages | 662.50 |
| Computer Operations | |
| Other Expense | 3,800.00 |
| Elections | |
| Salaries & Wages | 0.00 |
| Other Expense | 0.00 |
| Financial Administration | |
| Salaries & Wages | 10,050.00 |
| Other Expense | 1,800.00 |
| Registrar of Vital Statistics | |
| Salaries & Wages | 825.00 |

| | |
|----------------------------------------|------------------|
| Assessment of Taxes | |
| Salaries & Wages | 3,725.00 |
| Other Expense | 250.00 |
| Codification of Ordinances | |
| Other Expense | 0.00 |
| Collection of Taxes | |
| Salaries & Wages | 3,725.00 |
| Other Expense | 312.50 |
| Tax Searches | |
| Salaries & Wages | 300.00 |
| Legal Services and Costs | |
| Other Expense | 5,500.00 |
| Rent of Fire Hall | |
| Other Expense | 0.00 |
| Municipal Land use Law (NJSA 40:55D-1) | |
| Planning/Zoning Board | |
| Salaries & Wages | 1,650.00 |
| Other Expense | 2,750.00 |
| Floodplain Administrator | |
| Salaries & Wages | 0.00 |
| Advertising and Printing | |
| Other Expense | 500.00 |
| Other Insurance Premiums | |
| General Liability | 2,895.00 |
| Worker's Compensation | 3,850.00 |
| Employee Group Insurance | 1,200.00 |
| Health Benefits Waiver S & W | 0.00 |
| | <hr/> |
| Subtotal | <u>82,872.50</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 | 29,875.00 |
| 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 | 13,000.00 |
| Recycling | |
| Other Expense | 7,250.00 |
| Parks and Public Property | |
| Other Expense | 8,250.00 |
| Emergency Management Services | |
| Salaries & Wages | 500.00 |
| Other Expense | 50.00 |
| Subtotal | <u>90,375.00</u> |
| Other | |
| State Uniform Construction Code | |
| Construction Official | |
| Salaries & Wages | 4,000.00 |
| Other Expense | - |
| Electric, Natural Gas | 4,062.50 |
| Telephone | 1,687.50 |
| Street Lighting | 4,437.50 |
| DCRP | 375.00 |
| Social Security System | 11,562.50 |
| Cape May City - Interlocal Services Agreement | |
| Police Protection - Contractual | <u>80,000.00</u> |
| Total Appropriations within 26.25% Limit | <u>313,282.50</u> |

MUNICIPAL DEBT SERVICE

| | |
|---------------------------------------|--------------------------|
| Bond Principal | - |
| Interest | - |
| BAN Interest | - |
| BAN Principal | - |
| Capital Improvement Fund | <u>100,000.00</u> |
| Grand Total General Government | <u>413,282.50</u> |

SEWER AND WATER UTILITY

OPERATIONS

| | |
|--------------------|--------------|
| Salaries and Wages | \$21,937.50 |
| Other Expenses | \$144,840.50 |

DEBT SERVICE

| | |
|------------------------------|------------|
| | \$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 |
|------|------------|

Grand Total Sewer and Water Utility **\$174,815.50**

| | MOTION | SECOND | YES | NO | ABSTAIN | ABSENT |
|------------|--------|--------|-----|----|---------|--------|
| Busch | | | | | | |
| Moffatt | | | | | | |
| vanHeeswyk | | | | | | |

Certification

I hereby certify that the foregoing is a true copy of a Resolution duly passed and adopted by a majority of full membership of the Board of Commissioners of the Borough of Cape May Point, County of Cape May, New Jersey, at a meeting held on January 7, 2021.

Municipal Clerk

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

RESOLUTION 06-21

2021 CASH MANAGEMENT PLAN

BE IT RESOLVED by the Commissioners of the Borough of Cape May Point, County of Cape May, that for the Year 2021, 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 |
|------------|--------|--------|-----|----|---------|--------|
| Busch | | | | | | |
| Moffatt | | | | | | |
| vanHeeswyk | | | | | | |

Certification

I hereby certify that the foregoing is a true copy of a Resolution duly passed and adopted by a majority of full membership of the Board of Commissioners of the Borough of Cape May Point, County of Cape May, New Jersey, at a meeting held on January 7, 2021.

Municipal Clerk

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

RESOLUTION 07-21

**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 |
|------------|--------|--------|-----|----|---------|--------|
| Busch | | | | | | |
| Moffatt | | | | | | |
| vanHeeswyk | | | | | | |

Certification

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Municipal Clerk

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

RESOLUTION 08-21

**A RESOLUTION TO ESTABLISH THE RATE OF INTEREST FOR NONPAYMENT OF
TAXES OR ASSESSMENTS FOR THE BOROUGH OF CAPE MAY POINT
FOR THE YEAR 2021**

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 |
|------------|--------|--------|-----|----|---------|--------|
| Busch | | | | | | |
| Moffatt | | | | | | |
| vanHeeswyk | | | | | | |

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Municipal Clerk

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

RESOLUTION 09-21

**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 2021 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 2021.

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 |
|------------|--------|--------|-----|----|---------|--------|
| Busch | | | | | | |
| Moffatt | | | | | | |
| vanHeeswyk | | | | | | |

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Municipal Clerk

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

RESOLUTION 10-21

SCHEDULE OF 2021 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 | 1/1/2021 |
| Martin Luther King Day | 1/18/2021 |
| President's Day | 2/15/2021 |
| Good Friday | 4/2/2021 |
| Memorial Day | 5/31/2021 |
| Independence Day | 7/5/2021 |
| Labor Day | 9/6/2021 |
| Columbus Day | 10/11/2021 |
| Veterans Day | 11/11/2021 |
| Thanksgiving Day | 11/25/2021 |
| Day after Thanksgiving | 11/26/2021 |
| Christmas | 12/23, 24 & 27/2021 |
| New Year's Day 2022 | 12/31/2021 |

| | MOTION | SECOND | YES | NO | ABSTAIN | ABSENT |
|------------|--------|--------|-----|----|---------|--------|
| Busch | | | | | | |
| Moffatt | | | | | | |
| vanHeeswyk | | | | | | |

CERTIFICATION

I hereby certify that the foregoing is a true copy of a Resolution duly passed and adopted by a majority of full membership of the Board of Commissioners of the Borough of Cape May Point, County of Cape May, New Jersey, at a meeting held on January 7, 2021.

Municipal Clerk

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

RESOLUTION 11-21

NUMBER NOT USED

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

RESOLUTION 12-21

**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, 2021, expiring December 31, 2021; 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 2021 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, 2021 and expiring December 31, 2021.

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 |
|------------|--------|--------|-----|----|---------|--------|
| Busch | | | | | | |
| Moffatt | | | | | | |
| vanHeeswyk | | | | | | |

CERTIFICATION OF AVAILABILITY OF FUNDS

I, James V. Craft, Chief Finance Officer of the Borough of Cape May Point, hereby certify that funds 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, 2021 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 7, 2021

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 7, 2021.

Municipal Clerk

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

RESOLUTION 13-21

**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, 2021, expiring December 31, 2021; 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 2021 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, 2021 and expiring December 31, 2021.

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 |
|------------|--------|--------|-----|----|---------|--------|
| Busch | | | | | | |
| Moffatt | | | | | | |
| vanHeeswyk | | | | | | |

CERTIFICATION OF AVAILABILITY OF FUNDS

I, James V. Craft, Chief Finance Officer of the Borough of Cape May Point, hereby certify that funds 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, 2021 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 7, 2021

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 7, 2021.

Municipal Clerk

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

RESOLUTION 14-21

**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 one (1) year commencing January 1, 2021, expiring December 31, 2021; 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 to 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, 2021 and expiring December 31, 2021.

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 |
|------------|--------|--------|-----|----|---------|--------|
| Busch | | | | | | |
| Moffatt | | | | | | |
| vanHeeswyk | | | | | | |

CERTIFICATION OF AVAILABILITY OF FUNDS

I, James V. Craft, Chief Finance Officer of the Borough of Cape May Point, hereby certify that funds 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, 2021 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 7, 2021

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 7, 2021.

Municipal Clerk

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

RESOLUTION NO. 15-21

AWARD OF CONTRACT FOR M.I.S. SERVICES FOR 2021

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 2020 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 2021.

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, 2021 at the flat rate of \$4,500.

| | MOTION | SECOND | YES | NO | ABSTAIN | ABSENT |
|------------|--------|--------|-----|----|---------|--------|
| Busch | | | | | | |
| Moffatt | | | | | | |
| vanHeeswyk | | | | | | |

CERTIFICATION OF AVAILABILITY OF FUNDS

I, James V. Craft, Chief Finance Officer of the Borough of Cape May Point, hereby certify that funds 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 \$4,500.00 for a one (1) year term commencing January 1, 2021.

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

Dated: January 7, 2021

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 7, 2021.

Municipal Clerk

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

RESOLUTION 16-21

**AWARDING CONTRACT FOR ANIMAL CONTROL
SERVICES FOR THE YEAR 2021**

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 are 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, 2021 and end December 31, 2021.

| | MOTION | SECOND | YES | NO | ABSTAIN | ABSENT |
|------------|--------|--------|-----|----|---------|--------|
| Busch | | | | | | |
| Moffatt | | | | | | |
| vanHeeswyk | | | | | | |

CERTIFICATION OF AVAILABILITY OF FUNDS

I, James V. Craft, Chief Finance Officer of the Borough of Cape May Point, hereby certify that funds 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, 2021 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 7, 2021

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 7, 2021.

Municipal Clerk

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

RESOLUTION 17-21

**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 2021, 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 |
|------------|--------|--------|-----|----|---------|--------|
| Busch | | | | | | |
| Moffatt | | | | | | |
| vanHeeswyk | | | | | | |

CERTIFICATION OF AVAILABILITY OF FUNDS

I, James V. Craft, Chief Finance Officer of the Borough of Cape May Point, hereby certify that funds 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, 2021 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 7, 2021

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 7, 2021.

Municipal Clerk

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

RESOLUTION NO. 18-21

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 2020 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 2021.

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 contract for CRS Coordinator Services in the amount of \$3,500 for a one-year contract expiring December 31, 2021.

| | MOTION | SECOND | YES | NO | ABSTAIN | ABSENT |
|------------|--------|--------|-----|----|---------|--------|
| Busch | | | | | | |
| Moffatt | | | | | | |
| vanHeeswyk | | | | | | |

CERTIFICATION OF AVAILABILITY OF FUNDS

I, James V. Craft, Chief Finance Officer of the Borough of Cape May Point, hereby certify that funds are available in the Current Fund Account **0-01-21-181-011** to authorize the execution of a contract with Louis Belasco for CRS Coordinator Services for a one (1) year term commencing January 1, 2021 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 7, 2021

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 7, 2021.

Municipal Clerk

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

RESOLUTION NO. 19-21

AWARD OF 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 2020, 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 2021.

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 contract, for a one-year term expiring December 31, 2021 in an amount not to exceed \$4,500.

| | MOTION | SECOND | YES | NO | ABSTAIN | ABSENT |
|------------|--------|--------|-----|----|---------|--------|
| Busch | | | | | | |
| Moffatt | | | | | | |
| vanHeeswyk | | | | | | |

CERTIFICATION OF AVAILABILITY OF FUNDS

I, James V. Craft, Chief Finance Officer of the Borough of Cape May Point, hereby certify that funds are available in the Current Fund Account **0-01-21-181-011** to authorize the execution of a contract with Louis Belasco for Certified Floodplain Manager for a one-year term commencing January 1, 2021 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 7, 2021

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 7, 2021.

Municipal Clerk

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

RESOLUTION NO. 20-21

AWARD OF CONTRACT FOR 2021 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 2021 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 \$12,087.70.

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 |
|------------|--------|--------|-----|----|---------|--------|
| Busch | | | | | | |
| Moffatt | | | | | | |
| vanHeeswyk | | | | | | |

Certification

I hereby certify that the foregoing is a true copy of a Resolution duly passed and adopted by a majority of full membership of the Board of Commissioners of the Borough of Cape May Point, County of Cape May, New Jersey, at a meeting held on January 7, 2021.

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 2021 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 2021 for an amount not to exceed \$12,087.70.

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

Dated: January 7, 2021

Signed: James V Craft

James V. Craft, Chief Financial Officer

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

RESOLUTION 21-21

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

WHEREAS, NJSA 40A:11-5(1)(m), specifically exempts the hiring of insurance consultants from competitive bidding as an extraordinary unspecifiable service; and

WHEREAS, the experience, knowledge of public insurance and risk management issues, and judgmental nature of a Risk Management Consultant are clearly an extraordinary unspecifiable service which therefore render competitive 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 |
|------------|--------|--------|-----|----|---------|--------|
| Busch | | | | | | |
| Moffatt | | | | | | |
| vanHeeswyk | | | | | | |

CERTIFICATION OF AVAILABILITY OF FUNDS

I, James V. Craft, Chief Finance Officer of the Borough of Cape May Point, hereby certify that funds 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, 2021 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 7, 2021

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 7, 2021.

Municipal Clerk

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

RESOLUTION NO. 22-21

**AWARD OF CONTRACT FOR AFFORDABLE HOUSING
ADMINISTRATIVE AGENT FOR 2021**

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, 2021 in an amount not to exceed \$5,000.

| | MOTION | SECOND | YES | NO | ABSTAIN | ABSENT |
|------------|--------|--------|-----|----|---------|--------|
| Busch | | | | | | |
| Moffatt | | | | | | |
| vanHeeswyk | | | | | | |

CERTIFICATION OF AVAILABILITY OF FUNDS

I, James V. Craft, Chief Finance Officer of the Borough of Cape May Point, hereby certify that funds 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, 2021 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 7, 2021

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 7, 2021.

Municipal Clerk

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

RESOLUTION NO. 23-21

**RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN
CONTRACT TO GRR CONSULTING SERVICES, LLC FOR
OPERATIONAL AND ADMINISTRATIVE SERVICES**

WHEREAS, Edmund Grant is the principal of GRR Consulting Services, LLC, of Cape May, New Jersey;

WHEREAS, Edmund Grant has been previously been retained to provide operational and administrative services to the Borough, and has extensive experience in the areas of municipal administration, local government affairs, coordinating agency activities, and municipal finance;

WHEREAS, the Board of Commissioners wishes to enter into an agreement with GRR Consulting Services, LLC for operational and administrative services, as a non-fair and open contract pursuant to “Pay to Play” laws, N.J.S.A. 19:44A-20.4 et seq.,

WHEREAS, the total value of the agreement with GRR Consulting Services, LLC will exceed \$17,500.00; and

WHEREAS, GRR Consulting Services, LLC has completed and submitted a Business Entity Disclosure Certification which certifies that said entity 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 that the contract will prohibit it from making any reportable contributions for the term of the contract.

NOW THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Cape May Point that authorization is hereby granted to enter into an agreement with GRR Consulting Services, LLC for operational and administrative services, and that the appropriate Borough officials are hereby authorized to sign any and all documents in connection therewith;

BE IT FURTHER RESOLVED that GRR Consulting Services, LLC’s duties, responsibilities, and services shall include, but not be limited to, oversight of operational staffing, oversight of Borough processes and systems, and cooperation with agency activities, and shall further be consistent with the responsibilities set forth under Section 29-1 of the Borough Code or as otherwise assigned by the Board of Commissioners;

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and Determination of Value provided by GRR Consulting Services, LLC shall be placed on file, together with this Resolution; and

BE IT FURTHER RESOLVED the amount payable to GRR Consulting Services, LLC shall not exceed \$45,000.00.

| | MOTION | SECOND | YES | NO | ABSTAIN | ABSENT |
|------------|--------|--------|-----|----|---------|--------|
| Busch | | | | | | |
| Moffatt | | | | | | |
| vanHeeswyk | | | | | | |

CERTIFICATION OF AVAILABILITY OF FUNDS

I, James V. Craft, Chief Finance Officer of the Borough of Cape May Point, hereby certify that funds are available in the Current Fund Account **0-01-20-101-011** to authorize the award of a non-fair and open contract with GRR Consulting Services, LLC as an operational specialist for amount not to exceed \$45,000.

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

Dated: January 7, 2021

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 7, 2021.

Municipal Clerk

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

RESOLUTION 24-21

ANNUAL SCHEDULE OF MEETINGS FOR 2021

BE IT RESOLVED by the Commissioners of the Borough of Cape May Point, County of Cape May, and State of New Jersey that the 2021 Annual Schedule of Commissioner's Meetings shall be as follows:

| | Thursday 6:00 PM | Tuesday 12:00 PM |
|--------------|-----------------------------|-----------------------------|
| January | 7 th * | 26 th |
| February | 11 th | 23 rd |
| March | 11 th | 23 rd * |
| April | 8 th | 27 th |
| May | 13 th | 25 th |
| June | 10 th | 22 nd * |
| July | 8 th | 27 th |
| August | 12 th | 24 th * |
| September | 9 th | 28 th |
| October | 14 th | 26 th |
| November | 11 th | 23 rd * |
| December | 9 th | 21 st |
| January 2022 | 6 th * | 25 th |

BE IT FURTHER RESOLVED all 2021 Borough Commission meetings shall be conducted virtually until the governor's COVID-19 Executive Orders regarding public gatherings are lifted.

BE IT FURTHER RESOLVED once the Executive Orders are lifted, all regular 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 once the Executive Orders are lifted, all work session meetings shall be held 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 |
|------------|--------|--------|-----|----|---------|--------|
| Busch | | | | | | |
| Moffatt | | | | | | |
| vanHeeswyk | | | | | | |

I hereby certify that the foregoing is a true copy of a Resolution duly passed and adopted by a majority of full membership of the Board of Commissioners of the Borough of Cape May Point, County of Cape May, New Jersey, at a meeting held on January 7, 2021.

Municipal Clerk

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

RESOLUTION 25-21

GREEN TEAM FOR 2021

WHEREAS, the Board of Commissioners of the Borough of Cape May Point established a Green Team Advisory Committee on August 11, 2016 to serve as the Borough of Cape May Point's agents for the Sustainable Jersey municipal certification process; and

WHEREAS, the members of the Green Team have been appointed each year for a term of one year to continue work on Sustainable Jersey actions such that Bronze Certification was achieved in 2017, and recertification was achieved in 2020.

NOW THEREFORE BE IT RESOLVED the Cape May Point Environmental Commission will assume the responsibilities of the Green Team and will assist the Borough in maintaining Sustainable Jersey certification. The Environmental Commission shall establish whatever subcommittees are necessary, which will include residents and employees as needed, to carry out Green Team activities.

| | MOTION | SECOND | YES | NO | ABSTAIN | ABSENT |
|------------|--------|--------|-----|----|---------|--------|
| Busch | | | | | | |
| Moffatt | | | | | | |
| vanHeeswyk | | | | | | |

Certification

I hereby certify that the foregoing is a true copy of a Resolution duly passed and adopted by a majority of full membership of the Board of Commissioners of the Borough of Cape May Point, County of Cape May, New Jersey, at a meeting held on January 7, 2021.

Municipal Clerk

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

RESOLUTION 26-21

DESIGNATING PUBLIC AGENCY COMPLIANCE OFFICER FOR 2021

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 Edmund Grant, Borough Administrator, be designated as the Public Agency Compliance Officer for a one-year term ending December 31, 2021.

| | MOTION | SECOND | YES | NO | ABSTAIN | ABSENT |
|------------|--------|--------|-----|----|---------|--------|
| Busch | | | | | | |
| Moffatt | | | | | | |
| vanHeeswyk | | | | | | |

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 7, 2021.

Municipal Clerk

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

RESOLUTION 27-21

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

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

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

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

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

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

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

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

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

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

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

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

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

Section 9: This resolution shall take effect immediately.

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

| | MOTION | SECOND | YES | NO | ABSTAIN | ABSENT |
|------------|--------|--------|-----|----|---------|--------|
| Busch | | | | | | |
| Moffatt | | | | | | |
| vanHeeswyk | | | | | | |

I hereby certify that the foregoing is a true copy of a Resolution duly passed and adopted by a majority of full membership of the Board of Commissioners of the Borough of Cape May Point, County of Cape May, New Jersey, at a meeting held on January 7, 2021.

Municipal Clerk

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

RESOLUTION 28-21

APPROVAL OF BILL LIST

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

NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Borough of Cape May Point, County of Cape May, State of New Jersey that the attached claims are hereby approved for payment in the total amount of \$9,884.78.

| | MOTION | SECOND | YES | NO | ABSTAIN | ABSENT |
|------------|--------|--------|-----|----|---------|--------|
| Busch | | | | | | |
| Moffatt | | | | | | |
| vanHeeswyk | | | | | | |

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Municipal Clerk

January 6, 2021
03:19 PM

BOROUGH OF CAPE MAY POINT
Check Register By Check Id

Page No: 1

Range of Checking Accts: OTHER to OTHER Range of Check Ids: 15876 to 15884
Report Type: All Checks Report Format: Condensed Check Type: Computer: Y Manual: Y Dir Deposit: Y

| Check # | Check Date | Vendor | Reconciled/Void | Ref Num | |
|----------------------|-----------------|-------------------------------------------------------------------|-----------------|--------------------|--------------------|
| PO # | Description | Amount Paid | Contract | | |
| 15876 | 01/07/21 | ATL01 ATLANTIC CITY ELECTRIC 20-00698 ELECTRIC BILLS | 2,229.79 | 1834 | |
| 15877 | 01/07/21 | CAP31 CAPE MINING & RECYCLING LLC 20-00681 STUMPS/TREE PARTS | 28.20 | 1834 | |
| 15878 | 01/07/21 | CAS01 CASA PAYROLL SERVICE 20-00693 W2 CHARGES | 794.00 | 1834 | |
| 15879 | 01/07/21 | CAT02 CATARINA SUPPLY INC. 20-00684 W/S SUPPLIES | 1,692.50 | 1834 | |
| 15880 | 01/07/21 | CLA01 CLARKE CATON HINTZ 20-00682 AFFORDABLE HOUSING | 125.00 | 1834 | |
| 15881 | 01/07/21 | COU03 COUNTY OF CAPE MAY 20-00675 FUEL FOR NOVEMBER 2020 | 190.29 | 1834 | |
| 15882 | 01/07/21 | CUM01 CUMMINS SALES AND SERVICE 20-00670 SERVICE CONTRACT | 2,200.00 | 1834 | |
| 15883 | 01/07/21 | GRR01 GRR CONSULTING SERVICES LLC 20-00696 CONSULTING SERVICES | 2,250.00 | 1834 | |
| 15884 | 01/07/21 | JAC01 J & A CLEANING SERVICE 20-00678 CLEANING | 375.00 | 1834 | |
| Report Totals | | | | | |
| | | <u>Paid</u> | <u>Void</u> | <u>Amount Paid</u> | <u>Amount Void</u> |
| | Checks: | 9 | 0 | 9,884.78 | 0.00 |
| | Direct Deposit: | 0 | 0 | 0.00 | 0.00 |
| | Total: | <u>9</u> | <u>0</u> | <u>9,884.78</u> | <u>0.00</u> |

| Totals by Year-Fund Fund Description | Fund | Budget Total | Revenue Total | G/L Total | Total |
|-----------------------------------------|------|-----------------|---------------|-------------|-----------------|
| CURRENT | 0-01 | 4,382.68 | 0.00 | 0.00 | 4,382.68 |
| | 0-05 | <u>5,209.35</u> | <u>0.00</u> | <u>0.00</u> | <u>5,209.35</u> |
| Year Total: | | 9,592.03 | 0.00 | 0.00 | 9,592.03 |
| CURRENT | 1-01 | 167.75 | 0.00 | 0.00 | 167.75 |
| TRUST ACCOUNT EXPENDITURES | T-13 | 125.00 | 0.00 | 0.00 | 125.00 |
| Total of All Funds: | | <u>9,884.78</u> | <u>0.00</u> | <u>0.00</u> | <u>9,884.78</u> |

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

RESOLUTION NO. 29-21

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, January 7, 2020 at approximately 6:45 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 negotiation – borough solicitor candidates* _____

_____ “(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 |
|------------|--------|--------|-----|----|---------|--------|
| Busch | | | | | | |
| Moffatt | | | | | | |
| vanHeeswyk | | | | | | |

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Municipal Clerk