

In compliance with COVID-19 guidelines this meeting will be conducted via electronic conferencing using Zoom <https://www.zoom.us/> or by phone +1 646 558 8656 US (New York)  
**Meeting ID: 811 6286 3329 Passcode: 908525**

**Direct link:** <https://us02web.zoom.us/j/81162863329?pwd=ejQ1MHJxRjR3OXZYbUg5YjVNR01HUT09>

In addition, members of the public may send questions or comments for inclusion during the public portion to the Borough Clerk at [ewallace@capemaypoint.org](mailto:ewallace@capemaypoint.org) by 12:00 PM the Wednesday before the meeting.

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

**BOROUGH MEETING – NOVEMBER 11, 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, Mayor Moffatt, Commissioner vanHeeswyk

**COMMISSIONERS' REPORTS/DISCUSSION**

**ADMINISTRATOR'S REPORT**

**PUBLIC COMMENT ON AGENDA ITEMS ONLY**

**APPROVAL OF MINUTES**

October 14, 2021 Regular Meeting  
October 26, 2021 Work Session

**ORDINANCES FOR INTRODUCTION / PUBLICATION - None**

**RESOLUTIONS**

- 117-21 Authorizing the Transfer of Funds
- 118-21 Amending the Borough of Cape May Point Cafeteria Plan under Section 125 of the Internal Revenue Code of 1986 as Amended
- 119-21 Authorizing Water Bill Adjustment in Accordance with Chapter 146-17.d "Water Leakage Policy" of the code of the Borough of Cape May Point
- 120-21 Approval of Bill List

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

- 10-2021 Amending Chapter 50 ("Beaches"), Section 8 ("Fees") of the Code of the Borough of Cape May Point to Increase Seasonal Beach Tag Fees

**PUBLIC PORTION**

**ADJOURNMENT**

The Board of Commissioners welcomes the participation of interested parties during the public portions of its meetings. For the Board to conduct the business of the Borough in the most productive and open manner possible, questions and comments may be limited to four (4) minutes per person. In addition, each person may only speak once per meeting on a single topic. If you wish to address the Board, please raise your hand and the moderator will try to accommodate everyone in the order in which they are recognized.

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

**RESOLUTION NO. 117-21**

**A RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS**

**BE IT RESOLVED** by the Commissioners of the Borough of Cape May Point that the following transfers of 2021 appropriations are hereby approved in accordance with N.J.S.A 40A:4-58:

Current Fund:

From:

Beach Tag Inspector S/W	1-01-28-232-012	\$2,000.00
Engineering Services OE	1-01-26-292-020	\$2,800.00

To:

Beach Tag Inspector OE	1-01-28-232-023	\$2,000.00
Aid to Volunteer Fire Company	1-01-25-255-021	\$2,800.00

	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 November 11, 2021.

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

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

**RESOLUTION NO. 118-21**

**AMENDING THE BOROUGH OF CAPE MAY POINT CAFETERIA PLAN UNDER  
SECTION 125 OF THE INTERNAL REVENUE CODE OF 1986 AS AMENDED**

**WHEREAS**, Section 125 of the Internal Revenue Code of 1986, as amended, provides participants an opportunity to receive certain benefits on a pretax basis as long as those participants are permitted to choose among at least one taxable benefit and one qualified benefit; and

**WHEREAS**, on February 11, 2011, the Borough of Cape May Point approved Resolution 25-11 to adopt a Cafeteria Plan under Section 125 of the Internal Revenue Service Code of 1986, as amended; and

**WHEREAS**, the Board of Commissioners deems necessary and advisable to amend the previously adopted Cafeteria Plan.

**NOW, THEREFORE, BE IT RESOLVED** the Board of Commissioners of the Borough of Cape May Point, County of Cape May, State of New Jersey, the governing body thereof, hereby approves the attached amended Cafeteria Plan ("Plan") which is part of the Cape May Point Personnel Policies and Procedures Manual.

**BE IT FURTHER RESOLVED** the Borough Administrator shall have the authority to execute the agreement and Plan and other documents and agreements as may be necessary or advisable to implement the plan and to appoint a plan administrator for the Plan and change such plan administrator from time to time as may be deemed appropriate.

**BE IT FURTHER RESOLVED** the plan administrator shall be instructed to take such actions necessary in order to implement the Plan, and to establish adequate accounting and administrative procedures to provide benefits under the Plan.

	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 November 11, 2021.

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Municipal Clerk

Employees under age 65 years of age, working on a year-round basis and 25 hours or more per week and, if applicable, their dependents are eligible for 1 of the following options upon their written request:

1. Medical benefit under the Borough’s group health insurance plan, subject to the terms and conditions set forth below.

Medical/Hospitalization Coverage. Group health insurance as selected by the Borough including major medical and maternity benefits with the amount of any deductible or co-pay to be determined by the Borough. The Borough, at its sole discretion, retains the right to select and change insurance carriers at all times.

All employees shall pay a cost contribution for Health Insurance Plan coverages according to the provisions of P.L. 2011, Chapter 78, Pension and Health Benefits Reform Law adopted June 2011. Contributions shall be deducted in the form of 24 equal payments from each employee’s payroll checks. The Borough has established and adopted a Section 125 Plan so that said contributions would be “pre-tax”. Any change in insurance status shall immediately affect the amount of contributions. The contributions shall be as follows.

Salary	Single	M/S & P/C	Family
Less than \$20,000	4.50%	3.50%	3.00%
\$20,000 - \$24,999.99	5.5%	3.50%	3.00%
\$25,000 - \$29,999.99	7.50%	4.50%	4.00%
\$30,000 - \$34,999.99	10.00%	6.00%	5.00%
\$35,000 - \$39,999.99	11.00%	7.00%	6.00%
\$40,000 - \$44,999.99	12.00%	8.00%	7.00%
\$45,000 - \$49,999.99	14.00%	10.00%	9.00%
\$50,000 - \$54,999.99	20.00%	15.00%	12.00%
\$55,000 - \$59,999.99	23.00%	17.00%	14.00%
\$60,000 - \$64,999.99	27.00%	21.00%	17.00%
\$65,000 - \$69,999.99	29.00%	23.00%	19.00%
\$70,000 - \$74,999.99	32.00%	26.00%	22.00%
\$75,000 - \$79,999.99	33.00%	27.00%	23.00%
\$80,000 - \$84,999.99	34.00%	28.00%	24.00%
\$85,000 - \$89,999.99	34.00%	30.00%	26.00%
\$90,000 - \$94,999.99	34.00%	30.00%	28.00%
\$95,000 - \$99,999.99	35.00%	30.00%	29.00%
\$100,000 - \$109,999.99	35.00%	35.00%	32.00%
\$110,000 and over	35.00%	35.00%	35.00%

Payments of such premiums by the Employer will terminate upon the employee’s separation from service. Upon separation, the employee may, if eligible, purchase continuation health benefit coverage to the extent, and for the period, provided by federal law.

OR

2. A cash payment of \$500.00 per year payable to employee in payroll on a bi-weekly basis. \*

\*Section 125 of the Internal Revenue Code provides participants an opportunity to receive certain benefits on a pretax basis. Participants in a cafeteria plan must be permitted to choose among at least one taxable benefit (such as cash) and one qualified benefit.

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

**RESOLUTION 120-21**

**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 \$402,928.79.

	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 November 11, 2021.

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

November 9, 2021  
11:55 AM

BOROUGH OF CAPE MAY POINT  
Check Register By Check Id

Page No: 1

Range of Checking Accts: OTHER to OTHER Range of Check Ids: 16425 to 16447  
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	
16425	11/11/21	CAP03 CAPE MAY STAR & WAVE		1856
	21-00562	LEGAL ADS	67.00	
	21-00596	LEGAL ADVERTISING	9.50	
			<u>76.50</u>	
16426	11/11/21	CAP31 CAPE MINING & RECYCLING LLC		1856
	21-00597	STUMPS/TREE PARTS	29.10	
16427	11/11/21	CAS01 CASA PAYROLL SERVICE		1856
	21-00595	PAYROLL	252.25	
16428	11/11/21	CEN01 CENTRAL JERSEY EQUIPMENT, LLC		1856
	21-00588	STARTER/MOTOR	576.48	
16429	11/11/21	CHARL005 CHARLES KEISTER		1856
	21-00609	POLL WORKER GEN ELECTION	355.00	
16430	11/11/21	CMP01 CM POINT VOLUNTEER FIRE CO #1		1856
	21-00603	2021 AID TO FIRE COMPANY	2,782.94	
	21-00615	POLLING PLACE FEE	150.00	
			<u>2,932.94</u>	
16431	11/11/21	CONST005 CONSTELLATION NEW ENERGY INC		1856
	21-00594	ELECTRIC CHARGES	5.29	
16432	11/11/21	COPIE005 COPIERS PLUS		1856
	21-00598	COPIER INVOICE	33.30	
16433	11/11/21	COU02 COURT HOUSE OFFICE SUPPLIES		1856
	21-00614	PAPER	52.95	
16434	11/11/21	COU03 COUNTY OF CAPE MAY		1856
	21-00587	4TH QUARTER TAXES	385,138.23	
16435	11/11/21	GARDE005 GARDEN STATE LABORATORIES, INC		1856
	21-00586	WATER TESTING	120.00	
16436	11/11/21	GOLDM005 GOLD MEDAL ENVIRONMENTAL		1856
	21-00590	TRASH/RECYCLING	5,283.33	
16437	11/11/21	GRR01 GRR CONSULTING SERVICES LLC		1856
	21-00613	CONSULTING SERV OCT 2021	4,425.00	
16438	11/11/21	JAN01 JANET M WESTCOTT		1856
	21-00612	POLL WORKER GENERAL ELECTION	330.00	
16439	11/11/21	MAR15 MARY IMPERATO		1856
	21-00608	POLL WORKER GEN ELECTION	330.00	

Check #	Check Date	Vendor	Reconciled/Void	Ref Num
PO #	Description	Amount Paid	Contract	
16440	11/11/21	NAT04 VAN EMBDEN, NATHAN, ESQUIRE		1856
	21-00601	SOLICITOR ADMIN BILLING	600.00	
	21-00618	SOLICITOR ESCROW BILL	<u>1,339.80</u>	
			1,939.80	
16441	11/11/21	NJD05 NJ DEPT OF HEALTH & SENIOR SER		1856
	21-00600	OCTOBER DOG LICENSE	4.20	
16442	11/11/21	PLANE005 PLANET TECHNOLOGIES		1856
	21-00599	MICROSOFT LIC KELLY REDDINGTON	10.56	
16443	11/11/21	PRO02 PRO PET DISTRIBUTORS		1856
	21-00566	DOGIPOT SMART LINER BAGS	229.65	
16444	11/11/21	STE02 STEPHENIE S. MAGGIO		1856
	21-00611	POLL WORKER GEN ELECTION	330.00	
16445	11/11/21	THOMA005 THOMAS IMPERATO		1856
	21-00610	POLL WORKER GEN ELECTION	330.00	
16446	11/11/21	VER03 VERIZON WIRELESS		1856
	21-00592	CELL PHONE	40.01	
16447	11/11/21	VIL01 NAPA AUTO PARTS		1856
	21-00568	STATEMENT	104.20	

Report Totals	Paid	Void	Amount Paid	Amount Void
Checks:	23	0	402,928.79	0.00
Direct Deposit:	<u>0</u>	<u>0</u>	<u>0.00</u>	<u>0.00</u>
Total:	23	0	402,928.79	0.00

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Totals by Year-Fund Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
CURRENT	1-01	401,239.34	0.00	0.00	401,239.34
	1-05	<u>120.00</u>	<u>0.00</u>	<u>0.00</u>	<u>120.00</u>
Year Total:		401,359.34	0.00	0.00	401,359.34
	G-02	229.65	0.00	0.00	229.65
TRUST ACCOUNT EXPENDITURES	T-13	1,339.80	0.00	0.00	1,339.80
Total of All Funds:		<u>402,928.79</u>	<u>0.00</u>	<u>0.00</u>	<u>402,928.79</u>



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

**ORDINANCE NO. 10-2021**

**AN ORDINANCE AMENDING CHAPTER 58 (“BEACHES”), SECTION 8  
 (“FEES”) OF THE CODE OF THE BOROUGH OF CAPE MAY  
 POINT IN ORDER TO INCREASE BEACH TAG FEES**

**WHEREAS**, the Board of Commissioners of the Borough of Cape May Point finds it necessary to raise seasonal beach tag fees in order to offset the increases in the Beach Program Budget, particularly those due to the increase in minimum wage.

**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 ~~strike through~~):

**SECTION 1** Chapter 58 Beaches, Section 8 Fees is amended as follows:

b. Forty-five (\$45.00) ~~Forty (\$40.00)~~ dollars per person per season if the application is made to the proper authority subsequent to the 31st day of May of the bathing season.

c. Thirty-six (\$36.00) ~~Thirty-three (\$33.00)~~ dollars per person per season, provided that application is made to the proper authority ~~between May 1st and~~ prior to May 31st of the bathing season.

**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
Busch						
Moffatt						
vanHeeswyk						

\_\_\_\_\_  
Catherine Busch, Commissioner

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

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

ATTEST:

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

FIRST READING: October 26, 2021

PUBLICATION: November 3, 2021

PUBLIC HEARING: November 11, 2021

PUBLICATION: November 17, 2021