

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: 863 6484 6229 Passcode: 523779

Direct link: <https://us02web.zoom.us/j/86364846229?pwd=REE1MThjV1VrOFIzYkZ3YXFhbFikZz09>

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 Tuesday, March 9th at 2:00 PM.

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

BOROUGH MEETING – MARCH 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, Commissioner vanHeeswyk, Mayor Moffatt

COMMISSIONERS' REPORTS/DISCUSSION

ADMINISTRATOR'S REPORT

2021 BUDGET:

Presentation on Budget by Borough Auditor Mike Garcia

ORDINANCE FOR SECOND READING / PUBLIC HEARING

02-2020 Calendar Year 2021 Ordinance to Exceed the Municipal Budget
Appropriation Limits and Establish a Cap Bank

BUDGET RESOLUTIONS AND PUBLIC HEARING

47-20 Read by Title Only and Open a Public Hearing on 2021 Municipal Budget
48-20 Local Unit Self-Examination of Budget
49-20 Adoption of 2021 Municipal Budget

PUBLIC COMMENT ON AGENDA ITEMS ONLY

APPROVAL OF MINUTES

February 11, 2021 Regular Meeting
February 23, 2021 Work Session

ORDINANCES FOR INTRODUCTION / PUBLICATION - None

RESOLUTIONS

50-21 Approval of Bill List

ORDINANCES FOR SECOND READING / PUBLIC HEARING / ADOPTION - None

MAYORAL APPOINTMENTS

Planning Board

Barbara Bassett – Class II – unexpired 3-year term expiring 1/31/2023
Eileen Leming – Class IV – unexpired 4-year term expiring 4/8/2021
Mary Kelly – Alternate #1 – unexpired 2-year term expiring 4/8/2022
Jeffrey Sowers – Alternate #2 – unexpired 2-year term expiring 4/8/2021
Bob Mullock – Alternate #3 – unexpired 2-year term expiring 4/8/2022
Ellen Pfindner Alternate #4 – unexpired 2-year term expiring 4/8/2021

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
NEW JERSEY**

ORDINANCE 02-2021

**CALENDAR YEAR 2021
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET
APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 1.0% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Borough Commission of the Borough of Cape May Point in the County of Cape May finds it advisable and necessary to increase its CY 2021 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Borough Commission hereby determines that a 2.5% increase in the budget for said year, amounting to \$29,453.18 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Borough Commission hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Borough Commission of the Borough of Cape May Point, in the County of Cape May, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2021 budget year, the final appropriations of the Borough of Cape May Point shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$41,234.45, and that the CY 2021 municipal budget for the Borough of Cape May Point be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

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

Catherine Busch, Commissioner

Anita vanHeeswyk, Commissioner

Robert Moffatt, Mayor

ATTEST:

Elaine L. Wallace, Borough Clerk

FIRST READING: February 11, 2021

PUBLICATION: February 17, 2021

PUBLIC HEARING: March 11, 2021

PUBLICATION: March 17, 2021

I hereby certify that the foregoing is a true copy of an Ordinance introduced by a majority of the 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 February 11, 2021.

Elaine L. Wallace, RMC, CMR
Municipal Clerk

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

RESOLUTION 47-21

**READ BY TITLE ONLY AND OPEN PUBLIC HEARING
ON 2021 MUNICIPAL BUDGET**

WHEREAS, N.J.S.A. 40A: 4-8 provides that the budget may be read by title only at the time of the public hearing if a resolution is passed by not less than a majority of the full governing body, providing that at least ten (10) days prior to the date of the hearing, a publication by summary of the budget has been advertised and copies have been made available by the Clerk to persons requesting them.

NOW, THEREFORE, BE IT RESOLVED that the conditions of N.J.S.A. 40A:4-8 have been met and the budget shall be read by title only.

	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 March 11, 2021.

Municipal Clerk

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

RESOLUTION 48-21

LOCAL UNIT SELF-EXAMINATION OF BUDGET

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Borough of Cape May Point has been declared eligible to participate in the program by the Division of Local government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2021 budget year.

NOW THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Cape May Point that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes.

2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).

3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.

4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate and correctly stated,
 - b. Items of appropriation are properly set forth
 - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.

5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.

6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

	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 March 11, 2021.

Municipal Clerk

BOROUGH OF CAPE MAY POINT
CAPE MAY COUNTY, NEW JERSEY

CERTIFICATION OF APPROVED BUDGET

It is hereby certified that the Approved Budget complies with the requirements of law and approval is given pursuant to N.J.S.A. 40A:4-78(b) and N.J.A.C. 5:30-7.

It is further certified that the municipality has met the eligibility requirements of N.J.A.C. 5:30-7.4 and 7.5, and that I, as Chief Financial Officer, have completed the local examination in compliance with N.J.A.C. 5:30-7.6.

Dated: 2/9/25

By: 
James Craft, Chief Financial Officer

This certification form and resolution of the governing body executing such certification should be annexed to the adopted budget (N.J.A.C. 5:30-7.6(e))

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

RESOLUTION 49-21

ADOPTION OF MUNICIPAL BUDGET FOR THE YEAR 2021

NOW, THEREFORE, BE IT RESOLVED, this 11th day of March, 2021 by the Board of Commissioners of the Borough of Cape May Point, County of Cape May, the governing body thereof, that the Municipal Budget for 2021 be and is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of \$1,467,500.00 to be raised by taxes for municipal purposes.

	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 March 11, 2021.

Municipal Clerk

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

RESOLUTION 50-21

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 \$98,353.80.

	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 March 11, 2021.

Municipal Clerk

March 10, 2021
01:00 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: 15975 to 16000
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	
15975	03/11/21	ALL01 ALLEGRA MARKETING		1838
21-00099	WATER/SEWER BROCHURE	434.08		
15976	03/11/21	AMERIO05 AMERICAN BANKERS INSURANCE CO		1838
21-00085	FLOOD INS 415 PAVILION CIRCLE	1,717.00		
15977	03/11/21	ATL01 ATLANTIC CITY ELECTRIC		1838
21-00117	ELECTRIC CHARGES	1,603.69		
15978	03/11/21	AUT02 AUTO ZONE, INC.		1838
21-00080	STATEMENT	171.98		
15979	03/11/21	CAP03 CAPE MAY STAR & WAVE		1838
21-00102	LEGAL ADVERTISING	120.90		
15980	03/11/21	CAP14 CAPE MAY COUNTY MUA		1838
21-00104	SOLID WASTE DUMP FEE JAN 2021	672.58		
15981	03/11/21	CAP31 CAPE MINING & RECYCLING LLC		1838
21-00096	STUMPS/TREE PARTS	20.00		
21-00116	STUMPS/TREE PARTS	40.00		
		<u>60.00</u>		
15982	03/11/21	CAS01 CASA PAYROLL SERVICE		1838
21-00095	PAYROLL	236.00		
15983	03/11/21	CIT02 CITY OF CAPE MAY		1838
21-00120	POLICE PROTECTION 1ST QU 2021	77,955.50		
15984	03/11/21	CONST005 CONSTELLATION NEW ENERGY INC		1838
21-00106	ELECTRIC CHARGES	5.56		
15985	03/11/21	COPIE005 COPIERS PLUS		1838
21-00101	COPIER	71.00		
15986	03/11/21	COU02 COURT HOUSE OFFICE SUPPLIES		1838
21-00097	OFFICE SUPPLIES	288.60		
15987	03/11/21	DAT01 DATA NETWORK SOLUTIONS		1838
21-00111	TELEPHONE	310.11		
15988	03/11/21	ENVIR010 ENVIRO-TOTE, INC		1838
21-00112	SHIPPING AND EXTRA BAGS	70.05		
15989	03/11/21	GOLDM005 GOLD MEDAL ENVIRONMENTAL		1838
21-00105	TRASH/RECYCLING	5,283.33		
15990	03/11/21	GRR01 GRR CONSULTING SERVICES LLC		1838
21-00114	CONSULTING FEB 2021	3,412.50		

Check #	Check Date	Vendor	Reconciled/Void	Ref Num	
PO #	Description	Amount Paid	Contract		
15991	03/11/21	JAC01 J & A CLEANING SERVICE 21-00103 CLEANING	300.00	1838	
15992	03/11/21	NAT04 VAN EMBDEN, NATHAN, ESQUIRE 21-00100 SOLICITOR ADMIN BILLING 2020	600.00	1838	
15993	03/11/21	NJC01 NJ CONFERENCE OF MAYORS 21-00093 2021 DUES	295.00	1838	
15994	03/11/21	NJS01 NJ ST. LEAGUE OF MUNICIPALITIE 21-00098 WEBINARS BOARD SECRETARY	150.00	1838	
15995	03/11/21	SITE005 SITEONE LANDSCAPE SUPPLY 21-00110 FOR THE CIRCLE	1,244.66	1838	
15996	03/11/21	SWA01 SWAIN'S ACE HARDWARE 21-00115 FEBRUARY STATEMENT	38.73	1838	
15997	03/11/21	THEDE005 The DeWeese Law Firm, P.C. 21-00118 MUNICIPAL SOLICITOR	2,689.00	1838	
15998	03/11/21	TRIAD005 TRIAD ASSOCIATES 21-00061 AFFORDABLE HOUSING	280.00	1838	
15999	03/11/21	VER01 VERIZON 21-00109 PHONE BILLS	229.87	1838	
16000	03/11/21	VER03 VERIZON WIRELESS 21-00094 CELL PHONE	113.66	1838	
<hr/>					
Report Totals		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
	Checks:	26	0	98,353.80	0.00
	Direct Deposit:	<u>0</u>	<u>0</u>	<u>0.00</u>	<u>0.00</u>
	Total:	26	0	98,353.80	0.00

Totals by Year-Fund Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
CURRENT	0-01	370.05	0.00	0.00	370.05
CURRENT	1-01	97,166.12	0.00	0.00	97,166.12
	1-05	<u>537.63</u>	<u>0.00</u>	<u>0.00</u>	<u>537.63</u>
Year Total:		97,703.75	0.00	0.00	97,703.75
TRUST ACCOUNT EXPENDITURES	T-13	280.00	0.00	0.00	280.00
Total of All Funds:		<u><u>98,353.80</u></u>	<u><u>0.00</u></u>	<u><u>0.00</u></u>	<u><u>98,353.80</u></u>