

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: 894 2889 7980 Passcode: 854162

Direct link: <https://us02web.zoom.us/j/89428897980?pwd=STFqYmZySUovdEREV2tpRW1neG9hZz09>

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, April 7th at 12:00 PM.

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

BOROUGH MEETING – APRIL 8, 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

- Marijuana Legislation and Local Regulations

ADMINISTRATOR'S REPORT

PUBLIC COMMENT ON AGENDA ITEMS ONLY

APPROVAL OF MINUTES

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

ORDINANCES FOR INTRODUCTION / PUBLICATION - None

RESOLUTIONS

- | | |
|-------|--|
| 57-21 | Resolution Requesting Approval for the Inclusion of Revenue: NJDOT Grants – Yale Avenue in the Total Amount of \$340,000 |
| 58-21 | Resolution Amending Resolution 53-21 Authorizing Demolition o Construction by Custom Carpentry Creations, LLC, in Borough-owned Right of Way |
| 59-21 | Authorizing Special Event Permit for Cape May Point Taxpayers Association |
| 60-21 | Authorizing Special Event Permit for Brandon Eldredge and Erin Cross |
| 61-21 | Requesting Permission for the Dedication by Rider for Donations – Acceptance of Bequests and Gifts for Lake Lily Stewardship Required by N.J.S.A. 40A:5-29 for Lake Lily Stewardship |
| 62-21 | Approval of Bill List |

ORDINANCES FOR SECOND READING / PUBLIC HEARING / ADOPTION - None

MAYORAL APPOINTMENTS

Planning Board

Eileen Leming – Class IV – 4-year term expiring 4/8/2025

Mike Keosky – Class IV – 4-year term expiring 4/8/2025

Jeffrey Sowers – Alternate #2 – 2-year term expiring 4/8/2023

Ellen Pfendner Alternate #4 – 2-year term expiring 4/8/2023

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. 57-21

**RESOLUTION REQUESTING APPROVAL FOR THE INCLUSION OF REVENUE:
NJDOT GRANT – YALE AVENUE IN THE TOTAL AMOUNT OF \$340,000.00**

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount there of was not determined at the time of the adoption of the budget, and

WHEREAS, the Director may also approve that insertion of any item of appropriation for an equal amount, and

NOW, THEREFORE, BE IT RESOLVED, that the Commissioners of the Borough of Cape May Point, New Jersey, hereby request the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2021 in the total sum of \$340,000.00 now available as a revenue pursuant to the provisions of the statute under the State of New Jersey.

Revenue: **New Jersey Department of Transportation**

BE IT FURTHER RESOLVED, that the like sum of \$340,000.00 is here by appropriated under the caption of:

Appropriation: **Public and Private Programs Offset by Revenues: NJDOT Grant,
Yale Avenue**

	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 April 8, 2021.

Municipal Clerk

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

RESOLUTION NO. 58-21

**RESOLUTION AMENDING RESOLUTION 53-21 AUTHORIZING DEMOLITION
CONSTRUCTION BY CUSTOM CARPENTRY CREATIONS, LLC, IN BOROUGH-
OWNED RIGHT OF WAY**

WHEREAS, the Borough of Cape May Point (the “Borough”) has received a certain request for approval to remove dilapidated concrete sidewalk and certain non-native trees from the Borough right-of-way located at 202 S. Lake Drive/404 Yale Avenue in the Borough; and

WHEREAS, the Borough has received a proposal in the amount of \$6,077.63 from Custom Carpentry Creations, LLC, a New Jersey licensed and insured general contractor, for performance of such removal and for the replacement of the sidewalk with topsoil fill and grass sodding; and

WHEREAS, the amount of the proposal for construction services on Borough property as set forth herein is below the competitive bidding threshold as set forth in the New Jersey Local Public Contracts Law, codified at N.J.S.A. 40A:11-1, *et seq.*, and N.J.A.C. 5:34; and

WHEREAS, Robert Mullock, owner of 202 S. Lake Drive/404 Yale Avenue, Cape May Point, New Jersey 08212, has agreed to make direct payment to Custom Carpentry Creations, LLC, for all costs and expenses incurred related to this construction project; and

WHEREAS, the Board of Commissioners previously approved Resolution 53-21, which required the Borough to issue payment to Custom Carpentry Creations, LLC, and to receive reimbursement within ten (10) days from Robert Mullock for any such payment made by the Borough; and

WHEREAS, it was the intention and purpose of the Board of Commissioners to approve a Resolution providing for the payment of the costs related to the removal of

the dilapidated sidewalk and certain non-native trees by Robert Mullock directly to Custom Carpentry Creations, LLC; and

WHEREAS, the Board of Commissioners of the Borough of Cape May Point find that it is advisable and appropriate, in the interest of promoting the health, safety and welfare of the citizens of the Borough to enter into such agreement with Custom Carpentry Creations, LLC, and Robert Mullock for construction services as set forth herein.

NOW THEREFORE BE IT RESOLVED, that the Board of Commissioners of the Borough of Cape May Point does hereby authorize the removal of the sidewalk and non-native trees from the Borough right-of-way at 202 S. Lake Drive/404 Yale Avenue and for the installation of topsoil and grass sodding in place of the sidewalk upon removal. Payment for all construction costs contemplated pursuant to this Resolution shall be paid directly by Robert Mullock to Custom Carpentry Creations, LLC.

	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 59-21

**AUTHORIZING SPECIAL EVENT PERMIT FOR CAPE MAY POINT
TAXPAYERS ASSOCIATION**

WHEREAS, the Cape May Point Taxpayers Association has applied for a Special Event Permits for a concert and picnic in Pavilion Circle on Saturday, June 19, 2021 from 4:00 pm to 8:00 pm; and

WHEREAS, the applicant has supplied all documentation required under Ordinance No. 551-08, including the requisite Certificate of Insurance, and has further pledged to comply with all applicable rules and regulations pertaining to the conduct of said Special Event.

WHEREAS, the Taxpayers' Association has respectfully requested that the Governing Body waive the usual facilities use fees as they are a non-profit organization which benefits the taxpayers and community of Cape May Point; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Cape May Point, County of Cape May, New Jersey that the Borough Clerk is hereby authorized to issue Special Event Permits to the Cape May Point Taxpayers Association for a concert and picnic on Saturday, June 19th from 4 pm to 8 pm in Pavilion Circle, with the condition that all CDC guidelines in effect at the time of the event are strictly followed.

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

	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 60-21

**AUTHORIZING SPECIAL EVENT PERMIT FOR
BRANDON ELDREDGE AND ERIN CROSS**

WHEREAS, Brandon Eldredge and Erin Cross have applied for a Special Event Permit for a wedding ceremony on the Lehigh Avenue beach on Saturday, May 22, 2021 from 3:00 pm to 7:00 pm; and

WHEREAS, the applicant has supplied all documentation required under Ordinance No. 551-08, including the requisite Certificate of Insurance, and has further pledged to comply with all applicable rules and regulations pertaining to the conduct of said Special Event.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Cape May Point, County of Cape May, New Jersey that the Borough Clerk is hereby authorized to issue Special Event Permits to Brandon Eldredge and Erin Cross for a wedding ceremony on Saturday, May 22nd from 3 pm to 7 pm on the Lehigh Avenue beach, with the condition that all CDC guidelines in effect at the time of the event are strictly followed.

	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 61-21

**RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER
FOR DONATIONS – ACCEPTANCE OF BEQUESTS AND GIFTS FOR LAKE LILY
STEWARDSHIP REQUIRED BY N.J.S.A. 40A:5-29**

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance; and

WHEREAS, N.J.S.A. 40A:5-29 provides for receipt of donations – bequests, legacies, and gifts - by the municipality to provide for the operating costs to administer this act, provided they indicate the specific use of the funds; and

WHEREAS, N.J.S.A. 40A:4-39 provide the dedicated revenues anticipated from Donations – Acceptance of Bequests and Gifts for Lake Lily Stewardship are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement.

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 as follows:

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the Donations – Acceptance of Bequests and Gifts for Lake Lily Stewardship.
2. The Clerk of the Borough of Cape May Point, County of Cape May is hereby directed to forward two certified copies of this Resolution to the director of The Division of Local Government Services.

	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 62-21

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 \$80,157.56.

	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 April 8, 2021.

Municipal Clerk

April 7, 2021
12:37 PM

BOROUGH OF CAPE MAY POINT
Check Register By Check Date

Page No: 1

Range of Checking Accts: OTHER to OTHER Range of Check Dates: 03/26/21 to 04/08/21
Report Type: All Checks Report Format: Condensed Check Type: Computer: Y Manual: Y Dir Deposit: Y

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
PO #		Description			Contract
OTHER					
16021	03/26/21	TRE13 TREASURER, STATE OF NEW JERSEY			1840
21-00159		TORCH PERMIT	54.00		
16022	04/08/21	ACM01 ACMJIF			1841
21-00169		2ND QUARTER 2021	10,355.00		
16023	04/08/21	ATL01 ATLANTIC CITY ELECTRIC			1841
21-00162		ELECTRIC BILL	285.19		
16024	04/08/21	AUT02 AUTO ZONE, INC.			1841
21-00129		STATEMENT	261.84		
16025	04/08/21	CAP03 CAPE MAY STAR & WAVE			1841
21-00152		LEGAL ADVERTISING	11.78		
16026	04/08/21	CAP14 CAPE MAY COUNTY MUA			1841
21-00149		SOLID WASTE DUMP FEE FEB 2021	568.52		
16027	04/08/21	CAP31 CAPE MINING & RECYCLING LLC			1841
21-00150		STUMPS/TREE PARTS	29.10		
21-00173		STUMPS/TREE PARTS	40.20		
			<u>69.30</u>		
16028	04/08/21	CAS01 CASA PAYROLL SERVICE			1841
21-00143		PAYROLL	256.50		
16029	04/08/21	CAT02 CATARINA SUPPLY INC.			1841
21-00141		WATER/SEWER	1,114.80		
16030	04/08/21	CHR01 CHRISTOPHER GARRISON			1841
21-00180		CHANGE FUND 2021	1,000.00		
16031	04/08/21	COD01 CODY'S POWER EQUIPMENT			1841
21-00154		SCAG Tiger Cat Mower	8,404.00		
16032	04/08/21	COM01 COMCAST			1841
21-00176		FIRE DEPARTMENT 8MTHS INTERNET	2,025.20		
16033	04/08/21	CONST005 CONSTELLATION NEW ENERGY INC			1841
21-00175		ELECTRIC CHARGES	6.05		
16034	04/08/21	COPIE005 COPIERS PLUS			1841
21-00156		COPIER	67.99		
16035	04/08/21	COU02 COURT HOUSE OFFICE SUPPLIES			1841
21-00157		OFFICE SUPPLIES	87.63		
16036	04/08/21	COU03 COUNTY OF CAPE MAY			1841
21-00155		FUEL FEBRUARY 2021	221.59		

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
PO #	Description			Contract	
OTHER		Continued			
16037	04/08/21	DIS01 DISCOUNT HYDRAULICS CORP			1841
	21-00160	MALE PIPE TO FEMALE PIPE SWIV	24.03		
16038	04/08/21	GOLDM005 GOLD MEDAL ENVIRONMENTAL			1841
	21-00177	TRASH/RECYCLING	5,283.33		
16039	04/08/21	GRR01 GRR CONSULTING SERVICES LLC			1841
	21-00172	CONSULTING SERVICES	3,525.00		
16040	04/08/21	MUNIC005 MUNICIPAL MAINTENANCE CO.			1841
	21-00170	WATER MAINTENANCE - PUMP	7,290.00		
16041	04/08/21	ORIGI005 ORIGINAL WATERMEN, INC.			1841
	21-00153	UNIFORMS	810.48		
16042	04/08/21	REG01 REGISTRARS ASSN. OF NEW JERSEY			1841
	21-00151	2021 DUES	75.00		
16043	04/08/21	SEA01 SEASHOR ASPHALT CORPORATION			1841
	21-00161	ASPHALT	470.66		
16044	04/08/21	STA08 STATE OF NEW JERSEY			1841
	21-00142	ANNUAL APPROPRIATION	35,455.00		
16045	04/08/21	STA12 STATE OF NEW JERSEY TREASURER			1841
	21-00146	BFCE REG RENEWAL FEE	191.00		
16046	04/08/21	THEDE005 The DeWeese Law Firm, P.C.			1841
	21-00171	BOROUGH SOLICITOR	1,520.00		
16047	04/08/21	VEC01 VECTOR SECURITY, INC.			1841
	21-00130	BATTERY/SERVICE & LABOR	243.99		
16048	04/08/21	VER01 VERIZON			1841
	21-00148	PHONE BILLS	229.87		
16049	04/08/21	VER03 VERIZON WIRELESS			1841
	21-00147	CELL PHONE	113.66		
16050	04/08/21	VIT01 VITAL COMMUNICATIONS INC			1841
	21-00108	2021 ANNUAL NOTICE OF ASSESSMN	136.15		
Checking Account Totals					
		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
	Checks:	30	0	80,157.56	0.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	30	0	80,157.56	0.00

Check #	Check Date	Vendor	Reconciled/Void	Ref Num
PO #	Description	Amount Paid		Contract

OTHER	Continued			
Report Totals	<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
Checks:	30	0	80,157.56	0.00
Direct Deposit:	<u>0</u>	<u>0</u>	<u>0.00</u>	<u>0.00</u>
Total:	30	0	80,157.56	0.00

Totals by Year-Fund					
Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
	0-05	7,290.00	0.00	0.00	7,290.00
CURRENT	1-01	67,739.77	0.00	0.00	67,739.77
	1-05	<u>5,127.79</u>	<u>0.00</u>	<u>0.00</u>	<u>5,127.79</u>
Year Total:		<u>72,867.56</u>	<u>0.00</u>	<u>0.00</u>	<u>72,867.56</u>
Total of All Funds:		<u><u>80,157.56</u></u>	<u><u>0.00</u></u>	<u><u>0.00</u></u>	<u><u>80,157.56</u></u>