

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 (New York), Meeting ID: 846 8038 6762 Passcode: 827704

**Direct link:** <https://us02web.zoom.us/j/84680386762?pwd=TjQzZWYxeTlhWXczeDNtWWdobE5Wdz09>

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 Noon the Monday before the meeting.

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

**WORK SESSION OF MAY 25, 2021 – 12:00 PM**

**MEETING CALLED TO ORDER / SUNSHINE STATEMENT / FLAG SALUTE**

In compliance with the Open Public Meeting 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 law.

**ROLL CALL:** Commissioner Busch, Mayor Moffatt, Commissioner vanHeeswyk

**COMMISSIONERS' DISCUSSION (NEW BUSINESS / OLD BUSINESS)**

- "Keep off the Dunes" Signs on beaches
- Request to Plant Native Plants in Right-of-Way
- Banning Smoking/Marijuana on Public Land

**ADMINISTRATOR'S REPORT**

**PUBLIC QUESTIONS ON AGENDA ITEMS ONLY**

**ORDINANCES FOR INTRODUCTION / PUBLICATION**

*Scheduled for Second Reading/ Public Hearing/ Consideration for Adoption – June 10<sup>th</sup> at 6 pm*

05-2021 Amending Chapter 113 "Nuisances; Public Health", Article II "Prohibitions Against Bamboo" of the Code of the Borough of Cape May Point

06-2021 Salary Ordinance

**RESOLUTIONS**

74-21 Acknowledging Closure of Certain Developer's Escrow Accounts and Authorizing Refunds if Necessary as Recommended by the Planning Board

75-21 Declaring the Official Opening of Cape May Point Beaches to Bathing and Fishing for the 2021 Season

76-12 Approval to Submit a Grant Application and Execute a Grant Contract with the New Jersey Department of Transportation for the Reconstruction of Harvard Avenue

77-21 Authorizing Special Event Permit for Jennifer Braxton

78-21 Authorizing Special Event Permit for Timothy Rodden

79-21 Salary Resolution 2021

80-21 Approval of Bill List

**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**

**ORDINANCE 05-2021**

**AN ORDINANCE AMENDING BOROUGH CODE CHAPTER 113  
("NUISANCES; PUBLIC HEALTH"), ARTICLE II ("PROHIBITIONS  
AGAINST BAMBOO") OF THE CODE OF THE BOROUGH OF CAPE  
MAY POINT**

**BE IT ORDAINED** by the Board of Commissioners of the Borough of Cape May Point that Chapter 113 "Nuisances; Public Health", Article II "Prohibitions Against Bamboo" of the Borough Code is hereby amended (additions shown in underline, deletions shown in ~~strikethrough~~).

**SECTION 1** Article II, "Prohibitions Against Bamboo", 113-5.C "Removal" is amended as follows: paragraph (2)

(2) If the bamboo property owner does not ~~accomplish the remediation of the encroachment from such other private or public property or public right-of-way in accordance herewith,~~ remediate the encroachment in accordance with the plan of remediation proposed and accepted by the Code Enforcement Officer of the Borough, the Code Enforcement Officer ~~of the Borough of Cape May Point~~ shall cause a citation to be issued, with a penalty up to \$100 for each day the violation continues, enforceable through the Municipal Court of the Borough of Cape May Point. The Administrative Officer may request, and the Municipal Court may grant, a specific performance remedy. The Borough may also institute civil proceedings for injunctive or civil relief.

**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: June 10, 2021  
PUBLICATION: June 16, 2021  
PUBLIC HEARING: July 8, 2021  
PUBLICATION: July 14, 2021

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

**ORDINANCE NO. 06-2021**

**SALARY ORDINANCE**

The Board of Commissioners of the Borough of Cape May Point, County of Cape May, New Jersey does hereby ordain:

Section 1. The salaries and wages shall be paid to the below listed Borough Officers and Employees in the below listed manner and amounts commencing as of January 1, 2020.

<u>Department</u>	<u>Title</u>	<u>Salary/ Hourly</u>	<u>Minimum</u>	<u>Maximum</u>
<b>Elected Officials</b>	Mayor	Salary	\$10,000	\$15,000
	Commissioners	Salary	\$6,000	\$12,000
<b>Administration</b>	Municipal Clerk	Salary	\$30,000	\$65,000
	Administrator	Salary	\$30,000	\$54,000
	Receptionist	Hourly	Min. wage	\$22.00
	Clerical Staff (incl. deputies and Board members)	Hourly	Min. wage	\$22.00
	Planning Board Sec.	Salary	\$2,500	\$8,000
	Elections Clerk	Salary	\$800	\$2,800
	Registrar of Vital Statistics	Salary	\$600	\$4,000
	Deputy Registrar	Salary	\$200	\$3,200
	Environmental Comm. Sec.	Salary	\$250	\$750
<b>Taxes &amp; Finance</b>	Chief Financial Officer	Salary	\$10,000	\$35,000
	Account Clerk/Bookkeeper	Salary	\$8,000	\$20,000
	Tax Collector	Salary	\$10,000	\$17,000
	Tax Assessor	Salary	\$10,000	\$17,000
	Assessment Search Clerk	Salary	\$800	\$3,000
	Qualified Purchasing Agent	Salary	\$500	\$2,000
<b>Public Works</b>	Supervisor	Salary	\$30,000	\$70,000
	Assistant Supervisor	Salary	\$4,000	\$10,000
	Laborer F/T	Hourly	Min. wage	\$25.00
	Laborer P/T or Seasonal	Hourly	Min. wage	\$18.00
	Professional Skills (as needed)	As negotiated		
<b>Code/Construction Officials</b>	Construction Code Official	Salary	\$8,000	\$18,000
	Construction Sub-Code Offc.	Salary	\$5,000	\$9,000
	Construction Code Clerk	Salary	\$1,500	\$5,000
	Zoning Officer & Clerk	Salary	\$8,000	\$20,000
	Fire Sub-Code Official	Salary	\$4,000	\$9,000
	Electrical Sub-Code Officer	Salary	\$5,000	\$9,000
	Plumbing Sub-Code Officer	Salary	\$5,000	\$9,000
	Code Enforcement Officer	Salary	\$3,000	\$8,500
	Rental Inspector	Salary	\$2,000	\$3,500
	PT/Seasonal Code Enforcement Officer	Hourly	Min. wage	\$25.00

<b>Public Safety</b>	Emergency Management Coordinator	Salary	\$0	\$3,000
<b>(Seasonal)</b>	Beach Director	Salary	\$5,000	\$17,000
	Beach Badge Inspectors	Hourly	Min. wage	\$13.00
	Lifeguard Chief	Salary	\$13,000	\$20,000
	Lifeguard Captain	Hourly	Min. wage	\$21.00
	Lifeguard Lieutenant	Hourly	Min. wage	\$19.00
	Lifeguards	Hourly	Min. wage	\$15.00
<b>Water/Sewer Utility</b>	Superintendent	Salary	\$2,400	\$8,000
	Director	Salary	\$100	\$4,000
	Supervisor	Salary	\$15,000	\$20,000
	Clerk	Salary	\$4,000	\$10,000
	Assistant Clerk	Hourly	Min. wage	\$22.00
	Laborer F/T	Hourly	Min. wage	\$20.00
	Laborer P/T or Seasonal	Hourly	Min. wage	\$15.00

Section 2. Ordinance 6-2020 is hereby rescinded in its entirety and all other ordinances and resolutions inconsistent with the terms hereof are hereby repealed to the extent of their inconsistency.

Section 3. Where a salary or wage range is designated rather than a specific salary or wage, the head of the appropriate department will, in writing establish a specific salary and file the same with the Chief Financial Officer.

Section 4. This Ordinance shall become effective immediately upon passage and publication according to law.

	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Busch						
Moffatt						
vanHeeswyk						

ATTEST:

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

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

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

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

FIRST READING: May 25, 2021  
PUBLICATION: June 2, 2021  
PUBLIC HEARING: June 10, 2021  
PUBLICATION: June 16, 2021

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

**RESOLUTION 74-21**

**RESOLUTION ACKNOWLEDGING CLOSURE OF CERTAIN DEVELOPER'S  
ESCROW ACCOUNTS AND AUTHORIZING REFUNDS IF NECESSARY AS  
RECOMMENDED BY THE PLANNING BOARD**

**WHEREAS**, the Borough of Cape May Point Planning Board has recommended to the Governing Body to close certain accounts and return escrow monies, in necessary, to the following:

<b>Block</b>	<b>Lot</b>	<b>Name</b>	<b>Property Address</b>	<b>File #</b>	<b>Amount</b>
28	1, 10	William Klimashousky Patricia Geruc	209 Ocean Ave	PB 2020-03	\$0/close acct.

**NOW, THEREFORE, BE IT RESOLVED** the Board of Commissioners of the Borough of Cape May Point, County of Cape May, State of New Jersey, hereby approves the closure of the above referenced escrow accounts.

	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 May 25, 2021.

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

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

**RESOLUTION NO. 75-21**

**DECLARING THE OFFICIAL OPENING OF CAPE MAY POINT BEACHES TO  
BATHING AND FISHING FOR THE 2021 SEASON**

**WHEREAS**, Section 58-11B of the annotated code of the Borough of Cape May Point requires that the commissioners declare by resolution which beaches are open or closed to swimming, fishing and kayaking, and

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Borough of Cape May Point as follows:

1. The beaches shall open on Saturday, June 19, 2021.
2. Bathing/swimming is allowed on protected beaches and within the designated areas only between the hours of 10 A.M. and 5 P.M. Monday through Friday, and until 5:30 PM on Saturdays and Sundays.
3. A Protected Beach is defined as one with a Lifeguard stand on the beach occupied by a Borough of Cape May Point certified lifeguard. The Coral Avenue beach will be protected based on the availability of beach patrol staff. **No swimming shall be permitted on unprotected beaches. The Beach Patrol will endeavor to open as many beaches as possible contingent upon the availability of beach patrol staff and the conditions of specific beaches that compromise public safety**
4. All beaches are subject to closure at any time during the summer months at the discretion of the Beach Patrol Captain or his designee.
5. The beaches at Whilldin, Lighthouse and Alexander Avenues are designated as UNPROTECTED and swimming is prohibited at all times. Whilldin will be an unprotected beach due to the short distance to the beach-saver reef. The beach may be occupied; however, no swimming will be allowed at any time. Coral Avenue may be determined unsafe for similar reasons. The Alexander Avenue beach has been declared unsafe for swimming due to unseen, underwater hazards.
6. Additionally, Alexander is designated as a Precautionary Zone by the U.S Department of Fish and Wildlife and the New Jersey Department of Fish and Wildlife. The beach may be occupied; however, no swimming and other restrictions will be enforced as deemed necessary.



7. Launching of Kayak's is permitted from the Alexander Avenue beach. Beach tags are required.
8. Fishing from the beach is allowed in all non-bathing areas during regular operating hours from 10 A.M. to 5 P.M. Beach tags are required.
9. All activities described above require beach tags. No person 12 years or older shall bathe at or otherwise use the beaches set forth and in Section 58-7B without having first acquired and then having in his/her possession a proper and effective badge.
10. All or part of the activities may be closed due to no-population or weather, especially lightning, and/or high or dangerous waves, at the discretion of the Captain of the Beach Patrol or his designee. Rules determining the above activities are described in Section 58 of the Code Book and the Operating Manual for the Beach Patrol.
11. All off-duty working members of the beach patrol do not require beach tags as they are 'on-call' at all times. On-call is defined as assisting emergency situations as needed on the lifeguards' days off.

	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 May 25, 2021.

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

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

**RESOLUTION 76-21**

**APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT  
CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR  
THE RECONSTRUCTION OF HARVARD AVENUE**

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of the Borough of Cape May Point formally approves the grant application for the above stated project.

**BE IT FURTHER RESOLVED** that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2022-Harvard Avenue-00036 to the New Jersey Department of Transportation on behalf of the Borough of Cape May Point.

**BE IT FURTHER RESOLVED** that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Cape May Point and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

	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 May 25, 2021.

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

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

**RESOLUTION 77-21**

**AUTHORIZING SPECIAL EVENT PERMIT FOR  
JENNIFER BRAXTON**

**WHEREAS**, Jennifer Braxton has applied for a Special Event Permit for a wedding ceremony on Alexander beach on Sunday, June 13, 2021 from 5:00 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.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Borough of Cape May Point, County of Cape May, New Jersey that the Borough Clerk is hereby authorized to issue a Special Event Permit to Jennifer Braxton for a wedding ceremony on Sunday, June 13<sup>th</sup> from 5:00 pm to 8:00 pm on Alexander 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						

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 May 25, 2021.

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

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

**RESOLUTION 78-21**

**AUTHORIZING SPECIAL EVENT PERMIT FOR  
TIMOTHY RODDEN**

**WHEREAS**, Timothy Rodden has applied for a Special Event Permit for a family gathering on Brainard beach on Friday, June 11, 2021 from 5:00 pm to 9:00 pm; and

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

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Borough of Cape May Point, County of Cape May, New Jersey that the Borough Clerk is hereby authorized to issue a Special Event Permit to Timothy Rodden for a family gathering on Brainard beach on Friday, June 11, 2021 from 5:00 pm to 9:00 pm, 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						

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 May 25, 2021.

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

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

**RESOLUTION NO. 79-21**

**SALARY RESOLUTION 2021**

**WHEREAS**, the Board of Commissioners desires to provide the exact salary of each officer and employee by resolution on an annual basis and as needed from time to time during the year; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Commissioners of the Borough of Cape May Point, County of Cape May, that the Commissioners approve the attached Schedule A constituting the salaries and wages of the officers and employees of the Borough of Cape May Point for the year 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 May 25, 2021.

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

## **SCHEDULE "A"**

<b>Name</b>	<b>Title</b>	<b>Salary</b>
Anita vanHeeswyk	Commissioner	\$10,000.00
Robert Moffatt	Commissioner	\$10,000.00
Catherine Busch	Commissioner	\$10,000.00
	Administrator	\$44,000.00
James Craft	CFO	\$19,000.00
James Craft	Purchasing Agent	\$ 1,500.00
Elaine Wallace	Municipal Clerk	\$47,150.00
Elaine Wallace	Elections Clerk	\$ 2,400.00
Elaine Wallace	Registrar	\$ 3,300.00
Elaine Wallace	Assessment Search Officer	\$ 2,650.00
Elaine Wallace	Assistant Water Clerk	\$ 3,000.00
VACANT	Environ. Comm. Sec.	\$ 500.00
Dianne Kelly	Tax Assessor	\$15,200.00
Kim Stevenson	Tax Collector	\$15,200.00
Marie Hood	Bookkeeper	\$12,000.00
Marie Hood	Clerical	\$12.00/ hour
Jacqueline McDevitt	Receptionist	\$20.00/ hour
Jacqueline McDevitt	Asst. Water/Sewer Clerk	\$21.25/ hour
Jacqueline McDevitt	Deputy Registrar	\$3,200.00
John McGraw	Zoning Officer & Clerk	\$17,000.00
William Gibson	Public Works Supervisor	\$66,989.00
	Water/Sewer Supervisor (35 % allocation)	
William Gibson	OEM Coordinator	\$2,250.00
David Gray	Public Works Laborer	\$16.75/ hour
	(35% allocated to W/S)	
Anthony Famiano	Public Works Laborer	\$16.75/ hour
	(35% allocated to W/S)	
(VARIOUS / SEASONAL)	Public Works Laborer	\$12.00/hour to \$15.00/hour
Anthony Famiano	Assistant DPW Supervisor	\$7,200.00
	(100% allocated to W/S)	
David Carrick	Water Superintendent	\$7,000.00
	W/S Clerk	\$8,500.00

Rhiannon Worthington	Planning Board Sec.	\$7,000.00
Brady Schoenrock	Code Compliance Official	\$8,500.00
	Rental Inspector	\$3,500.00
(SEASONAL)	Code Enforcement Assistant	\$11.10/hour to \$25.00/hour
Bill Oat	Beach Patrol Chief	\$19,000.00
	Captain	\$18.25/hour
	Lieutenant	\$16.50/hour
	Non-Lieutenant EMT Cert	\$ 1.00/hour
	1 <sup>st</sup> Year Guard	\$13.25/hour
	2 <sup>nd</sup> Year Guard	\$13.50/hour
	3 <sup>rd</sup> Year Guard	\$13.75/hour
	4 <sup>th</sup> Year Guard	\$14.00/hour
	5 <sup>th</sup> Year Guard	\$14.25/hour
	6 <sup>th</sup> Year Guard	\$14.50/hour
	7 <sup>th</sup> + Year Guard	\$14.75/hour
Chris Garrison	Beach Director	\$15,200.00
(VARIOUS / INSPECTORS)	Tag Inspectors	
	1 <sup>st</sup> Year	\$11.10/hour
	2 <sup>nd</sup> Year	\$11.35/hour
	3 <sup>rd</sup> Year	\$11.60/hour
	4 <sup>th</sup> Year	\$11.85/hour
	5 <sup>th</sup> Year	\$12.10/hour
	6 <sup>th</sup> Year	\$12.35/hour
	7 <sup>th</sup> Year	\$12.60/hour
	8 <sup>th</sup> Year	\$12.85/hour
	Tagger Supervisor	
	1 <sup>st</sup> Year	\$14.30/hour
	2 <sup>nd</sup> Year	\$14.55/hour
	3 <sup>rd</sup> Year	\$14.80/hour
	4 <sup>th</sup> Year	\$15.05/hour
	5 <sup>th</sup> Year	\$15.30/hour
	6 <sup>th</sup> Year	\$15.55/hour
	7 <sup>th</sup> Year	\$15.80/hour
	8 <sup>th</sup> Year	\$16.05/hour