

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 by 12:00 PM the Wednesday before the meeting.

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

BOROUGH MEETING – SEPTEMBER 9, 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

August 12, 2021 Regular Meeting
August 24, 2021 Work Session

ORDINANCES FOR INTRODUCTION / PUBLICATION

09-2021 Appropriating \$130,000 from Capital Improvement Fund for Yale Avenue
Second Reading/Public Hearing/Adoption – September 28, 2021 at 12:00 PM

RESOLUTIONS

103-21 Authorizing a Shared Services Agreement with the Cape May County Municipal Utilities Authority for Solid Waste Disposal and Recycling Services
104-21 Cancellation of Unexpended Grant Funds Receivable and Appropriation Balances
105-21 Authorizing Advertisement for Bids for Yale Avenue Reconstruction Project
106-21 Approval of Bill List

ORDINANCES FOR SECOND READING / PUBLIC HEARING / ADOPTION

07-2021 Ordinance Amending Chapter 146 "Water and Sewer Utility" of the Borough of Cape May Point Municipal Code

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 103-21

**AUTHORIZING A SHARED SERVICES AGREEMENT WITH THE CAPE MAY
COUNTY MUNICIPAL UTILITIES AUTHORITY FOR SOLID WASTE
DISPOSAL AND RECYCLING SERVICES**

WHEREAS, the Cape May County Municipal Utilities Authority (“CMCMUA”/“Authority”) has designed, financed, acquired, constructed, expanded, and currently operates a solid waste system (“System”) which presently serves the entire County of Cape May in the State of New Jersey, for the disposal, transfer, and recycling of solid waste; and

WHEREAS, the Borough of Cape May Point has utilized and desires to continue to utilize the services of the CMCMUA’s System; and

WHEREAS, there presently exists a contract between the Borough of Cape May Point and the Authority for the use of the CMCMUA’s System for disposal, transfer, and recycling of solid waste entitled “Shared Services Agreement for Solid Waste Disposal and Recycling Services” (“Agreement”) which will expire on December 31, 2021; and

WHEREAS, the Borough of Cape May Point and the Authority desire to enter into a new agreement and to fix the expiration date of said Agreement to occur on December 31, 2022; and

WHEREAS, the Authority has submitted the same proposed form of agreement to all Cape May County Municipalities which will provide for both Solid Waste disposal and certain recycling services through December 31, 2022; and

WHEREAS, N.J.S.A. 40A:65-1 et seq., the Uniform Shared Services and Consolidation Act, authorizes a municipality to enter into a contract with any other local unit for the sharing of governmental services.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Cape May Point, County of Cape May, and State of New Jersey, that the Borough of Cape May Point shall enter into a contract with the Authority entitled

“Shared Services Agreement for Solid Waste Disposal and Recycling Services”, effective January 1, 2022, in the form to be maintained on file in the office of the Borough Clerk, and that the appropriate Borough officials are hereby authorized and directed to execute said Agreement.

	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 1-01-26-306-021, MUA OE, to authorize a shared services agreement with the Cape May County Municipal Utilities Authority for solid waste disposal and recycling services through December 31, 2022. I further certify that this commitment together with all previously made commitments does not exceed the appropriation balance available for this purpose.

Dated: September 12, 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 September 9, 2021.

 Municipal Clerk

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

RESOLUTION 104-21

**CANCELLATION OF UNEXPENDED GRANT FUNDS RECEIVABLE AND
APPROPRIATION BALANCES**

WHEREAS, it is necessary to cancel the unexpended grant fund receivable and appropriation balances for completed and closed out grants

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Cape May Point on this 9th day of September, 2021 that the grant fund receivable and appropriation balances of the following grants are cancelled:

Receivable:

Atlantic County Joint Insurance Fund Cyber Security Grant	\$ 88.13
Emergency Management Grant – Gas Generator at Borough Hall	\$ 3,891.00

Appropriation:

Atlantic County Joint Insurance Fund Cyber Security Grant	\$ 88.13
Emergency Management Grant – Gas Generator at Borough Hall	\$18,774.73

BE IT FURTHER RESOLVED that the proper officials be and are hereby authored to do all things necessary to carry out the intent of this resolution.

	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 105-21

**AUTHORIZATION TO PREPARE SPECIFICATIONS AND ADVERTISE FOR BIDS
RECONSTRUCTION OF YALE AVENUE**

WHEREAS, the Borough of Cape May Point has completed water system improvements to Yale Avenue and now wishes to have the road reconstructed.

NOW, THEREFORE, BE IT RESOLVED the Board of Commissioners of the Borough of Cape May Point, hereby authorizes the Borough Engineer to prepare bid specifications for the reconstruction of Yale Avenue; and

BE IT FURTHER RESOLVED that the Engineer and Borough Clerk are hereby authorized to advertise the appropriate notice to bidders and to receive bids in accordance with the New Jersey Public Bidding Laws.

	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 September 9, 2021.

Municipal Clerk

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

RESOLUTION 106-21

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 \$22,142.47.

	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 September 9, 2021.

Municipal Clerk

Range of Checking Accts: OTHER to OTHER Range of Check Ids: 16319 to 16339
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	
16319	09/09/21	CAP03 CAPE MAY STAR & WAVE		1852
21-00482	LEGAL ADVERTISING	15.50		
16320	09/09/21	CAP31 CAPE MINING & RECYCLING LLC		1852
21-00476	STUMPS/TREE PARTS	55.80		
21-00484	STUMPS/TREE PARTS	<u>219.90</u>		
		275.70		
16321	09/09/21	CHU01 CHURCH'S GARDEN CENTER & FARM		1852
21-00467	STATEMENT	338.40		
16322	09/09/21	CONST005 CONSTELLATION NEW ENERGY INC		1852
21-00485	ELECTRIC BILL	4.66		
16323	09/09/21	COU02 COURT HOUSE OFFICE SUPPLIES		1852
21-00479	OFFICE SUPPLIES	70.89		
16324	09/09/21	GAR01 GARDEN STATE HIGHWAY PRODUCTS		1852
21-00433	SIGNS ETC	1,235.00		
16325	09/09/21	GRR01 GRR CONSULTING SERVICES LLC		1852
21-00492	CONSULTING SERV AUGUST 2021	3,525.00		
16326	09/09/21	HER02 HERITAGE TOWERS		1852
21-00483	TRAILER TIRES FOR WAVE RUNNER	430.00		
16327	09/09/21	JAC01 J & A CLEANING SERVICE		1852
21-00481	CLEANING	300.00		
16328	09/09/21	LOW01 LOWE'S		1852
21-00489	STATEMENT	914.40		
16329	09/09/21	NAT04 VAN EMBDEN, NATHAN, ESQUIRE		1852
21-00493	PLANNING BOARD SOLICITOR	1,761.20		
16330	09/09/21	NOR02 NORTHERN SAFETY CO		1852
21-00428	MEDICAL SUPPLIES	241.54		
16331	09/09/21	OAR01 OAR HOUSE LLC		1852
21-00470	OARS, BLADES, ETC	1,470.00		
16332	09/09/21	PIE01 PIER 47 MARINA		1852
21-00440	CHARGING ISSUE	433.98		
16333	09/09/21	REN01 RENTAL COUNTRY INC.		1852
21-00442	STATEMENT	147.58		
16334	09/09/21	RUT01 RUTGERS, THE STATE UNIVERSITY		1852
21-00494	OPRA FOR P/Z COURSE	50.00		

September 7, 2021
11:42 AM

BOROUGH OF CAPE MAY POINT
Check Register By Check Id

Page No: 2

Check #	Check Date	Vendor	Reconciled/Void	Ref Num
PO #	Description	Amount Paid	Contract	
16335	09/09/21	SHE01 21-00466 RADIATOR CAP	SHEPANSKI'S AUTO REPAIR 259.65	1852
16336	09/09/21	SOU06 21-00474 GAS BILL	SOUTH JERSEY GAS 114.71	1852
16337	09/09/21	VAN01 21-00480 ENGINEERING	VAN NOTE-HARVEY ASSOCIATES 9,847.10	1852
16338	09/09/21	VER01 21-00473 PHONE BILLS	VERIZON 232.45	1852
16339	09/09/21	VIL01 21-00469 AUTO PARTS	NAPA AUTO PARTS 474.71	1852

Report Totals	<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
Checks:	21	0	22,142.47	0.00
Direct Deposit:	<u>0</u>	<u>0</u>	<u>0.00</u>	<u>0.00</u>
Total:	<u>21</u>	<u>0</u>	<u>22,142.47</u>	<u>0.00</u>

Totals by Year-Fund					
Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
CURRENT	1-01	8,900.26	0.00	0.00	8,900.26
	1-05	<u>3,513.41</u>	<u>0.00</u>	<u>0.00</u>	<u>3,513.41</u>
Year Total:		12,413.67	0.00	0.00	12,413.67
	C-04	5,433.90	0.00	0.00	5,433.90
	G-02	2,149.40	0.00	0.00	2,149.40
TRUST ACCOUNT EXPENDITURES	T-13	2,145.50	0.00	0.00	2,145.50
Total of All Funds:		<u><u>22,142.47</u></u>	<u><u>0.00</u></u>	<u><u>0.00</u></u>	<u><u>22,142.47</u></u>

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

ORDINANCE 07-2021

**ORDINANCE AMENDING CHAPTER 146 "WATER AND SEWER UTILITY" OF THE
BOROUGH OF CAPE MAY POINT MUNICIPAL CODE**

WHEREAS, the Board of Commissioners wishes to amend Chapter 146, "Water and Sewer Utility" to clarify the cost of installation of special meters, the water rate to be charged for all water registered through said meter, and the rate for temporary construction connections.

NOW, THEREFORE, BE IT ORDAINED, by the Board of Commissioners of the Borough of Cape May Point, that Chapter 146 "Water and Sewer Utility" be amended as follows (additions in underline, deletions in ~~strikethrough~~):

Section 1.

146-13 METERED SERVICE FOR RESIDENTIAL, COMMERCIAL AND INDUSTRIAL CONSUMERS, Section (a)(4) shall be supplemented as follows:

4. Special Water Meter Requests. Written application may be made to the Superintendent for the installation of special water meters for swimming pools, air conditioners, sprinklers and similar uses not discharging the entire volume of water into the sanitary sewer system, and the volume of water flowing through special meters shall not be subject to sewer rental. The entire cost of the meter and the installation of the meter shall be borne by the applicant. The fee is \$1,415 to include parts to be supplied by the Borough. All water use registered by this meter will be charged at a rate of \$11.05 per 1,000 gallons or fraction thereof, along with a quarterly fee of \$30. The provision in section 146-13(a)(3) above shall apply.

Section 1.

146-15 CONSTRUCTION RATES.

- a. The charge for a temporary connection shall be \$200 per day ~~flat rate. This includes the water consumed.~~ A rate of \$11.05 per 1,000 gallons or a fraction thereof, as registered by the meter. The provision in section 146-13(a)(3) above shall apply.
- b. If any contractor or other person shall desire to temporarily connect to that portion of the borough water system outside the Borough, a written application, in duplicate, must be submitted to the Municipal Clerk 24 hours prior to the time

said use is desired and ~~an appropriate fee must be paid to the City of Cape May~~ any necessary fee must be paid to the Borough of West Cape May. Approval of said application shall be dependent upon the effect that the desired use would have upon the normal operation of the water system.

Section 3. Any article, section, paragraph, subsection, clause, or other provision of the Borough of Cape May Point Municipal Code that is inconsistent with the provisions of this ordinance is hereby repealed to the extent of any such inconsistency.

Section 4. If any section, paragraph, subsection, clause, or provision of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudged, and the remainder of this ordinance shall be deemed valid and effective.

Section 5. This ordinance shall take effect twenty (20) days after final passage and publication, as provided for by law.

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

Catherine Busch, Commissioner

Anita vanHeeswyk, Commissioner

Robert Moffatt, Mayor

ATTEST:

Elaine L. Wallace, Borough Clerk

FIRST READING: August 12, 2021

PUBLICATION: August 18, 2021

PUBLIC HEARING: September 9, 2021

PUBLICATION: September 15, 2021