

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: 869 0277 0723 Passcode: 287008

Direct link: <https://us02web.zoom.us/j/86902770723?pwd=SUVieUNMZVJucU1WWE1IRXpTVkZrZz09>

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 Noon the Monday before the meeting.

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

BOROUGH MEETING OF FEBRUARY 22, 2022 – 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)

ADMINISTRATOR'S REPORT

PUBLIC QUESTIONS ON AGENDA ITEMS ONLY

MINUTES: None

ORDINANCE FOR INTRODUCTION AND PUBLICATION: None

RESOLUTIONS

- 39-22 Appointment to Cape May Point Fire Company Number 1
- 40-22 Authorizing Removal of Asphalt Curbing and Patching of Sidewalk Area in Borough-owned Right of Way by JDL Concrete
- 41-22 Authorizing Grant Application for a Water Quality Restoration Grant Through New Jersey Department of Environmental Protection
- 42-22 Authorizing Issuance of a Petty Change Bank for the Beach Director
- 43-22 Authorizing Issuance of a Petty Change Bank for the Shared Municipal Court
- 44-22 Authorizing the Application to the NJ Clean Energy Program Community Energy Planning Grant Program
- 45-22 Approval of Bill List

ORDINANCE FOR SECOND READING / PUBLIC HEARING / ADOPTION: None

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 39-22

APPOINTMENT TO CAPE MAY POINT FIRE COMPANY NUMBER 1

NOW THEREFORE BE IT RESOLVED by the governing body of the Borough of Cape May Point, County of Cape May, State of New Jersey, that Ian Mahon is hereby appointed to the membership of the Cape May Point Fire Company Number 1 and is entitled to all the rights and privileges thereof.

	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 February 22, 2020.

Municipal Clerk

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

RESOLUTION 40-22

**RESOLUTION AUTHORIZING REMOVAL OF ASPHALT CURBING AND PATCHING
OF SIDEWALK AREA IN BOROUGH-OWNED RIGHT OF WAY BY JDL CONCRETE**

WHEREAS, the Borough of Cape May Point (the "Borough") has received a certain request for approval to remove existing asphalt curbing and the patching of sidewalk area in the Borough right-of-way located adjacent to Somewhere in Time Condominium, located at 202 Ocean Avenue in the Borough of Cape May Point; and

WHEREAS, the Borough has received a proposal in the amount of \$4,000.00 from JDL Concrete, a New Jersey licensed and insured contractor, for performance of such removal of asphalt curbing and the patching of the sidewalk area located in the Borough-owned right of way; 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, Somewhere in Time Condominium Association, the managing association of real property located at 202 Ocean Avenue, Cape May Point, New Jersey 08212, has agreed to issue payment directly to JDL Concrete, on behalf of the Borough, in the amount of \$4,000.00, for any, and all, costs and expenses incurred related to this construction project; and

WHEREAS, Somewhere in Time Condominium Association understands and agrees that in consideration for the Borough's allowance of this construction project in the Borough-owned right of way, Somewhere in Time Condominium Association shall be solely responsible for maintenance and upkeep costs of the sidewalk area that is the subject of this construction project from the date of completion of the construction project forward; 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 JDL Concrete and Somewhere in Time Condominium Association for the 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 completion of construction

services set forth in the proposal of JDL Concrete, in the amount of \$4,000.00, for the purpose of removal of existing asphalt curbing and for patching damaged sidewalk area in the Borough right-of-way adjacent to 202 Ocean Avenue, Cape May Point, New Jersey 08212.

	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 41-22

**AUTHORIZING GRANT APPLICATION FOR A WATER QUALITY RESTORATION
GRANT THROUGH NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION**

WHEREAS, Lake Lily (hereafter known as the Lake) is a popular, public accessible, aesthetic, recreational waterbody located in the Borough of Cape May Point, Cape May County, NJ (hereafter known as the Borough); and

WHEREAS, the Lake offers a variety of aesthetic and recreational amenities to the residents of the Borough; and

WHEREAS, the Lake has been identified as a Natural Heritage Priority Site for the conservation of New Jersey's biological diversity, and provides critical habitat for resident wildlife and migratory birds; and

WHEREAS, the Lake is known to experience a variety of potential water quality problems including high densities of submerged aquatic vegetation, periodic Harmful Algal Blooms (HABs) and in-filling with sediment; and

WHEREAS, HABs are known to pose a direct health hazard to humans as well as pets who may drink the water and wildlife who may live in the Lake; and

WHEREAS, the development of a Lake / Watershed Plan would develop a strategy toward addressing these water quality problems on a short and long-term basis; and

WHEREAS, the Borough is seeking funds from the New Jersey Department of Environmental Protection (NJDEP) through the Water Quality Restoration Grants program, which includes non-point source 319 funding, to cover the costs associated with the development of the Plan: and

WHEREAS, grant applications are due by the 28th of February 2022 and the Borough will work with Princeton Hydro to submit a grant application at no charge to the Borough; and

WHEREAS, if the Borough is awarded funding through this grant program that Princeton Hydro would conduct the consulting, monitoring, data analysis and development of the plan services associated with the project.

WHEREAS, the total amount of requested funds is \$83,600, which will cover these services associated with the project.

WHEREAS, if awarded funding the Borough will contribute an in-kind match of \$10,140 toward the management and administration of the project, review and comment on the draft Plan and hosting two public meetings.

NOW, THEREFORE, BE IT RESOLVED BY THE BOROUGH OF CAPE MAY POINT that on this the 22nd day of February 2022, the Borough authorizes Princeton Hydro to provide the Borough with material for a Water Quality Restoration grant application to be submitted to the NJDEP by the 28th of February 2022, requesting funds for the development of a Lake / Watershed Plan for Lake Lily at no cost to the Borough.

BE IT FURTHER RESOLVED that if the Borough of Cape May Point is awarded funds through the NJDEP's Water Quality Restoration grant program that associated project plan services will be conducted by Princeton Hydro, to be paid through the grant.

	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 NO. 42-22

**AUTHORIZING ISSUANCE OF A PETTY CHANGE BANK
FOR THE BEACH DIRECTOR**

WHEREAS, it is necessary for the efficient operation of the Beach Tag Sales Office to have on-hand a petty change bank during the months when beach tags are sold.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of the Borough of Cape May Point does hereby authorize the Finance Office to issue a check in the amount of \$1,000.00 to the Beach Director for the purpose of a petty change bank.

	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 NO. 43-22

**AUTHORIZING ISSUANCE OF A PETTY CHANGE BANK
FOR THE SHARED MUNICIPAL COURT**

WHEREAS, it is necessary for the efficient operation of the Shared Municipal Court to have on-hand a petty change bank for people paying fines.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of the Borough of Cape May Point does hereby authorize the Finance Office to issue a check in the amount of \$100.00 to the Shared Municipal Court for the purpose of a petty change bank.

	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 44-22

**RESOLUTION AUTHORIZING THE APPLICATION TO THE
NJ CLEAN ENERGY PROGRAM COMMUNITY ENERGY PLANNING GRANT
PROGRAM**

WHEREAS, a sustainable community seeks to ensure that its environmental, economic and social objectives are balanced and mutually supportive; and

WHEREAS, the Borough of Cape May Point strives to assure clean land, air and water for current and future generations; and

WHEREAS, New Jersey's Energy Master Plan: Pathway to 2050 ("EMP") established that community-level action is necessary to achieve the state's goal of 100% clean energy by 2050; and

WHEREAS, the New Jersey Board of Public Utilities has created a Community Energy Plan Grant program for municipalities to develop a community energy plan to meet the goals of the state's Energy Master Plan; and

WHEREAS, the Borough of Cape May Point is invested in developing a community energy plan to help the state achieve the goal of 100% clean energy by 2050; and

WHEREAS, the Community Energy Plan Grant program will help Borough of Cape May Point to plan for and invest in renewable energy and to work towards a better environment for all residents by using the state's Energy Master Plan (EMP) as a guide to develop sustainable strategies that increase clean energy production, reduce energy use, and cut emissions.

THEREFORE, the Board of Commissioners of the Borough of Cape May Point has determined the Borough should apply for the aforementioned Community Energy Plan Grant program; and

THEREFORE, the Borough of Cape May Point will commit to providing staff support for the duration of the Community Energy Planning process, including for gathering of relevant data and for convening at least two public meetings.

THEREFORE, BE IT RESOLVED, the Board of Commissioners of the Borough of the Borough of Cape May Point, State of New Jersey, authorizes the submission of the aforementioned application to the NJBPU Community Energy Plan Grant program.

	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 45-22

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 \$6,800.07

	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Busch						
Moffatt						
vanHeeswyk						

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Municipal Clerk

Range of Checking Accts: OTHER to OTHER Range of Check Ids: 16596 to 16605
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	
16596	02/22/22	360BU005 360 BUSINESS SOLUTIONS 22-00087 POSTAGE MACHINE	156.00	1863
16597	02/22/22	ATL01 ATLANTIC CITY ELECTRIC 22-00088 ELECTRIC CHARGES	2,192.92	1863
16598	02/22/22	CAP14 CAPE MAY COUNTY MUA 22-00089 SOLID WASTE DUMP FEE JAN 2022	544.53	1863
16599	02/22/22	FPM01 FP MAILING SOLUTIONS 22-00092 POSTAGE MACHINE	126.00	1863
16600	02/22/22	LOW01 LOWE'S 22-00083 STATEMENT	217.55	1863
16601	02/22/22	NEW02 NEW JERSEY PLANNING OFFICIALS 22-00086 CLASS REGISTRATIONS	208.00	1863
16602	02/22/22	ONE02 ONE CALL CONCEPTS 22-00084 MARK OUTS	18.59	1863
16603	02/22/22	SOU06 SOUTH JERSEY GAS 22-00090 GAS BILLS	1,035.13	1863
16604	02/22/22	USBAN005 US BANK EQUIPMENT FINANCE 22-00085 COPIER	155.00	1863
16605	02/22/22	VAN01 VAN NOTE-HARVEY ASSOCIATES 22-00096 ENGINEERING	2,146.35	1863

Report Totals	<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
Checks:	10	0	6,800.07	0.00
Direct Deposit:	<u>0</u>	<u>0</u>	<u>0.00</u>	<u>0.00</u>
Total:	10	0	6,800.07	0.00

Totals by Year-Fund Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
CURRENT	2-01	3,133.54	0.00	0.00	3,133.54
	2-05	<u>1,520.18</u>	<u>0.00</u>	<u>0.00</u>	<u>1,520.18</u>
Year Total:		4,653.72	0.00	0.00	4,653.72
TRUST ACCOUNT EXPENDITURES	T-13	2,146.35	0.00	0.00	2,146.35
Total of All Funds:		<u>6,800.07</u>	<u>0.00</u>	<u>0.00</u>	<u>6,800.07</u>