

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 AUGUST 23, 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

ORDINANCE FOR INTRODUCTION AND PUBLICATION: None

RESOLUTIONS

- 98-22 Authorization to Accept the Audit Report for 2021
- 99-22 Authorizing Change Order #1 Final and Payment Certificate #3 Final for Yale Avenue Water System Project
- 100-22 Authorizing the Disposal of Surplus Property
- 101-22 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 98-22

AUTHORIZATION TO ACCEPT THE AUDIT REPORT FOR 2021

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year 2021 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34; and

WHEREAS, the Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled:

**GENERAL COMMENTS
RECOMMENDATIONS**

and;

WHEREAS, the members of the governing body have personally reviewed, as a minimum, the sections of the Annual Audit entitled:

**GENERAL COMMENTS
RECOMMENDATIONS**

As evidenced by the group affidavit form of the governing body; and

WHEREAS, such resolution of certification shall be adopted by the governing body no later than forty-five (45) days after the receipt of the annual audit, as per the regulations of the Local Finance Board; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit: R.S. 52:27BB-52 – “A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Governing Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand

dollars (\$1,000.00) or imprisoned for not more than one (1) year, or both, and in addition shall forfeit his office.”

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of the Borough of Cape May Point, County of Cape May, State of New Jersey, hereby states that it has complied with the promulgations of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this Resolution and the required affidavit to said Board to demonstrate evidence of said compliance.

	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 August 23, 2022.

Municipal Clerk

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

RESOLUTION 99-22

**APPROVAL OF CHANGE ORDER #1 FINAL AND
PAYMENT CERTIFICATE #3 FINAL
FOR YALE AVENUE WATER SYSTEM PROJECT**

WHEREAS, Lafayette Utility Construction Co., Inc. was previously awarded a contract for the Yale Avenue Water System Project in the amount of \$471,057.70; and

WHEREAS, during the course of work on the project, field conditions necessitated changes to the bid quantities resulting in overages totaling \$50,172.07 and reductions totaling \$16,010.90, with a net increase of \$34,161.17; and

WHEREAS, the work is complete and it is necessary to adjust the contract amount to increase the total by \$34,161.17 (a 7.3% increase) as shown on Change Order #1 Final.

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 approve Change Order #1 Final which increases the contract by \$34,161.17, making the new total contract amount \$505,218.87.

BE IT FURTHER RESOLVED the project is hereby declared to be complete and the Board of Commissioners hereby authorize Payment Certificate #3 Final in the amount of \$85,222.32.

	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 August 26, 2022.

Municipal Clerk

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

RESOLUTION 100-22

AUTHORIZING THE DISPOSAL OF SURPLUS PROPERTY

WHEREAS, the Borough of Cape May Point wishes to dispose of Borough property that has been deemed surplus and no longer needed for public use; and

WHEREAS, the State of New Jersey permits the sale of surplus property no longer needed for public use through the use of an online auction service, pursuant to the Local Unit Electronic Technology Pilot Program and Study Act, P.L. 2001,c.30.; and

WHEREAS, the Borough of Cape May Point has a list of equipment, attached as schedule A, and it wishes to sell this property at an online auction.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Cape May Point, New Jersey, that the aforementioned property has been deemed surplus and no longer needed for public use and is hereby authorized to post an offer to sell the item on an auction website as follows:

Online Auction Site:	www. govdeals.com
Length of Online Auction:	Minimum of 14 days
Auction Fees:	7.5% of the total amount of all items sold (to be paid through proceeds of the sale)
Method of Payment:	US Currency - Cash, Certified Check, Money Order or Traveler's Checks
Shipping:	The buyer is responsible to pickup, load and transport all items purchased
Possession:	When payment has been made in full
Other Terms:	Items are sold "As Is Where Is" and without warranty. Payment in full is due no later than five (5) business days from the time and date of the Buyer's Certificate (issued by Gov Deals Email) being received.
Minimum Bid:	To be determined on an item for item basis

Recorded Vote:	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Busch						
Moffatt						
vanHeeswyk						

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Municipal Clerk

Schedule A

5 Cummins Generators, 200kw Diesel Engines

Speed Monitor Sign

Water Pump

Scag Wildcat riding mower

4 beach patrol rescue paddle boards

Husqvarna lawn mower

Kerosene heater

Lot of Beach umbrellas

2 Lots of beach chairs

Stihl concrete/metal saw

Metal grass catcher

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

RESOLUTION 101-22

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 \$.

	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 August 23, 2022.

Municipal Clerk