

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](mailto:ewallace@capemaypoint.org) by 12:00 Noon the Monday before the meeting.

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

**BOROUGH MEETING OF SEPTEMBER 27, 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**

- 108-22 Authorization Water Bill Adjustment for Sewer Charges Only
- 109-22 Resolution Requesting Approval for the Inclusion of Revenue: NJDEP Green Communities Grant in the Amount of \$3,000
- 110-22 Resolution Requesting Approval for the Inclusion of Revenue: NJ Clean Energy Grant in the Amount of \$25,000
- 111-22 Authorizing a Shared Services Agreement with the Cape May County Municipal Utilities Authority for Solid Waste Disposal and Recycling Services
- 112-22 Appointment to Cape May Point Volunteer Fire Company #1
- 113-22 Authorizing the Tax Collector to Refund Overpayment of Taxes
- 114-22 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 108-22**

**AUTHORIZING WATER BILL ADJUSTMENT FOR SEWER CHARGES ONLY**

**WHEREAS**, Chapter 146, Section 17.d of the Code of the Borough of Cape May Point establishes the process for relief of the excess water usage fees under certain circumstances; and

**WHEREAS**, pursuant to Ordinance 04-2021, the Borough instituted excess sewer charges based on all excess water used; and

**WHEREAS**, it has been determined that the following property owners have not met the conditions necessary to qualify for excess water billing relief, but the water lost did not enter the sewer system resulting in an unnecessary excess sewer charge; and

**WHEREAS**, as a result, the Water Sewer Clerk and Commissioner of Public Works, Parks and Public Property have deemed it reasonable to adjust the excess sewer billing, based on the higher of minimum usage amount of 6,500 gallons or the 5-year water usage average, as relief to the following property owners:

Account #	Name/ Address	Sewer Amount Billed	Adjustment Granted	Adjusted Bill Amount
545-0	Foley 109 Yale	\$ 723.95	\$ 608.00	\$ 115.94
168-0	Adams 312 Cape	\$ 864.78	\$ 750.78	\$ 114.00

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of the Borough of Cape May Point hereby approve the aforementioned adjusted sewer bills.

	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 the 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 27, 2022.

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

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

**RESOLUTION NO. 109-22**

**RESOLUTION REQUESTING APPROVAL FOR THE INCLUSION OF REVENUE:  
NJDEP GREEN COMMUNITIES GRANT IN THE AMOUNT OF \$3,000.00**

**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 2022 in the total sum of \$3,000.00 now available as a revenue pursuant to the provisions of the statute under the State of New Jersey.

Revenue: **NJ DEP Green Communities Grant**

**BE IT FURTHER RESOLVED**, that the like sum of \$3,000.00 is hereby appropriated under the caption of:

Appropriation: Public and Private Programs Offset by Revenues: **NJ DEP Green Communities 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. 110-22**

**RESOLUTION REQUESTING APPROVAL FOR THE INCLUSION OF REVENUE:  
NJ CLEAN ENERGY – COMMUNITY ENERGY GRANT IN THE AMOUNT OF  
\$25,000.00**

**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 2022 in the total sum of \$25,000.00 now available as a revenue pursuant to the provisions of the statute under the State of New Jersey.

Revenue: **NJ Clean Energy – Community Energy Grant**

**BE IT FURTHER RESOLVED**, that the like sum of \$25,000.00 is hereby appropriated under the caption of:

Appropriation: Public and Private Programs Offset by Revenues: **NJ Clean Energy – Community Energy 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 111-22**

**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 management 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, 2022; 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, 2023; and

**WHEREAS**, the Authority has offered the “Shared Services Agreement for Solid Waste Disposal and Recycling Services” to the Borough of Cape May Point in order to more efficiently provide and continue to offer municipalities within Cape May County the use of the CMCMUA’s System from January 1, 2023 through December 31, 2023; 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, 2023; 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, 2023, 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 2-01-26-306-021, 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, 2023. I further certify that this commitment together with all previously made commitments does not exceed the appropriation balance available for this purpose.

Dated: September 27, 2022  
 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 27, 2022.

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

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

**RESOLUTION 112-22**

**APPOINTMENT TO CAPE MAY POINT FIRE COMPANY NUMBER 1**

**NOW THEREFORE BE IT RESOLVED** the governing body of the Borough of Cape May Point, County of Cape May, State of New Jersey, hereby approves the Cape May Point Fire Company Number 1's appointment of Kennedy Campbell as a member 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 September 27, 2022.

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

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

**RESOLUTION 113-22**

**AUTHORIZING THE TAX COLLECTOR TO REFUND  
OVERPAYMENT OF TAXES**

**BE IT RESOLVED** by the Board of Commissioners of the Borough of Cape May Point, County of Cape May, State of New Jersey, that a refund of overpaid 2<sup>nd</sup> quarter 2022 taxes, as recommended by the Borough Tax Collector, be authorized as follows:

<u>BLOCK/LOT</u>	<u>ADDRESS</u>	<u>NAME</u>	<u>AMOUNT</u>
34/10	508 Coral Avenue	CORELOGIC on behalf of owners	\$938.63

	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Busch		X	X			
Moffatt						X
vanHeeswyk	X		X			

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



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

**RESOLUTION 114-22**

**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 \$35,366.30.

	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: 16948 to 16972  
Report Type: All Checks Report Format: Condensed Check Type: Computer: Y Manual: Y Dir Deposit: Y

Check # PO #	Check Date	Vendor Description	Amount Paid	Reconciled/Void	Ref Num Contract
16948 22-00466	09/27/22	ATL01 ATLANTIC CITY ELECTRIC ELECTRIC BILLS	1,906.38		1878
16949 22-00484	09/27/22	BEN02 BENJAMIN SWAN REIMBURSEMENT	461.47		1878
16950 22-00479	09/27/22	CAP03 CAPE MAY STAR & WAVE LEGAL ADVERTISING	29.00		1878
16951 22-00481	09/27/22	CAP12 CAPE MAY LUMBER COMPANY STATEMENT	128.00		1878
16952 22-00482	09/27/22	CAP14 CAPE MAY COUNTY MUA SOLID WASTE AUGUST 2022	2,775.41		1878
16953 22-00476	09/27/22	CAP31 CAPE MINING & RECYCLING LLC CONCRETE	10.00		1878
16954 22-00471	09/27/22	CAPIT005 CAPITAL ONE TRADE CREDIT NORTHERN TOOL MAIL	49.99		1878
16955 22-00475	09/27/22	CAS01 CASA PAYROLL SERVICE PAYROLL	175.00		1878
16956 22-00478	09/27/22	CMP01 CM POINT VOLUNTEER FIRE CO #1 ANNUAL FUNDING	9,250.00		1878
16957 22-00459	09/27/22	COU02 COURT HOUSE OFFICE SUPPLIES OFFICE SUPPLIES	59.95		1878
16958 22-00464	09/27/22	GAR01 GARDEN STATE HIGHWAY PRODUCTS ALUMINUM BLANK	362.50		1878
16959 22-00460	09/27/22	GOLDM005 GOLD MEDAL ENVIRONMENTAL TRASH/RECYCLING	5,283.33		1878
16960 22-00487	09/27/22	GRR01 GRR CONSULTING SERVICES LLC CONSULTING SERV AUG 2022	4,875.00		1878
16961 22-00483	09/27/22	LOW01 LOWE'S STATEMENT	1,104.77		1878
16962 22-00486	09/27/22	NAT04 VAN EMBDEN, NATHAN, ESQUIRE SOLICITOR ADMIN	642.00		1878
16963 22-00463	09/27/22	ONE02 ONE CALL CONCEPTS MARK OUTS	31.46		1878
16964 22-00477	09/27/22	REG01 REGISTRARS ASSN. OF NEW JERSEY 2022 DUES	50.00		1878

Check #	Check Date	Vendor	Reconciled/Void	Ref Num
PO #	Description	Amount Paid	Contract	
16965	09/27/22	RIO01 RIO SUPPLY,INC 22-00473 ANTENNAS/BALL VLVE	3,835.60	1878
16966	09/27/22	STA02 STATE OF NEW JERSEY PWT 22-00488 THIRD QU WATER TAX 2022	79.57	1878
16967	09/27/22	SWA01 SWAIN'S ACE HARDWARE 22-00480 AUGUST STATEMENT	293.54	1878
16968	09/27/22	THEDE005 The Deweese Law Firm, P.C. 22-00474 SOLICITOR AUGUST	2,212.00	1878
16969	09/27/22	UNI05 UNITED UNIFORM 22-00485 UNIFORMS	1,362.00	1878
16970	09/27/22	USBAN005 US BANK EQUIPMENT FINANCE 22-00470 COPIER	155.00	1878
16971	09/27/22	VER03 VERIZON WIRELESS 22-00462 CELL PHONE	113.54	1878
16972	09/27/22	XTE01 XTEL COMMUNICATIONS INC 22-00469 LONG DISTANCE	120.79	1878
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Report Totals		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>
	Checks:	25	0	35,366.30
	Direct Deposit:	0	0	0.00
	Total:	<u>25</u>	<u>0</u>	<u>35,366.30</u>
				<u>0.00</u>

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Totals by Year-Fund Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
CURRENT	2-01	32,516.72	0.00	0.00	32,516.72
	2-05	<u>2,028.78</u>	<u>0.00</u>	<u>0.00</u>	<u>2,028.78</u>
Year Total:		34,545.50	0.00	0.00	34,545.50
	G-02	820.80	0.00	0.00	820.80
Total of All Funds:		<u><u>35,366.30</u></u>	<u><u>0.00</u></u>	<u><u>0.00</u></u>	<u><u>35,366.30</u></u>