

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: 819 6696 5626 Passcode: 004714

Direct link: <https://us02web.zoom.us/j/81966965626?pwd=N29ZRHJXOTIOWE5VnZSTXAzMGhhUT09>

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 DECEMBER 19, 2023 – 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/REPORTS

- Draft Ordinances for Open Burning and Paragliders/Drones
- Draft Beach Management Plan
- Lehigh Avenue Parking

ADMINISTRATOR'S REPORT

PUBLIC QUESTIONS ON AGENDA ITEMS ONLY

APPROVAL OF MINUTES

December 7, 2023 Regular Meeting

ORDINANCES FOR INTRODUCTION AND PUBLICATION:

RESOLUTIONS

- 127-23 Authorizing Purchase of Rosenbauer Pumper with Commander Chassis through HGACBuy Purchasing Cooperative
- 128-23 Authorizing the Refund of Affordable Housing Payment
- 129-23 Authorizing Water Bill Adjustment in Accordance with Ch. 146-17.d "Water Leakage Policy" of the Code of the Borough of Cape May Point
- 130-23 Approval of Bill List

ORDINANCES 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 127-23

**AUTHORIZING PURCHASE OF ROSENBAUER PUMPER WITH COMMANDER
CHASSIS THROUGH HGACBUY PURCHASING COOPERATIVE**

WHEREAS, N.J.S.A. 52:34-6.2 (b) P.L. 2011, c.139 was enacted into law permitting agencies to use national purchasing cooperatives so they may, without advertising for bid, purchase any materials, supplies or equipment from vendors which have contracted with a national purchasing cooperative; and

WHEREAS, pursuant to said statute, the Borough of Cape May Point adopted Resolution 35-21 authorizing participation in the National Cooperative by HGACBuy; and

WHEREAS, the Borough wishes to purchase a Rosenbauer Pumper with Commander Chassis from Defender Emergency Products Sales & Service through HGACBuy contract # FS12-19 at a total cost of \$859,673.00; and

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Borough of Cape May Point, the governing body thereof, the purchase of a Rosenbauer Pumper with Commander Chassis from Defender Emergency Products Sales & Service is hereby approved in the amount of \$859,673.00, contingent upon certification of funds by the Chief Financial Officer.

	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Busch						
Moffatt						
vanHeeswyk						

I, James V. Craft, Chief Finance Officer of the Borough of Cape May Point, hereby certify that funds are available in the General Capital Fund Account C-04-55-998-211, to award the purchase of a Rosenbauer Pumper for \$859,673.00 through the HGACBUY Purchasing Cooperative. I further certify that this commitment together with all previously made commitments does not exceed the appropriation balance available for this purpose.

Dated: December 19, 2023

Signed: James V. Craft

James V. Craft, Chief Financial Officer

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 December 19, 2023.

Municipal Clerk

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

RESOLUTION 128-23

AUTHORIZING THE REFUND OF AFFORDABLE HOUSING PAYMENT

WHEREAS, an affordable housing residential development fee was collected in connection with renovations at 510 Cedar Avenue; and

WHEREAS, because the existing structure at 510 Cedar Avenue was not expanded and the renovations were solely interior changes, the collection of the development fee was done in error and must be refunded.

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 authorizes the refund of an erroneously collected affordable housing development fee as follows:

<u>ADDRESS</u>	<u>NAME</u>	<u>AMOUNT</u>
510 Cedar	Kelly, Mary & Meyerink, Christopher	\$2,813.00

	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 December 19, 2023.

Municipal Clerk

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

RESOLUTION 129-23

**AUTHORIZING WATER BILL ADJUSTMENT IN ACCORDANCE WITH
CH. 146-17.d "WATER LEAKAGE POLICY" OF THE CODE OF THE BOROUGH
OF CAPE MAY POINT**

WHEREAS, Chapter 146, Section 17.d of the Code of the Borough of Cape May Point allows for relief of the excess water usage fee if a homeowner experienced a catastrophic event not specifically related to winterizing their home, such as a broken water line or malfunctioning equipment or similar event, for which there was no reasonable way for the leakage to be discovered, and there had been no other breakage or unusually large water consumption in the prior five-year period; and

WHEREAS, when these conditions are met, the water bill shall be computed in the manner described by Code; and

WHEREAS, it has been determined that the following property owner has met these conditions and is therefore eligible for billing relief:

<u>Account #</u>	<u>Name/ Address</u>	<u>Amount Billed</u>	<u>Adjustment Granted</u>	<u>Adjusted Bill Amount</u>
141-0	Schuck 306 Brainard Avenue	\$1,233.34	\$ 341.34	<u>\$ 892.00</u>

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Borough of Cape May Point hereby approve the aforementioned adjusted water bill in accordance with Chapter 146-17 of the Code of the Borough of Cape May Point.

BE IT FURTHER RESOLVED there shall be no further relief granted on this account over the next five years.

	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 December 19, 2023.

Municipal Clerk

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

RESOLUTION 130-23

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 December 7, 2023.

Municipal Clerk