

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: 869 5269 5930 Passcode: 375247**

**Direct link: <https://us02web.zoom.us/j/86952695930?pwd=ekZlcVZ6WFZBYUxuL3BMRENqNG5nQT09>**

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 PM the Wednesday before the meeting.

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

**BOROUGH MEETING – MAY 11, 2023 – 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, Mayor Moffatt, Commissioner vanHeeswyk

**COMMISSIONERS' DISCUSSION/REPORTS**

**ADMINISTRATOR'S REPORT**

**PUBLIC COMMENT ON AGENDA ITEMS ONLY**

**APPROVAL OF MINUTES**

April 25, 2023 Work Session

**ORDINANCES FOR INTRODUCTION / PUBLICATION:**

05-2023 Amending and Supplementing Chapter 142 "Vehicles and Traffic" of the Code of the Borough of Cape May Point to Prohibit Exhibition Driving  
*Second Reading/Public Hearing/Adoption – June 8, 2023 at 6 pm*

**RESOLUTIONS**

- 63-23 Authorizing Execution of a State Aid Agreement with New Jersey Department of Environmental Protection for Fourth and Fifth Beach Renourishment Cycles
- 64-23 Authorizing Special Event Permit – Caitlyn Duhon
- 65-23 Declaring the Official Opening Date of the Cape May Point Beaches to Bathing and Fishing for 2023 Season
- 66-23 Appointing Interim CRS Coordinator and Floodplain Administrator
- 67-23 Approval of Bill List

**ORDINANCES FOR SECOND READING / PUBLIC HEARING / ADOPTION**

04-2023 Ordinance Appropriating \$167,134.08 from the Capital Improvement Fund for Beach Renourishment

**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 NO. 63-23**

**AUTHORIZING EXECUTION OF A STATE AID AGREEMENT WITH NEW JERSEY  
DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR FOURTH AND FIFTH  
BEACH RENOURISHMENT CYCLES**

**WHEREAS**, the Borough of Cape May Point previously entered into an agreement with the New Jersey Department of Environmental Protection (“NJDEP”) for Construction of the Lower Cape May Meadows-Cape May Point New Jersey Ecosystem Restoration Project; and

**WHEREAS**, it is necessary to enter into a State Aid Agreement (“the Agreement”) with the NJDEP for the fourth and fifth nourishment cycles.

**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 Mayor and Clerk to sign the Agreement with NJDEP for the fourth and fifth renourishment cycles, project number 6056-CMP-R4&R5.

	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Busch						
Moffatt						
vanHeeswyk						

I hereby certify 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 May 11, 2023.

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

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

**RESOLUTION 64-23**

**AUTHORIZING SPECIAL EVENT PERMIT FOR CAITLYN DUHON**

**WHEREAS**, Caitlyn Duhon has applied for a Special Event Permit for the purpose of having a wedding on the beach between Brainard Avenue and Central Avenue on Saturday, September 23, 2023 from 3:30 pm to 7:30 pm; and

**WHEREAS**, the applicant has supplied all documentation required under Ordinance No. 551-08, including the requisite Certificate of Insurance, and has further pledged to comply with all applicable rules and regulations pertaining to the conduct of said Special Event.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Borough of Cape May Point, County of Cape May, New Jersey that the Borough Clerk is hereby authorized to issue Special Event Permit to Caitlyn Duhon a wedding on the beach between Brainard and Central Avenues on Saturday, September 23, 2023, between 3:30 pm and 7:30 pm.

	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Busch						
Moffatt						
vanHeeswyk						

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

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

**RESOLUTION NO. 65-23**

**DECLARING THE OFFICIAL OPENING DATE OF CAPE MAY POINT  
BEACHES TO BATHING AND FISHING FOR 2023 SEASON**

**WHEREAS**, Section 58-11B of the annotated code of the Borough of Cape May Point requires that the commissioners declare by resolution which beaches are open or closed to swimming, fishing and kayaking, and

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Borough of Cape May Point as follows:

1. The beaches shall open on Saturday, June 17, 2023.
2. Bathing/swimming is allowed on protected beaches and within the designated areas only between the hours of 10 A.M. and 5 P.M. daily.
3. A Protected Beach is defined as one with a Lifeguard stand on the beach occupied by a Borough of Cape May Point certified lifeguard. The Coral Avenue beach will be protected based on the availability of beach patrol staff. **No swimming shall be permitted on unprotected beaches. The Beach Patrol will endeavor to open as many beaches as possible contingent upon the availability of beach patrol staff and the conditions of specific beaches that compromise public safety**
4. All beaches are subject to closure at any time during the summer months at the discretion of the Beach Patrol Chief or his designee.
5. The beaches at Whilldin, Lighthouse and Alexander Avenues are designated as UNPROTECTED and swimming is prohibited at all times. Whilldin will be an unprotected beach due to the short distance to the beach-saver reef. The beach may be occupied; however, no swimming will be allowed at any time. Coral Avenue may be determined unsafe for similar reasons. The Alexander Avenue beach has been declared unsafe for swimming due to unseen, underwater hazards.
6. Additionally, Alexander is designated as a Precautionary Zone by the U.S Department of Fish and Wildlife and the New Jersey Department of Fish and Wildlife. The beach may be occupied; however, no swimming and other restrictions will be enforced as deemed necessary.

7. Launching of Kayak's is permitted from the Alexander Avenue beach. Beach tags are required.
8. Fishing from the beach is allowed in all non-bathing areas during regular operating hours from 10 A.M. to 5 P.M. Beach tags are required.
9. All activities described above require beach tags. No person 12 years or older shall bathe at or otherwise use the beaches set forth and in Section 58-7B without having first acquired and then having in his/her possession a proper and effective badge.
10. All or part of the activities may be closed due to no-population or weather, especially lightning, and/or high or dangerous waves, at the discretion of the Chief of the Beach Patrol or his designee. Rules determining the above activities are described in Section 58 of the Code Book and the Operating Manual for the Beach Patrol.
11. All off-duty working members of the beach patrol do not require beach tags as they are 'on-call' at tall times. On-call is defined as assisting emergency situations as needed on the lifeguards' days off.

	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  
NEW JERSEY**

**RESOLUTION NO. 66-23**

**APPOINTING INTERIM CRS COORDINATOR AND FLOODPLAIN  
ADMINISTRATOR**

**WHEREAS**, the Borough of Cape May Point previously appointed Lou Belasco as its CRS Coordinator and Floodplain Administrator for 2023; and

**WHEREAS**, Mr. Belasco has resigned his positions with the Borough and the Borough must appoint an interim CRS Coordinator and Floodplain Administrator until a permanent appointment can be made.

**NOW, THEREFORE, BE IT RESOLVED** the Board of Commissioners of the Borough of Cape May Point hereby appoints John McGraw as interim CRS Coordinator and Floodplain Administrator of the Borough of Cape May Point effective immediately and until a permanent appointment can be made.

	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 May 11, 2023.

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

**RESOLUTION 67-23**

**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 \$521,490.91.

	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: 17356 to 17381  
Report Type: All Checks Report Format: Condensed Check Type: Computer: Y Manual: Y Dir Deposit: Y

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
PO #	Description			Contract	
17356	05/11/23	ATL02 ATLANTIC CAPE 23-00230 WELL PUMP FOR CIRCLE	2,350.00		1895
17357	05/11/23	AUT02 AUTO ZONE, INC. 23-00207 STATEMENT	335.80		1895
17358	05/11/23	BULLS005 BULL SOFTWASH & POWER WASHING 23-00247 WASH WATER TOWER	600.00		1895
17359	05/11/23	CAP14 CAPE MAY COUNTY MUA 23-00226 WASTEWATER MANAGEMENT 1ST QU 23-00233 SOLID WAST DUMP FEE MARCH 2023	54,246.25 489.38 <u>54,735.63</u>		1895
17360	05/11/23	CAP22 CAPE ISLAND GARDENS, LLC 23-00220 PANSIES	74.00		1895
17361	05/11/23	CAP31 CAPE MINING & RECYCLING LLC 23-00234 STUMPS/TREE PARTS 23-00242 STUMPS/TREE PARTS	25.00 25.00 <u>50.00</u>		1895
17362	05/11/23	CAS01 CASA PAYROLL SERVICE 23-00245 PAYROLL	141.50		1895
17363	05/11/23	CATHE005 CATHERINE BUSCH 23-00244 REIMBURSEMENT	54.00		1895
17364	05/11/23	COD01 CODY'S POWER EQUIPMENT 23-00257 BLADES	377.85		1895
17365	05/11/23	COPIE005 COPIERS PLUS 23-00253 COPIER FEES	103.30		1895
17366	05/11/23	COU02 COURT HOUSE OFFICE SUPPLIES 23-00246 OFFICE SUPPLIES	111.18		1895
17367	05/11/23	COU03 COUNTY OF CAPE MAY 23-00252 2ND QU 2023 TAXES	418,657.49		1895
17368	05/11/23	DAT01 DATA NETWORK SOLUTIONS 23-00254 TELEPHONE	310.11		1895
17369	05/11/23	EDM01 EDMUNDS GOVTECH 23-00258 WEB DEVELOP/MAINT 6 MONTHS	630.00		1895
17370	05/11/23	ELAIN005 ELAINE WALLACE 23-00265 REIMBURSEMENT	291.93		1895



Check #	Check Date	Vendor	Reconciled/Void	Ref Num
PO #	Description	Amount Paid	Contract	
17371	05/11/23	GOLDM005 GOLD MEDAL ENVIRONMENTAL 23-00256 TRASH/RECYCLING	5,283.33	1895
17372	05/11/23	GREEN005 GREENMAN-PEDERSEN, INC. 23-00112 Alexander Avenue Eng Services	10,183.00	1895
17373	05/11/23	GRR01 GRR CONSULTING SERVICES LLC 23-00243 CONSULTING SERV APRIL 2023	2,625.00	1895
17374	05/11/23	JAC01 J & A CLEANING SERVICE 23-00232 CLEANING	300.00	1895
17375	05/11/23	MDI01 M. DIDONATO 23-00248 LIFEGUARD BOAT LETTERING	150.00	1895
17376	05/11/23	MIT02 MITCHELL HUMPHREY & CO. 23-00239 ANNUAL MAIN THROUGH 5/31/2024	1,590.00	1895
17377	05/11/23	RI001 RIO SUPPLY, INC 23-00240 METERS/DATA COLLETOR	14,459.00	1895
17378	05/11/23	SHE01 SHEPANSKI'S AUTO REPAIR 23-00231 REPAIR AIR COMPRESSOR	1,045.54	1895
17379	05/11/23	SHORE005 SHORE GUYS HEATING & AIR, LLC 23-00024 HEATER/WATER PUMP	5,890.00	1895
17380	05/11/23	SOU09 SOUTH JERSEY GAS 23-00251 215 LIGHTHOUSE	511.00	1895
17381	05/11/23	TUCKA005 TUCKAHOE NURSERIES, INC. 23-00185 PLANTS	631.25	1895

Report Totals	Paid	Void	Amount Paid	Amount Void
Checks:	26	0	521,490.91	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	26	0	521,490.91	0.00

Totals by Year-Fund  
Fund Description

Fund	Budget Total	Revenue Total	G/L Total	Total
CURRENT				
3-01	449,835.66	0.00	0.00	449,835.66
3-05	71,655.25	0.00	0.00	71,655.25
Total of All Funds:	<u>521,490.91</u>	<u>0.00</u>	<u>0.00</u>	<u>521,490.91</u>

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

**ORDINANCE 04-2023**

**ORDINANCE APPROPRIATING \$167,134.08 FROM  
THE CAPITAL IMPROVEMENT FUND FOR BEACH RENOURISHMENT**

**BE IT ORDAINED** by the Board of Commissioners of the Borough of Cape May Point, in the County of Cape May, New Jersey as follows:

Section 1. \$167,134.08 is hereby appropriated from the Capital Improvement Fund for the following items:

Beach Renourishment \$167,134.08

Beach Renourishments are bondable capital improvements with a useful life that exceeds the minimum of five (5) years.

Section 2. The Borough hereby certifies that is has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purpose authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 3. This ordinance shall take effect after final adoption and publication and otherwise as provided by law.

<b>Final Adoption</b>	<b>MOTION</b>	<b>SECOND</b>	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Busch						
Moffatt						
vanHeeswyk						

ATTEST:

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Elaine L. Wallace  
Borough Clerk

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Catherine Busch, Commissioner

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Robert Moffatt, Mayor

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Anita vanHeeswyk, Commissioner

FIRST READING: April 25, 2023  
PUBLICATION: May 3, 2023  
PUBLIC HEARING: May 11, 2023  
PUBLICATION: May 17, 2023