

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 – JULY 13, 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**

June 27, 2023 Work Session

**ORDINANCES FOR INTRODUCTION / PUBLICATION**

**RESOLUTIONS**

- 80-23 Resolution Authorizing the Execution of a Contract Renewing Membership in the Atlantic County Municipal Joint Insurance Fund
- 81-23 Appointment to Cape May Point Fire Company Number 1
- 82-23 Approval of Bill List

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

**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 80-23**

**RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT RENEWING  
MEMBERSHIP IN THE ATLANTIC COUNTY MUNICIPAL JOIN INSURANCE FUND**

**WHEREAS**, the Borough of Cape May Point (hereinafter the "MUNICIPALITY") is a member of the Atlantic County Municipal Joint Insurance Fund (hereinafter the "FUND"); and

**WHEREAS**, the MUNICIPALITY'S membership terminates as of January 1, 2024 unless earlier renewed by a Contract between the MUNICIPALITY and the FUND; and

**WHEREAS**, N.J.S.A. 40A:11-5 (1) (m) provides that a Contract which exceeds the bid threshold may be negotiated and awarded by the governing body without public advertising for bids and bidding therefor, if the subject matter is for the purchase of insurance coverage and consultant services, provided that the award is in accordance with the requirements for extraordinary unspecifiable services; and

**WHEREAS**, N.J.S.A. 40A:11-6.1(b) provides that the MUNICIPALITY shall make a documented effort to secure competitive quotations; however, a Contract may be awarded upon a determination, in writing, that the solicitation of competitive quotations is impracticable; and

**WHEREAS**, in accordance with N.J.A.C. 5:34-2.3, a designated official of the MUNICIPALITY, has filed a certification with the governing body describing in detail, as set forth below in this Resolution, why this Contract meets the provisions of the statutes and the regulations and why the solicitation of competitive quotations is impracticable; and

**WHEREAS**, it has been determined that the purchase of insurance coverage and insurance consultant services by the MUNICIPALITY requires a unique knowledge and understanding of the municipal exposures and risks associated with the operation of a municipal entity, and many insurance professionals are not qualified to assess these risks and exposures based upon their inherent complexity; and

**WHEREAS**, insurance coverage for municipal entities can vary greatly in the type, limits, and exceptions to coverage, and therefore particularized expertise in determining and obtaining the appropriate coverage is required to protect the MUNICIPALITY; and

**WHEREAS**, it is the goal of the MUNICIPALITY to obtain a single integrated program to provide all types of insurance coverage with a plan to limit the MUNICIPALITIES exposure; and

**WHEREAS**, the FUND has provided comprehensive insurance coverage to member municipalities since 1987; and

**WHEREAS**, since 1987, the Fund has continually refined all of the types of coverage that it provides to its members so that it offers comprehensive insurance coverage and limits to all members that is unique and cannot be purchased from a single entity in the commercial insurance market; and

**WHEREAS**, the FUND has also developed and made available to its members Safety, Risk Management and Litigation Management programs that address the specific exposures and risks associated with municipal entities; and

**WHEREAS**, the FUND provides the MUNICIPALITY with Fund Administration, Claims Review, Claims Processing, Claims Administration, Actuarial and Legal services; and

**WHEREAS**, the FUND is one of the most financially sound Municipal Joint Insurance Funds in New Jersey, and the FUND operates with strong fiscal controls, member oversight, and meets all of the requirements promulgated by the New Jersey Department of Community Affairs and the Department of Banking and Insurance; and

**WHEREAS**, as an existing member of the FUND, the MUNICIPALITY would be renewing its membership in an organization with experienced and dedicated FUND Professionals who provide specialized services to the members; and

**WHEREAS**, the membership of the FUND includes many neighboring municipalities that have uniquely similar exposures to the MUNICIPALITY, and with whom the MUNICIPALITY has existing inter-local arrangements; and

**WHEREAS**, all of the aforementioned factors categorize the award of this Contract as an “extraordinary, unspecifiable service” that cannot be duplicated, accounted for, accurately detailed, or described in a manner that truly depicts the value of the MUNICIPALITY’S membership in the FUND; and

**WHEREAS**, for all of the aforementioned reasons, it is impracticable for the MUNICIPALITY to seek competitive quotations for a Contract to provide the procurement of insurance coverage and consultant services; and

**WHEREAS**, the FUND has been organized pursuant to N.J.S.A. 40A:10-36 et seq., and as such is an agency of the municipalities that created it; and

**WHEREAS**, N.J.S.A. 40A:11-5(2) also provides that a Contract which exceeds the bid threshold may be negotiated and awarded by the governing body without public advertising for bids and bidding therefor, if the Contract is entered into with a municipality or any board, body, officer, agency or authority thereof; and

**WHEREAS**, the FUND meets the definition of an agency as set forth in N.J.S.A. 40A:11-5(2); and

**WHEREAS**, for all of the aforementioned reasons, the MUNICIPALITY desires to enter into a Contract to renew its membership with the FUND for a period of three (3) years, for insurance coverage and consultant services, as an exception to the public bidding requirements of the Local Public Contracts Law.

**NOW THEREFORE**, be it resolved by the governing body of the MUNICIPALITY as follows:

1. The MUNICIPALITY agrees to renew its membership in the FUND and to be subject to the Bylaws, Rules and Regulations, coverages, and operating procedures thereof as presently existing or as modified from time to time by lawful act of the FUND.
2. The Mayor and Clerk of the MUNICIPALITY shall be and hereby are authorized to execute the "Contract to Renew Membership" annexed hereto and made a part hereof and to deliver same to the FUND evidencing the MUNICIPALITY'S renewal of its membership.
3. In accordance with N.J.A.C. 5:34-2.3, the certificate of a designated official of the MUNICIPALITY, which details why the solicitation of competitive quotations is impracticable, is attached hereto and made a part of this Resolution.
4. The Clerk of the MUNICIPALITY is authorized and directed to place a notice of the adoption of this Resolution and the award of this Contract in the official newspaper of the MUNICIPALITY.

	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 July 13, 2023.

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

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

**RESOLUTION 81-23**

**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 Christian Spindler 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 July 13, 2023.

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

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

**RESOLUTION 82-23**

**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 \$203,438.06.

	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 July 13, 2023.

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

Range of Checking Accts: OTHER to OTHER Range of Check Ids: 17477 to 17503  
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
17477 23-00377	07/13/23	ACM01 ACMJIF THIRD QU ASSESSMENT 2023	13,316.00		1899
17478 23-00403	07/13/23	BEN02 BENJAMIN SWAN REIMBURSEMENT	2,777.71		1899
17479 23-00388	07/13/23	CAP03 CAPE MAY STAR & WAVE LEGAL ADVERTISING	50.00		1899
17480 23-00317	07/13/23	CAP12 CAPE MAY LUMBER COMPANY STATEMENT	320.00		1899
17481 23-00389	07/13/23	CAP31 CAPE MINING & RECYCLING LLC STUMPS/TREE PARTS	25.00		1899
17482 23-00386	07/13/23	CAS01 CASA PAYROLL SERVICE PAYROLL	470.50		1899
17483 23-00379	07/13/23	COAST005 COASTAL LANDSCAPING SPRINKLER REPAIRS	793.97		1899
17484 23-00370	07/13/23	COPIE005 COPIERS PLUS COPIER CHARGES	105.15		1899
17485 23-00371 23-00390	07/13/23	COU02 COURT HOUSE OFFICE SUPPLIES OFFICE SUPPLIES OFFICE SUPPLIES	124.85 <u>309.90</u> 434.75		1899
17486 23-00369	07/13/23	DAT01 DATA NETWORK SOLUTIONS PHONE BILL	310.11		1899
17487 23-00378	07/13/23	GOLDM005 GOLD MEDAL ENVIRONMENTAL TRASH/RECYCLING	5,283.33		1899
17488 23-00393	07/13/23	GRR01 GRR CONSULTING SERVICES LLC CONSULTING SERV JUNE 2023	4,087.50		1899
17489 23-00391	07/13/23	JAC01 J & A CLEANING SERVICE CLEANING	300.00		1899
17490 23-00373	07/13/23	LIFE005 LIFEFORCEUSA, INC. DIGITAL CERTIFICATIONS	385.50		1899
17491 23-00395	07/13/23	LOW01 LOWE'S STATEMENT	1,128.71		1899
17492 23-00376	07/13/23	MGL01 MGL PRINTING SOLUTIONS UTILITY BILL SHEET	841.00		1899

July 11, 2023  
10:38 AM

BOROUGH OF CAPE MAY POINT  
Check Register By Check Id

Page No: 2

Check #	Check Date	Vendor	Reconciled/Void	Ref Num
PO #	Description	Amount Paid	Contract	
17493	07/13/23	MUN01 MUNICIPAL CLERKS' ASSN. N.J.		1899
	23-00392	DUES	100.00	
17494	07/13/23	NAT04 VAN EMBDEN, NATHAN, ESQUIRE		1899
	23-00394	SOLICITOR ADMIN BILLING	350.00	
17495	07/13/23	ONE02 ONE CALL CONCEPTS		1899
	23-00380	MARK OUTS	7.15	
17496	07/13/23	STA11 STATE OF NEW JERSEY		1899
	23-00375	UNEMPLOYMENT COMP FUND	172.70	
17497	07/13/23	SWA01 SWAIN'S ACE HARDWARE		1899
	23-00383	STATEMENT	1,591.33	
17498	07/13/23	THEDE005 The DeWeese Law Firm, P.C.		1899
	23-00387	SOLICITOR	1,631.50	
17499	07/13/23	TRE13 TREASURER, STATE OF NEW JERSEY		1899
	23-00381	BEACH RENOURISHMENT PROJECT	167,134.08	
17500	07/13/23	USA01 USA BLUE BOOK		1899
	23-00359	WATER SEWER PARTS	425.98	
17501	07/13/23	VER03 VERIZON WIRELESS		1899
	23-00382	CELL PHONE	40.01	
17502	07/13/23	VOLLE005 volleyballUSA.Com		1899
	23-00368	volleyball Net/Quote 72423	1,318.18	
17503	07/13/23	XTE01 XTEL COMMUNICATIONS INC		1899
	23-00384	TELEPHONE	37.90	

Report Totals	Paid	Void	Amount Paid	Amount Void
Checks:	27	0	203,438.06	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	27	0	203,438.06	0.00



Totals by Year-Fund					
Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
CURRENT	3-01	30,109.05	0.00	0.00	30,109.05
	3-05	<u>6,022.23</u>	<u>0.00</u>	<u>0.00</u>	<u>6,022.23</u>
Year Total:		36,131.28	0.00	0.00	36,131.28
	C-04	167,134.08	0.00	0.00	167,134.08
TRUST ACCOUNT EXPENDITURES	T-13	172.70	0.00	0.00	172.70
Total of All Funds:		<u>203,438.06</u>	<u>0.00</u>	<u>0.00</u>	<u>203,438.06</u>