

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: 891 1354 7943 Passcode: 578389

Direct link: <https://us02web.zoom.us/j/89113547943?pwd=UDVjKytZUW5UTjczWENKVnZRdEs0Zz09>

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 FEBRUARY 27, 2024 – 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

- 2024 Budget Discussion with CFO Jim Craft

ADMINISTRATOR'S REPORT

PUBLIC QUESTIONS ON AGENDA ITEMS ONLY

APPROVAL OF MINUTES

February 8, 2024

ORDINANCES FOR INTRODUCTION AND PUBLICATION: None

RESOLUTIONS

- 38-24 Authorizing Closure of Petty Cash Bank for Beach Patrol
- 39-24 Recycling Tonnage Grant Application 2023
- 40-24 Authorizing the Disposal of Surplus Property
- 41-23 Authorizing Purchase of Vermeer Vac Model VX50 Vacuum Excavator through Sourcewell National Coop
- 42-24 Resolution Authorizing Contracts with Certain Approved State Contract Vendors for Contracting Units Pursuant to N.J.S.A. 40A:11-12a
- 43-24 Authorizing Purchase of Utility Truck Equipment and Accessories through Educational Services Commission of New Jersey Cooperative Pricing System
- 44-24 Authorizing Closure of Developer's Escrow Account and Refund of Unexpended Fees and Application Fee as Recommended by the Planning Board
- 45-24 2024 Salary Resolution
- 46-24 Approval of Bill List

ORDINANCES FOR SECOND READING / PUBLIC HEARING / ADOPTION:

- 03-2024 An Ordinance Amending the Code of the Borough of Cape May Point, Chapter 94 "Garbage, Rubbish and Refuse", Chapter 109 "Litter;

Maintenance of Property” to Require Certain Trash and Recycling Containers

04-2024 An Ordinance Amending the Code of the Borough of Cape May Point Chapter 58 “Beaches”, Section 14 “Prohibited Conduct”

05-2024 An Ordinance Amending Chapter 120, Article 1 (“Peace and Good Order – Disorderly Conduct”), of the Code of the Borough of Cape May Point

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. 38-24

AUTHORIZING CLOSURE OF A PETTY CASH BANK FOR BEACH PATROL

WHEREAS, the Borough has not issued a petty cash bank for the Beach Patrol in many years and it is necessary to officially cancel said bank and notify the Division of Local Government Services of the cancellation.

NOW, THEREFORE, BE IT RESOLVED, the Board of Commissioners of the Borough of Cape May Point, County of Cape May, State of New Jersey, does hereby close the petty cash bank created for the Cape May Point Beach Patrol.

	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Mullock						
vanHeeswyk						
Moffatt						

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 February 27, 2024.

Municipal Clerk

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

RESOLUTION NO. 39-24

RECYCLING TONNAGE GRANT APPLICATION 2023

WHEREAS, The Mandatory Source Separation and Recycling Act, P.L. 1987,c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for the 2023 Recycling Tonnage Grant will memorialize the commitment of this municipality to recycling and to indicate the assent of the governing body to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Borough of Cape May Point, in the County of Cape May and State of New Jersey that Cape May Point hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates **Linda Thomas** as recycling coordinator to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the 2023 recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

	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 40-24

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 2008 John Deere 620i Gator and 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:	12.5% of the total amount of all items sold (to be paid by the buyer directly to GovDeals)
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:	\$2,500

Recorded Vote:	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 41-24

**AUTHORIZING PURCHASE OF VERMEER VAC MODEL VX50 VACUUM
EXCAVATOR THROUGH SOURCEWELL NATIONAL COOP**

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 104-17 authorizing participation in the National Joint Powers Alliance (NJPA), now known as Sourcewell; and

WHEREAS, the Borough wishes to purchase a Vermeer Vac Model VX50 vacuum excavator through Sourcewell contract #110421-VRM at a total cost of \$93,270.90; and

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, the governing body thereof, the purchase of a Vermeer Vac Model VX50 vacuum excavator from Vermeer North Atlantic Sales & Service through Sourcewell contract #110421-VRM is hereby approved in the amount of \$93,270.90, 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 Water/Sewer Capital Fund Account C-06-55-953-010 and Grant Fund Account #G-02-40-000-045, to award the purchase of a Vermeer vacuum excavator for \$93,270.90 through the Sourcewell national 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: February 27, 2024

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 February 27, 2023.

Municipal Clerk

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

RESOLUTION 42-24

**RESOLUTION AUTHORIZING CONTRACTS WITH CERTAIN APPROVED STATE
CONTRACT VENDORS FOR CONTRACTING UNITS PURSUANT TO N.J.S.A.
40A:11-12a**

WHEREAS, the Borough of Cape May Point, pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29(c), may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

WHEREAS, the Borough of Cape May Point has the need on a timely basis to purchase goods or services utilizing State contracts; and

WHEREAS, the Bo rough of Cape May Point intends to enter into a contract with:

Route 23 Auto Mall, LLC, T3063 Universal Truck,
Blanket PO Number 17-FLEET-00241

through this resolution and properly executed contracts, which shall be subject to all the conditions applicable to the current State contracts;

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Cape May Point authorizes the Purchasing Agent to purchase certain goods or services from those approved New Jersey State Contract T3063 Truck Equipment - Route 23 Auto Mall, LLC, pursuant to all conditions of the individual State contracts; and

BE IT FURTHER RESOLVED, that the governing body of the Borough of Cape May Point pursuant to N.J.A.C. 5:30-5.5(b), the certification of available funds, shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Chief Finance Officer; and

BE IT FURTHER RESOLVED, that the duration of the contracts between the Borough of Cape May Point and Route 23 Automall, LLC shall be from February 27, 2024 through May 30, 2024.

	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 43-24

**AUTHORIZING PURCHASE OF UTILITY TRUCK EQUIPMENT AND
ACCESSORIES THROUGH EDUCATIONAL SERVICES COMMISSION OF
NEW JERSEY COOPERATIVE PRICING SYSTEM**

WHEREAS, the Borough of Cape May Point is a member of the Education Services Commission of New Jersey #65-MCESCCPA Cooperative Pricing System pursuant to N.J.S.A. 40A:10, 11 & N.J.A.C. 5:34-7.3, 7.4, 7.12; and

WHEREAS, the Borough of Cape May Point may enter into contractual agreements with the Educational Services Commission of New Jersey #65-MCESCCPA Contract Vendors through this resolution and properly executed contracts/purchase orders, which shall be subject to all conditions applicable to the current New Jersey Local Public State Contracts Laws; and

WHEREAS, the Borough wishes to purchase various utility truck equipment and accessories, list attached, through state-approved ESCNJ Cooperative Pricing System #65-MCESCCPS at a total cost of \$58,298.05; and

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, the governing body thereof, the purchase of various utility truck equipment and accessories on the attached list from A John Guire Supply, Inc. through ESCNJ Cooperative Pricing System #65-MCESCCPS be approved in the total amount of \$58,298.05, 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-04-55-998-223, to award the purchase of a Truck Switch and Go for new Ford F-550 for \$58,298.05 through the ESCNJ Cooperative Pricing System. I further certify that this commitment together with all previously made commitments does not exceed the appropriation balance available for this purpose.

Dated: February 27, 2024

Signed: James V. Craft

James V. Craft, Chief Financial Officer

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Municipal Clerk

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

RESOLUTION 44-24

**AUTHORIZING CLOSURE OF DEVELOPER'S ESCROW ACCOUNT AND
REFUND OF UNEXPENDED FEES AND APPLICATION FEE AS
RECOMMENDED BY THE PLANNING BOARD**

WHEREAS, the Borough of Cape May Point Planning Board has recommended to the Governing Body that escrow accounts be closed and unexpended fees be refunded to the following:

Block	Lot	Name	Property Address	File #	Amount
18	4.02	Kelly, Mary & Meyerink, Chris	510 Cedar Avenue	PB 2023-01	\$600.00/close acct.

WHEREAS, the Borough of Cape May Point Land Use Development Packet allows for the refund of application fees in the event a zoning official decision is overturned by the Planning Board; and

WHEREAS, the Planning Board heard application PB2023-01 and overturned the decision of the zoning officer, so it is appropriate for the Borough to refund the application fee submitted in the amount of \$550.00.

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 approves the closure of the above referenced escrow accounts and refund of unexpended fees and application fee.

	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
STATE OF NEW JERSEY**

RESOLUTION NO. 45-24

SALARY RESOLUTION 2024

WHEREAS, the Board of Commissioners desires to provide the exact salary of each officer and employee by resolution on an annual basis and as needed from time to time during the year; and

NOW, THEREFORE, BE IT RESOLVED, by the Commissioners of the Borough of Cape May Point, County of Cape May, that the Commissioners approve the attached Schedule A constituting the salaries and wages of the officers and employees of the Borough of Cape May Point for the year 2024.

	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Busch						
Moffatt						
vanHeeswyk						

Certification

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Municipal Clerk

SCHEDULE "A"

Name	Title	Salary
Anita vanHeeswyk	Commissioner	\$10,000.00
Robert Moffatt	Commissioner	\$10,000.00
Catherine Busch	Commissioner	\$11,000.00
Catherine Busch	Water Sewer Director	\$ 1,000.00
James Craft	CFO	\$20,000.00
James Craft	Purchasing Agent	\$ 1,500.00
Elaine Wallace	Municipal Clerk	\$59,000.00
Elaine Wallace	Elections Clerk	\$ 2,500.00
Elaine Wallace	Registrar	\$ 3,725.00
Elaine Wallace	Assessment Search Officer	\$ 2,700.00
Elaine Wallace	Assistant Water Clerk	\$ 5,000.00
Kelly Redington	Deputy Clerk	\$24,000.00
Kelly Redington	Deputy Elections Clerk	\$ 600.00
Kelly Redington	Deputy Registrar	\$ 1,775.00
Kelly Redington	Assistant Water Clerk	\$12,000.00
Kelly Redington	Environ. Comm. Sec.	\$ 500.00
Dianne Kelly	Tax Assessor	\$16,500.00
Kim Stevenson	Tax Collector	\$16,500.00
Marie Hood	Bookkeeper	\$16,000.00
Bruce Britton	Zoning Officer & Clerk	\$23,000.00
William Gibson	Public Works Supervisor	\$73,839.00
	Water/Sewer Supervisor (35 % allocation)	
William Gibson	OEM Coordinator	\$2,550.00
Brendan Bencivengo	Public Works Laborer	\$18.00/hour
	(35% allocated to W/S)	
Anthony Famiano	Public Works Laborer	\$20.70/hour
	(35% allocated to W/S)	
Anthony Famiano	Assistant DPW Supervisor	\$8,500.00
	(100% allocated to W/S)	
Wilbur Battersby	Public Works Laborer	\$19.80/hour
	(35% allocated to W/S)	
(SEASONAL)	Public Works Laborer	\$15.00/hour to \$20.00/hour
David Carrick	Water Superintendent	\$9,000.00

	W/S Clerk	\$11,000.00
Rhiannon Worthington	Planning Board Sec.	\$7,250.00
Kate Dunn	Assist. Planning Bd. Sec.	\$7,250.00
Brady Schoenrock	Code Compliance Official	\$8,500.00
	Rental Inspector	\$3,500.00
(SEASONAL)	Code Enforcement Assistant	\$14.13/hour to \$25.00/hour
Ben Swan	Beach Patrol Chief	\$21,600.00
	Lieutenant	\$19.75/hour
	Non-Lieutenant EMT Cert	\$ 1.00/hour
	Senior Guard	\$ 0.50/hour
Lifeguards	1 st Year	\$16.00/hour
	2 nd Year	\$16.25/hour
	3 rd Year	\$16.50/hour
	4 th Year	\$16.75/hour
	5 th Year	\$17.00/hour
	6 th Year	\$17.25/hour
	7 th Year	\$17.50/hour
	8 th Year	\$17.75/hour
	9 th Year	\$18.00/hour
	10 th Year	\$18.25/hour
Chris Garrison	Beach Director	\$16,700.00
Tag Inspectors	1 st Year	\$14.00/hour
	2 nd Year	\$14.25/hour
	3 rd Year	\$14.50/hour
	4 th Year	\$14.75/hour
	5 th Year	\$15.00/hour
	6 th Year	\$15.25/hour
	7 th Year	\$15.50/hour
	8 th Year	\$15.75/hour
Tagger Supervisor	1 st Year	\$17.50/hour
	2 nd Year	\$17.75/hour
	3 rd Year	\$18.00/hour
	4 th Year	\$18.25/hour
	5 th Year	\$18.50/hour
	6 th Year	\$18.75/hour

7th Year

\$19.00/hour

8th Year

\$19.25/hour

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

RESOLUTION 46-24

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 \$65,994.38.

	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 February 27, 2024.

Municipal Clerk

Range of Checking Accts: OTHER to OTHER Range of Check Dates: 02/27/24 to 02/27/24
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
OTHER					
17849	02/27/24	ACM01 ACMJIF			1917
24-00105		1ST QU 2024	11,874.00		
17850	02/27/24	ATL01 ATLANTIC CITY ELECTRIC			1917
24-00101		ELECTRIC BILLS	3,040.91		
17851	02/27/24	CAP03 CAPE MAY STAR & WAVE			1917
24-00069		LEGAL ADVERTISING	53.00		
24-00077		LEGAL ADVERTISING	11.00		
			<u>64.00</u>		
17852	02/27/24	CAP14 CAPE MAY COUNTY MUA			1917
24-00076		SOLID WASTE DUMP FEE JAN 2024	827.74		
17853	02/27/24	CAP31 CAPE MINING & RECYCLING LLC			1917
24-00078		STUMPS/TREE PARTS	95.75		
24-00091		STUMPS/TREE PARTS	214.45		
			<u>310.20</u>		
17854	02/27/24	CAS01 CASA PAYROLL SERVICE			1917
24-00092		PAYROLL	132.00		
17855	02/27/24	CIT03 CITY OF CAPE MAY			1917
24-00079		JANUARY 2024 WATER	8,347.85		
17856	02/27/24	CMC04 C.M.COUNTY CLERK'S ASSN.			1917
24-00080		2024 MEMBERSHIP	150.00		
17857	02/27/24	COD01 CODY'S POWER EQUIPMENT			1917
24-00087		BACK PACK BLOWER	649.00		
17858	02/27/24	COM01 COMCAST			1917
24-00111		215 LIGHTHOUSE	134.90		
17859	02/27/24	DAV01 DAVE'S TRASH REMOVAL			1917
24-00103		TRASH REMOVAL DUMP FEE	606.82		
17860	02/27/24	DOCUV005 VAULT SOLUTIONS, LLC			1917
24-00073		SHREDDING	73.45		
17861	02/27/24	EZP01 E-Z PASS			1917
24-00060		STATEMENT	100.00		
17862	02/27/24	GARDE005 GARDEN STATE LABORATORIES, INC			1917
24-00104		WATER TESTING	120.00		
17863	02/27/24	GREEN005 GREENMAN-PEDERSEN, INC.			1917
22-00348		Harvard Ave Reconst Engineer	6,732.62		

Check # PO #	Check Date	Vendor Description	Amount Paid	Reconciled/Void	Ref Num Contract
OTHER			Continued		
17863		GREENMAN-PEDERSEN, INC.	Continued		
24-00093		BOROUGH ENGINEERING SERV	<u>4,296.50</u>		
			11,029.12		
17864	02/27/24	HEART005 HEARTWOOD ECOLOGICAL CONSULT			1917
22-00667		Forestry Management Plan	4,500.00		
17865	02/27/24	JAC01 J & A CLEANING SERVICE			1917
24-00094		CLEANING FEB 2024	300.00		
17866	02/27/24	MARYK005 MARY KELLY & CHRIS MEYERINK		02/27/24 VOID	1917 (Void Reason: wrong amount)
24-00112		REFUND FOR ESCROW/APPLICATION	1,250.00		
17867	02/27/24	MUN01 MUNICIPAL CLERKS' ASSN. N.J.			1917
24-00090		2024 ANNUAL CONFERENCE	425.00		
17868	02/27/24	NJD05 NJ DEPT OF HEALTH & SENIOR SER			1917
24-00067		JANUARY DOG LICENSE FEE	3.60		
17869	02/27/24	NJR01 NJ WATER ASSOCIATION			1917
24-00085		2024 DUES	465.00		
17870	02/27/24	ONE02 ONE CALL CONCEPTS			1917
24-00057		MARK OUTS	12.87		
17871	02/27/24	SEA05 SEA GEAR MARINE			1917
24-00058		STATEMENT	775.26		
17872	02/27/24	SHE01 SHEPANSKI'S AUTO REPAIR			1917
24-00095		DUMP TRUCK REPAIRS	564.74		
17873	02/27/24	SOU06 SOUTH JERSEY GAS			1917
24-00102		GAS BILLS	1,743.72		
17874	02/27/24	STA11 STATE OF NEW JERSEY			1917
24-00089		REIMBURSEMENT CHARGES	14,542.44		
17875	02/27/24	THEDE005 THE DeWEESE LAW FIRM, P.C.			1917
24-00066		JANUARY LEGAL SERVICES	1,598.33		
17876	02/27/24	USA01 USA BLUE BOOK			1917
24-00059		W/S MATERIALS	872.04		
24-00084		SUPPLIES	<u>733.41</u>		
			1,605.45		
17877	02/27/24	VER01 VERIZON			1917
24-00098		PHONE BILLS	245.43		
17878	02/27/24	VER03 VERIZON WIRELESS			1917
24-00099		CELL PHONE	331.80		

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
PO #	Description				Contract
OTHER					
17879	02/27/24	VIL01 NAPA AUTO PARTS	Continued		1917
24-00081	AUTO PARTS		48.98		
17880	02/27/24	WIL01 WILLIAM GIBSON			1917
24-00083	REIBURSEMENT FOR PART		76.69		
24-00096	REIMBURSEMENT		<u>106.61</u>		
			183.30		
17881	02/27/24	XTE01 XTEL COMMUNICATIONS INC			1917
24-00086	TELEPHONE		38.47		
17882	02/27/24	Alignment Check		VOID	
17883	02/27/24	MARYK005 MARY KELLY & CHRIS MEYERINK			1918
24-00112	REFUND FOR ESCROW/APPLICATION		1,150.00		
Checking Account Totals					
			<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>
			33	2	65,994.38
			0	0	0.00
			<u>33</u>	<u>2</u>	<u>65,994.38</u>
					<u>1,250.00</u>
Report Totals					
			<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>
			33	2	65,994.38
			0	0	0.00
			<u>33</u>	<u>2</u>	<u>65,994.38</u>
					<u>1,250.00</u>

Totals by Year-Fund					
Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
CURRENT	4-01	17,291.25	0.00	0.00	17,291.25
	4-05	<u>21,505.82</u>	<u>0.00</u>	<u>0.00</u>	<u>21,505.82</u>
Year Total:		<u>38,797.07</u>	<u>0.00</u>	<u>0.00</u>	<u>38,797.07</u>
	C-04	6,732.62	0.00	0.00	6,732.62
	G-02	5,318.65	0.00	0.00	5,318.65
ANIMAL CONTROL TRUST	T-12	3.60	0.00	0.00	3.60
TRUST ACCOUNT EXPENDITURES	T-13	<u>15,142.44</u>	<u>0.00</u>	<u>0.00</u>	<u>15,142.44</u>
Year Total:		<u>15,146.04</u>	<u>0.00</u>	<u>0.00</u>	<u>15,146.04</u>
Total of All Funds:		<u><u>65,994.38</u></u>	<u><u>0.00</u></u>	<u><u>0.00</u></u>	<u><u>65,994.38</u></u>

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

ORDINANCE NO. 03-2024

**AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF CAPE MAY
POINT CHAPTER 94 “GARBAGE, RUBBISH AND REFUSE”, CHAPTER 109
“LITTER; MAINTENANCE OF PROPERTY” TO SPECIFY TRASH AND
RECYCLING CONTAINERS**

WHEREAS, changes in the trash industry caused widespread increases in trash contract prices since the Borough’s last trash and recycling contract was awarded; and

WHEREAS, having automated “lifters” on trash trucks minimizes injuries, improves efficiency, and reduces costs; and

WHEREAS, in an effort to limit the anticipated increase in costs for the new trash contract for January 2024 through December 2028, the Borough’s bid specifications included the switch to automated “lifter” compatible trash receptacles.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Borough of Cape May Point, County of Cape May, State of New Jersey that Chapter 94 “Garbage, Rubbish and Refuse” and Chapter 109 “Litter; Maintenance of Property” of the Code of the Borough of Cape May Point be and are hereby amended as follows (deletions in ~~strikethrough~~ and additions in underline):

Section 1.

94-8 COLLECTION OF RECYCLABLE MATERIALS.

The collection of source separated recyclable materials shall be in the manner prescribed as follows:

- a. It is the responsibility of the property owner to provide adequate size and number of covered containers for the placement of recyclables for curbside collection as follows: Single Stream Recyclable Materials as defined in Category 1 a,1 shall be mixed together in one container. More than one (1) container may be used for Single Stream Recyclable Materials; however, each container used should be marked or labeled to identify its contents as Single Stream Recyclable Materials. No recyclable material shall be placed at the curb for collection that is not placed in an approved receptacle. An approved receptacle is defined as an ANSI Type B receptacle with suitable handles, wheels, metal bar, and tight-fitting attached cover, holding up to 48 gallons and not exceeding forty (40) pounds. Only recyclables in an approved receptacle will be collected. ~~No containers shall be~~

~~larger than forty-eight (48) gallons and shall not exceed forty (40) pounds.~~ All set out ~~containers~~ receptacles which contain Single Stream Recyclable Materials shall be placed, prior to collection, between the curb and the sidewalk, or in the absence of curb and sidewalk, as near to the street as not to constitute a danger, where such receptacles shall be readily accessible to the collector without providing obstruction to pedestrians. The owner or occupant of the premises shall keep all receptacles clean and in safe handling condition. Receptacles or other items to be recycled shall be placed as noted above any time after 3:00 p.m. of the day immediately preceding the day of collection, but no later than 6:00 a.m. of the day of collection. After collection, any containers shall be removed from the curbside by no later than 7:00 p.m. of the day of collection.

Section 2.

109-1 PROHIBITED ACTIVITIES; STORAGE ON PROPERTIES; CONSTRUCTION SITE DEBRIS

- k. Location and Storage of Trash and Approved Receptacles. Location of trash and recyclable storage shall be in the side or rear yard of the structure, screened from public view from the street. In the case of corner lots, storage shall be in a yard area that does not front on a street, screened from public view from the street. No trash shall be placed at the curb for collection that is not placed in an approved receptacle. An approved receptacle is defined as an ANSI Type B receptacle with suitable handles, wheels, metal bar, and tight-fitting attached cover, holding up to 96 gallons. Only trash in an approved receptacle will be collected. All set out receptacles which contain trash shall be placed, prior to collection, between the curb and the sidewalk, or in the absence of curb and sidewalk, as near to the street as not to constitute a danger, where such receptacles shall be readily accessible to the collector without providing obstruction to pedestrians. The owner or occupant of the premises shall keep all receptacles clean and in safe handling condition. Trash receptacles shall be placed as noted above any time after 3:00 p.m. of the day immediately preceding the day of collection, but no later than 6:00 a.m. of the day of collection. After collection, any containers shall be removed from the curbside by no later than 7:00 p.m. of the day of collection.

Section 3. All other ordinances in conflict or inconsistent with this Ordinance are hereby repealed, to the extent of such conflict or inconsistency. Should any portion of this Ordinance be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair or repeal the remainder of this Ordinance.

Section 4. This ordinance shall take effect 20 days after passage and publication, according to law.

Final Adoption	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Busch						
Moffatt						
vanHeeswyk						

ATTEST:

Elaine L. Wallace
Borough Clerk

Catherine Busch, Commissioner

Robert Moffatt, Mayor

Anita vanHeeswyk, Commissioner

FIRST READING: February 8, 2024
PUBLICATION: February 14, 2024
PUBLIC HEARING: February 27, 2024
PUBLICATION: March 6, 2024

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

ORDINANCE NO. 04-2024

**AN ORDINANCE AMENDING THE CODE OF THE
BOROUGH OF CAPE MAY POINT CHAPTER 58 “BEACHES”,
SECTION 14 “PROHIBITED CONDUCT”**

WHEREAS, it is necessary to change the regulations regarding dogs and other animals on the beach and to prohibit drones and kites in certain places and at certain times to be in compliance with U.S. Fish and Wildlife and N.J. Fish and Wildlife requirements for the Borough’s latest Beach Management Plan.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Borough of Cape May Point, County of Cape May, State of New Jersey that Chapter 58 “Beaches” of the Code of the Borough of Cape May Point be and is hereby amended as follows (deletions in ~~strike through~~ and additions in underline):

Section 1.

58-14 PROHIBITED CONDUCT.

The following conduct is hereby prohibited, and it shall be unlawful for any person to engage in any of the acts or conduct listed below during the bathing season or at other times if specifically provided for:

- p. To permit dogs or other animals on the beachfront or the waters adjacent thereto or upon any public walk contained on the beachfront from ~~March 15~~ April 1 to October 31.
- q. To fly a drone, a kite or kites of any size, shape or description or to attempt to do so or to propel or cause the movement of any object through the air, whether manually, mechanically or electrically on any protected beach during operating hours and in the precautionary zone, or within 200 meters of posted nesting areas between March 15 and August 31, as designated by U.S. Fish and Wildlife and/or N.J. Fish and Wildlife.

Section 2. All other ordinances in conflict or inconsistent with this Ordinance are hereby repealed, to the extent of such conflict or inconsistency. Should any portion of this Ordinance be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair or repeal the remainder of this Ordinance.

Section 3. This ordinance shall take effect 20 days after passage and publication, according to law.

Final Adoption	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Busch						
Moffatt						
vanHeeswyk						

ATTEST:

Elaine L. Wallace, Borough Clerk

Catherine Busch, Commissioner

Robert Moffatt, Mayor

Anita vanHeeswyk, Commissioner

FIRST READING: February 8, 2024

PUBLICATION: February 14, 2024

PUBLIC HEARING: February 27, 2024

PUBLICATION: March 6, 2024

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

ORDINANCE NO. 05-2024

**AN ORDINANCE AMENDING CHAPTER 120, ARTICLE 1 (“PEACE AND
GOOD ORDER – DISORDERLY CONDUCT”), OF THE CODE OF THE
BOROUGH OF CAPE MAY POINT**

WHEREAS, the Governing Body of the Borough of Cape May Point has recommended amendments to Chapter 120, Article 1, of the Borough Code in an effort to expand upon the existing prohibited acts or activities in the Borough; and

WHEREAS, it is the intention of the Borough of Cape May Point to expand the definition of prohibited acts or activities in order to ensure that the purpose of this section of the Borough Code is met; and

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Borough of Cape May Point, County of Cape May, State of New Jersey, as follows (additions in underline and deletions in ~~striketrough~~).

SECTION 120-1(n)(1) – PROHIBITED ACTS OR ACTIVITIES

Make or continue, or permit or cause to be made or continued, any loud, unnecessary, or unusual noise that either annoys, disturbs, injures, or endangers the comfort, repose, health, peace, or safety of others within the limits of the Borough of Cape May Point, including, but not limited to, any continuous or unreasonable noise emitted by either manned and/or unmanned recreational aerial vehicles¹.

SECTION 120-1(t) – PROHIBITED ACTS OR ACTIVITIES

No manned and/or unmanned recreational aerial vehicles, including, but not limited to, drones, and powered or unpowered parachutes, may be launched from, or land on, any beach or other public property within the Borough unless prior written permission has been granted by the Borough.

SECTION 120-1(u) – EXCEPTIONS TO PROHIBITION

Nothing contained herein shall be deemed and/or construed to prohibit the operation of commercial aircraft, including, but not limited to, commercial banner planes, from operating within the limits of the Borough of Cape May Point.

¹ Unmanned aerial vehicles are more commonly known and referred to as “drones”.

This ordinance shall take effect twenty (20) days after final passage in accordance with applicable law.

Final Adoption	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Busch						
Moffatt						
vanHeeswyk						

ATTEST:

Elaine L. Wallace, Borough Clerk

Catherine Busch, Commissioner

Robert Moffatt, Mayor

Anita vanHeeswyk, Commissioner

FIRST READING: February 8, 2024
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