

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](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 JUNE 25, 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**

- Possible Amendments to Tree Removal and Replacement Ordinance

**ADMINISTRATOR'S REPORT**

**PUBLIC QUESTIONS ON RESOLUTIONS ONLY**

**APPROVAL OF MINUTES**

June 13, 2024

June 13, 2024 Closed Session

**ORDINANCES FOR INTRODUCTION AND PUBLICATION:** None

**RESOLUTIONS**

90-24 Monarch and Pollinator Awareness Month – July 2024

91-24 Award of Professional Services Contract for Bond Counsel – Fleishman Daniels Law Offices, LLC

92-24 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 90-24**

**MONARCH AND POLLINATOR AWARENESS MONTH – JULY, 2024**

**WHEREAS**, more than eighty-five percent of flowering plants on Earth, including wild and cultivated species, require the assistance of animal pollinators in order to produce seeds; and

**WHEREAS**, globally, pollinators are in decline due to pressures including habitat loss, climate change, and increased use of chemicals; and

**WHEREAS**, the monarch butterfly is an iconic North American pollinator whose eastern population has been reduced by at least 90 percent since 1996; and

**WHEREAS**, the United States Department of Agriculture and the U.S. Fish and Wildlife Service have declared the monarch to be a priority species for conservation because healthy monarch habitat benefits a wide variety of other species; and

**WHEREAS**, individuals and communities can help to save the monarch butterfly and other pollinators by planting native host and nectar plants and taking other steps to provide healthy habitat in yards, rights-of-way and open spaces.

**NOW THEREFORE BE IT RESOLVED** that the Borough of Cape May Point hereby proclaims the month of July as “Monarch Pollinator Awareness Month”.

	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 June 25, 2024.

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

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

**RESOLUTION 91-24**

**AWARD OF PROFESSIONAL SERVICES CONTRACT FOR BOND COUNSEL  
FLEISHMAN DANIELS LAW OFFICES, L.L.C.**

**WHEREAS**, the Borough of Cape May Point has a need to acquire the services of a Bond Counsel for the performance of legal work and related duties associated therewith as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

**WHEREAS**, the term of this contract is for 6 months commencing June 25, 2024, expiring December 31, 2024; and

**WHEREAS**, Fleishman Daniels Law Offices, L.L.C. has submitted a proposal indicating the firm will provide the services of Bond Counsel pursuant to the terms of said proposal in an amount not to exceed \$10,000.00; and

**WHEREAS**, Fleishman Daniels Law Offices, L.L.C. has completed and submitted a Business Entity Disclosure Certification which certifies the firm has not made any reportable contributions to a political or candidate committee in the Borough of Cape May Point in the previous one year, and will not make any reportable contributions pursuant to N.J.S.A. 19:44-1 through the term of his contract; and

**WHEREAS**, in accordance with N.J.A.C. 5:30-5.4 the Temporary Chief Financial Officer certifies that the funds will be available in the 2024 Municipal Budget for these services; and

**WHEREAS**, the services to be performed by the Bond Counsel are regulated by law within the meaning of the Local Public Contracts Laws (N.J.S. 40:1-1 et seq.) and hence are exempt from competitive bidding.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Borough of Cape May Point, the governing body thereof, that Fleishman Daniels Law Offices, L.L.C. be appointed as Bond Counsel of the Borough of Cape May Point for a term effective June 25, 2024 and expiring December 31, 2024.

**BE IT FURTHER RESOLVED**, the Mayor and Municipal Clerk are hereby authorized to execute the aforementioned professional services agreement on behalf of the Borough of Cape May Point in accordance with the terms and provisions of the Local Public Contacts Law.

**BE IT FURTHER RESOLVED**, that the Business Entity Certification and the Determination of Value be placed on file with this resolution.

**BE IT FURTHER RESOLVED** that a notice of this decision shall be published according to N.J.S.A. 40A:11-5(1)(a)(i).

	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Busch						
Moffatt						
vanHeeswyk						

### CERTIFICATION OF AVAILABILITY OF FUNDS

I, Eleanor Cifaloglio, Temporary Chief Finance Officer of the Borough of Cape May Point, hereby certify that funds are available in the Current Fund Account 4-01-20-155-021 to authorize the execution of a professional services contract with Fleishman Daniels Law Offices, LLC as Bond Counsel for the Borough of Cape May Point for a term commencing June 25, 2024 in an amount not to exceed \$10,000.00.

I further certify that this commitment together with all previously made commitments does not exceed the appropriation balance available for this purpose.

Dated: June 25, 2024

Signed: \_\_\_\_\_

Eleanor Cifaloglio, Temporary 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 June 25, 2024.

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

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

**RESOLUTION 92-24**

**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 \$141,008.74.

	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 June 25, 2024.

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

Range of Checking Accts: OTHER to OTHER      Range of Check Ids: 18068 to 18092  
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
18068	06/25/24	ATL01 ATLANTIC CITY ELECTRIC			1927
	24-00298	ELECTRIC BILLS	2,204.00		
	24-00324	ELECTRIC BILLS	<u>4,171.60</u>		
			6,375.66		
18069	06/25/24	CAP03 CAPE MAY STAR & WAVE			1927
	24-00305	LEGAL ADVERTISING	7.50		
18070	06/25/24	CAP12 CAPE MAY LUMBER COMPANY			1927
	24-00299	STATEMENT	333.40		
18071	06/25/24	CAP14 CAPE MAY COUNTY MUA			1927
	24-00297	WASTEWATER USER CHR 2ND QU	57,668.00		
	24-00307	SOLID WASTE DUMP FEE MAY 2024	<u>1,892.17</u>		
			59,560.17		
18072	06/25/24	CAP31 CAPE MINING & RECYCLING LLC			1927
	24-00304	MULCH	185.00		
18073	06/25/24	CHE03 CHESAPEAKE SCREEN PRINTING			1927
	24-00302	UNIFORMS	3,709.84		
18074	06/25/24	CIT03 CITY OF CAPE MAY			1927
	24-00306	MAY WATER 2024	27,635.65		
18075	06/25/24	COD01 CODY'S POWER EQUIPMENT			1927
	24-00199	LIFT BLADE/BLADE EDGER	106.81		
18076	06/25/24	COU02 COURT HOUSE OFFICE SUPPLIES			1927
	24-00301	OFFICE SUPPLIES	129.90		
18077	06/25/24	DAV01 DAVE'S TRASH REMOVAL			1927
	24-00295	STATEMENT	527.17		
18078	06/25/24	EDWAR005 EDWARD HASSE			1927
	24-00321	EMS FIELD GUIDE/INSTRUCTOR	40.95		
18079	06/25/24	FPM01 FP MAILING SOLUTIONS			1927
	24-00317	POSTAGE MACHINE	179.25		
18080	06/25/24	ISL01 ISLAND TROPHIES			1927
	24-00303	PLAQUES	300.00		
18081	06/25/24	NEW02 NEW JERSEY PLANNING OFFICIALS			1927
	24-00315	REGISTRATION CLASS RUSNAK	136.00		
18082	06/25/24	PERNA005 PERNA FINNIGAN INC			1927
	24-00164	Emergency Repairs on Lighthouse	17,529.25		

June 22, 2024  
11:36 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		
18083	06/25/24	SEA01 SEASHORE ASPHALT CORPORATION		1927	
	24-00323	MATERIAL	158.47		
18084	06/25/24	SEAGE005 SEA GEAR OUTFITTERS		1927	
	24-00292	STATEMENT	117.44		
18085	06/25/24	SHE01 SHEPANSKI'S AUTO REPAIR		1927	
	24-00320	REPAIR DUMP TRUCK	2,072.13		
18086	06/25/24	SOU06 SOUTH JERSEY GAS		1927	
	24-00319	GAS BILLS	238.00		
18087	06/25/24	STA02 STATE OF NEW JERSEY PWT		1927	
	24-00322	2ND QU WATER TAX	21.91		
18088	06/25/24	THEDE005 THE DeWEESE LAW FIRM, P.C.		1927	
	24-00300	SOLICITOR/TAX COUNSEL	3,066.66		
18089	06/25/24	USA01 USA BLUE BOOK		1927	
	24-00296	MAGNTIC LOCATOR	2,457.57		
18090	06/25/24	VAN02 VAN DUYNE SURF BOATS LLC		1927	
	24-00215	Lifeguard Surf Boat	15,750.00		
18091	06/25/24	VER03 VERIZON WIRELESS		1927	
	24-00318	CELL PHONE	331.85		
18092	06/25/24	XTE01 XTEL COMMUNICATIONS INC		1927	
	24-00293	TELEPHONE	38.16		
<hr/>					
Report Totals		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
	Checks:	25	0	141,008.74	0.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	25	0	141,008.74	0.00

---

Totals by Year-Fund Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
CURRENT	4-01	32,821.75	0.00	0.00	32,821.75
	4-05	108,186.99	0.00	0.00	108,186.99
Total of All Funds:		<u>141,008.74</u>	<u>0.00</u>	<u>0.00</u>	<u>141,008.74</u>