Meeting ID: 822 6744 6171 Passcode: 132692

Direct link: https://us02web.zoom.us/j/82267446171?pwd=Wm1JR0M3VjVJQUxLUDhsTUhmOXIvZz09

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 PM the Wednesday before the meeting.

AGENDA BOROUGH OF CAPE MAY POINT BOARD OF COMMISSIONERS

BOROUGH MEETING - JUNE 9, 2022 - 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' REPORTS/DISCUSSION

- County Broadband Assessment and Feasibility Study
- Volunteer of the Year 2021

ADMINISTRATOR'S REPORT

PUBLIC COMMENT ON AGENDA ITEMS ONLY

APPROVAL OF MINUTES

April 14, 2022 Regular Meeting

April 26, 2022 Work Session

May 12, 2022 Regular Meeting

May 12, 2022 Closed Session

May 24, 2022 Work Session

ORDINANCES FOR INTRODUCTION / PUBLICATION

02-2022 Ordinance Appropriating \$232,700.00 from the Capital Improvement Fund Second Reading/Public Hearing/Consideration for Adoption – June 28, 2022 at 12 pm

RESOLUTIONS

69-22	Authorizing the Submission of an Application for a DMHAS Youth Leadership
	Grant
70-22	Authorizing Special Event Permit to Cape May Point Civic Club, Inc.
71-22	Authorizing Special Event Permit for Kristina Parisi-Rogers
72-22	Authorizing Special Event Permit for John Parker, Jr. and Taylor Tomlinson
73-22	Resolution Requesting Approval for the Inclusion of Revenue: NJDOT Grant –
	Harvard Avenue in the Amount of \$160,000.00
74-22	Authorizing the Borough Engineer to Provide Engineering Services for the
	Harvard Avenue Reconstruction Project for a Total Cost Not to Exceed \$31,025
75-22	Urging the Swift Passage of S-330 which Restores Energy Tax Receipts
76-22	Supporting an Appropriations and Levy Cape Exemption for a Three-Year Period
	for Increases in Liability, Worker's Compensation, Cyber Liability, and Property
	Insurance
77-22	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 CAPE MAY COUNTY NEW JERSEY

ORDINANCE 02-2022

ORDINANCE APPROPRIATING \$232,700.00 FROM THE CAPITAL IMPROVEMENT FUND

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. \$232,700.00 is hereby appropriated from the Capital Improvement Fund for the following items:

Road Improvement Harvard Avenue – Includes but not limited to Milling, Paving, Reconstruction and Resurfacing, Repairing and/or Installation of Curbs, Sidewalks, Driveway Aprons, and Associated Drainage \$230,000.00

Purchase Beach Patrol Equipment – PWC Sled

\$2,700.00

Road Improvement Projects and Beach Patrol Equipment – Sled are each a bondable capital improvement 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.

Final Adoption Vote	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Busch						
vanHeeswyk						
Moffatt						

	Catherine Busch, Commissioner
	Anita vanHeeswyk, Commissioner
ATTEST:	Robert Moffatt, Mayor
Elaine L. Wallace, Borough Clerk	
FIRST READING: June 9, 2022	
PUBLICATION: June 15, 2022	
PUBLIC HEARING: June 28, 2022	
PUBLICATION: July 6, 2022	

I hereby certify that the foregoing is a true copy of an Ordinance 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 June 28, 2022.

Elaine L. Wallace, RMC, CMR Municipal Clerk

RESOLUTION 69-22

AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR A DMHAS YOUTH LEADERSHIP GRANT

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse (GCADA) established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey. In coordination with GCADA, the New Jersey Department of Human Services/Division on Mental Health and Addiction Services (DMHAS) has awarded a Youth Leadership Grant to the GCADA Municipal Alliance Program.

WHEREAS, the Board of Commissioners of the Borough of Cape May Point, County of Cape May, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance; and,

WHEREAS, the Board of Commissions further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Board of Commissions has applied for DMHAS Youth Leadership funding through the Governor's Council on Alcoholism and Drug Abuse through the County of Cape May;

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 recognizes the following:

 The Borough Commission does hereby authorize submission of an application for DMHAS Grant funding for the Lower Cape Municipal Alliance for Year One Grant Term 7/1/22 – 3/14/23 in the amount of:

DMHAS Grant Funding \$ 5,042.45

2. The Borough Commission acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Busch						
Moffatt						
vanHeeswyk						

CERTIFICATION

I, Elaine L. Wallace, Municipal Clerk of the Borough of Cape May Point, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Board of Commissioners on June 9, 2022.

RESOLUTION 70-22

AUTHORIZING SPECIAL EVENT PERMITS TO CAPE MAY POINT CAPE MAY POINT CIVIC CLUB, INC.

WHEREAS, the Cape May Point Civic Club, Inc. has applied for a Special Event Permit for using Pavilion Circle on Saturday, July 2, 2022 from 7 am to 3 pm for its Annual Bazaar; 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.

WHEREAS, the Civic Club has respectfully requested that the Governing Body waive the usual facilities use fees as they are a non-profit organization which benefits the community of Cape May Point; and

WHEREAS, the Board of Commissioners has considered the special request and agreed to waive the fees.

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 a Special Event Permit to the Cape May Point Civic Club, Inc. for use of Pavilion Circle from 7 am to 3 pm on Saturday, July 2, 2021 for the Annual Bazaar.

BE IT FURTHER RESOLVED that the fees for the event have been waived.

	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 9, 2022.

Municipal Clerk		

RESOLUTION 71-22

AUTHORIZING SPECIAL EVENT PERMIT FOR KRISTINA PARISI-ROGERS

WHEREAS, Kristina Parisi-Rogers has applied for a Special Event Permits for a wedding on Ocean Avenue beach on Tuesday, July 12, 2022 from 6:00 pm to 8:00 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 Permits to Kristina Parisi-Rogers for a wedding on Ocean Avenue beach on Tuesday, July 12, 2022 from 6:00 pm to 8:00 pm.

	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Busch		5266.12			, , , , , , , , , , , , , , , , , , , ,	7.202.11
Moffatt						
vanHeeswyk						

Municipal Clerk	

RESOLUTION 72-22

AUTHORIZING SPECIAL EVENT PERMIT FOR JOHN PARKER, JR. AND TAYLOR TOMLINSON

WHEREAS, John Parker, Jr. and Taylor Tomlinson have applied for a Special Event Permit for a wedding on St. Peter's beach on Monday, August 15, 2022 from 4:00 pm to 8:00 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 Permits to John Parker, Jr. and Taylor Tomlinson for a wedding on St. Pete's beach on Monday, August 15, 2022 from 4:00 pm to 8:00 pm.

	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Busch						
Moffatt						
vanHeeswyk						

Municipal Clerk		

RESOLUTION NO. 73-22

RESOLUTION REQUESTING APPROVAL FOR THE INCLUSION OF REVENUE: NJDOT GRANT – HARVARD AVENUE IN THE AMOUNT OF \$160,000.00

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount there of was not determined at the time of the adoption of the budget, and

WHEREAS, the Director may also approve that insertion of any item of appropriation for an equal amount, and

NOW, THEREFORE, BE IT RESOLVED, that the Commissioners of the Borough of Cape May Point, New Jersey, hereby request the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2022 in the total sum of \$160,000.00 now available as a revenue pursuant to the provisions of the statute under the State of New Jersey.

Revenue: New Jersey Department of Transportation

BE IT FURTHER RESOLVED, that the like sum of \$160,000.00 is here by appropriated under the caption of:

Appropriation: Public and Private Programs Offset by Revenues: **NJDOT Grant**, **Harvard Avenue**

	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Busch						
Moffatt						
vanHeeswyk						

Municipal Clerk	

RESOLUTION 74-22

AUTHORIZING THE BOROUGH ENGINEER TO PROVIDE ENGINEERING SERVICES FOR THE HARVARD AVENUE RECONSTRUCTION PROJECT FOR A TOTAL COST NOT TO EXCEED \$31,025

BE IT RESOLVED, by the Board of Commissioners of the Borough of Cape May Point, County of Cape May, State of New Jersey, that Greenman Pedersen, Inc. be and is hereby authorized to provide engineering services for Harvard Avenue Reconstruction Project for a total amount not to exceed \$31,025.; and

BE IT FURTHER RESOLVED the award is contingent upon the issuance of a certificate of availability of funds by the Chief Financial Officer; and

BE IT FURTHER RESOLVED the proper Borough officials be and are hereby authorized to do all things necessary to carry out the intent of this Resolution.

	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Busch						
Moffatt						
vanHeeswyk						

CERTIFICATION

Elaine L. Wallace,	Municipal Clerk

RESOLUTION NO. 75-22

URGING THE SWIFT PASSAGE OF S-330 WHICH RESTORES ENERGY TAX RECEIPTS

WHEREAS, taxes on gas and electric utilities were originally collected by the host municipalities to be used for local purposes and to compensate the public for the use of their rights of way; and

WHEREAS, when the State made itself the collection agent for these taxes, it promised to dedicate the proceeds to municipal property tax relief; since, just as municipalities collect property taxes for the benefit of school districts, counties, and other entities, the State is supposed to collect Energy Taxes for the benefit of municipal governments; and

WHEREAS, for years, though, State budget makers have diverted funding from Energy Taxes to fund State programs; and instead of being spent on local programs and services and used to offset property taxes, the money has been spent as successive Legislatures and Administrations have seen fit; and

WHEREAS, the diversion of dedicated energy tax receipts to the State's General Fund further jeopardizes this critical property tax relief funding in future years; and

WHEREAS, by reducing Consolidated Municipal Property Tax Relief Act (CMPTRA), which is also comprised of revenues that should be returned to municipalities, State Budget makers have been able to continue collecting Energy Taxes, while keeping additional revenue that should have been returned to provide property tax relief; and

- **WHEREAS**, the cumulative impact of years of underfunding has left many municipalities with serious needs and burdensome property taxes; and
- **WHEREAS**, local elected officials are in the best position to decide the best use of these resources, which were always intended to fund local programs and services; and

WHEREAS, Senator Singleton and Senate President Scutari have introduced legislation (S-330) that will restore, over a five-year period, Energy Tax Receipts to municipalities;

NOW, THEREFORE, BE IT RESOLVED, that the governing body of the Board of Commissioners in the county of Cape May urges the Legislature to swiftly pass this legislation and Governor Murphy to sign the legislation prior to passage of the FY2023 State budget; and

BE IT FURTHER RESOLVED that a copy of this Resolution is forwarded to Senator Michael L. Testa, Jr., Assemblyman Antwan L. McClellan, Assemblyman Erik K. Simonsen, Senate President Scutari, Assembly Speaker Coughlin, Governor Murphy, and the League of Municipalities.

	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Busch						
Moffatt						
vanHeeswyk						

Municipal Clerk	

RESOLUTION NO. 76-22

SUPPORTING AN APPROPRIATIONS AND LEVY CAP EXEMPTION FOR A THREE-YEAR PERIOD FOR INCREASES IN LIABILITY, WORKER'S COMPENSATION, CYBER LIABILITY AND PROPERTY INSURANCE

WHEREAS, pursuant to N.J.S.A. 40A:4-45, et al, a municipality is required to limit any increase in its levy to 2.0% and any increase in appropriations to 2 1/2% or the cost-of-living adjustment, whatever is less, over the prior year's final appropriations subject to certain exceptions; and

WHEREAS, all local public entities have incurred an estimated \$50 million in COVID related worker's compensation claims and it is anticipated that these costs will continue to increase as a result of long-term COVID cases; and

WHEREAS, a 2021 New Jersey Department of Labor decision regarding workers compensation funding has generated increased costs to municipalities by over 10% in order to cover claims that were previously funded by the State pension system; and

WHEREAS, a recent amendment to the sexual molestation statute of limitations will increase total liability costs by an estimated amount of 6%; and

WHEREAS, the frequency of weather-related catastrophic claims and corresponding impacts are anticipated to increase property insurance costs by over 10% per year; and

WHEREAS, cyber liability events throughout the country have resulted in doubling premium costs in 2022 and such costs are expected to accelerate at a pace far greater than the rate of inflation; and

WHEREAS, these increasing costs, regulations, policy decisions and environmental impacts are occurring when many other items and costs in municipal budgets are also increasing at an inflationary rate.

NOW THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Cape May Point asks that N.J.S.A. 40A:4-45 be amended to provide that appropriations in the first three years after the effective date of (this amendment) for

liability insurance, worker's compensation insurance, cyber insurance, and property insurance be exempt from the Appropriation CAP and the Levy CAP.

BE IT FURTHER RESOLVED that a copy of this resolution shall be sent to the New Jersey Legislative representatives for the Borough of Cape May Point.

	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Busch						
Moffatt						
vanHeeswyk						

Municipal Clerk	

RESOLUTION 77-22

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 \$166,575.24.

	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Busch						
Moffatt						
vanHeeswyk						

Municipal Clerk	

		ange of Check Ids: 16753 to Condensed Check Type:	16777 Computer: Y Manual: Y	Dir Deposit: Y
Check # Check Date Vendor PO # Description Ame	ount Paid	Reconciled/Void Ref Num Contract		
16753 06/09/22 BULLSO05 BULL SOFTWASH & POWER WASH: 22-00273 POWER WASH WATER TOWER	ING 600.00	1871		
22-00277 SOLID WASTE DUMP FEE	55,347.00 <u>942.93</u> 56,289.93	1871		
16755 06/09/22 CAP31 CAPE MINING & RECYCLING LLC 22-00257 STUMPS/TREE PARTS 22-00276 STUMPS/TREE PARTS	35.00 43.40 78.40	1871		
16756 06/09/22 CAS01 CASA PAYROLL SERVICE 22-00275 PAYROLL	279.75	1871		
16757 06/09/22 CITO2 CITY OF CAPE MAY 22-00259 2ND QU POLICE PROTECTION	79,514.50	1871		
16758 06/09/22 COPIE005 COPIERS PLUS 22-00270 COPIER	43.17	1871		
16759 06/09/22 COU03 COUNTY OF CAPE MAY 22-00274 APRIL 2022 FUEL	782.02	1871		
16760 06/09/22 DAT01 DATA NETWORK SOLUTIONS 22-00268 TELEPHONE	310.00	1871		
16761 06/09/22 FOR01 FORD SCOTT AND ASSOCIATES, 22-00279 AUDIT 2021	LLC 7,600.00	1871		
16762 06/09/22 GOLDMO05 GOLD MEDAL ENVIRONMENTAL 22-00267 TRASH/RECYCLING	5,283.33	1871		
16763 06/09/22 GRR01 GRR CONSULTING SERVICES LL 22-00284 CONSULTING SERV MAY 2022	c 3,862.50	1871		
16764 06/09/22 JAC01 J & A CLEANING SERVICE 22-00281 CLEANING	300.00	1871		
16765 06/09/22 LAW01 LAWN DOCTOR OF S. CAPE MAY 22-00254 LATE SPRING TREATMENT	CO 850.00	1871		
16766 06/09/22 LOUISOO5 LOUIS M. BELASCO 22-00256 FLOODPLAIN MANAGER	5,000.00	1871		
16767 06/09/22 NJD05 NJ DEPT OF HEALTH & SENIOR 22-00248 DOG REPORT FEB - APRIL	SER 6.60	1871		

Check #	# Check Date Vendor # Description	Am	ount Paid	Reconciled/Void Ref Num Contract	
	06/09/22 PIE01 00265 STATEMENT	PIER 47 MARINA	120.89	1871	
	06/09/22 SHE01 00238 REPAIRS/OIL CHAN	SHEPANSKI'S AUTO REPAIR NGE	234.77	1871	
	06/09/22 SOU01 00237 2022 ANNUAL DUES	SOUTH JERSEY CHIEF'S ASSN.	150.00	1871	
	06/09/22 STA08 00271 HEALTH BENEFITS	STATE OF NEW JERSEY	977.12	1871	
	06/09/22 THEDE005 00272 MUNICIPAL SOLICE	The DeWeese Law Firm, P.C. ITOR	1,382.33	1871	
	06/09/22 TUCKA005 00280 PLANTS	TUCKAHOE NURSERIES, INC.	1,657.24	1871	
	06/09/22 VAN01 00278 YALE AVENUE DESI	VAN NOTE-HARVEY ASSOCIATES IGN CONCEPT	765.00	1871	
	06/09/22 VER01 00262 PHONE BILL	VERIZON	227.49	1871	
	06/09/22 VER03 00261 CELL PHONE	VERIZON WIRELESS	160.24	1871	
	06/09/22 VIL01 00249 STATEMENT	NAPA AUTO PARTS	99.96	1871	
Report	Totals Checl Direct Depos	it: <u> </u>	Amount P 166,575 0 166,575	.24 0.00 .00 0.00	

Totals by Year-Fund Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
CURRENT	2-01	106,723.92	0.00	0.00	106,723.92
Ye	2-05 ar Total:	58,375.32 165,099.24	0.00	0.00 0.00	58,375.32 165,099.24
	C-04	765.00	0.00	0.00	765.00
TRUST ACCOUNT EXPENDITURES	T-13	711.00	0.00	0.00	711.00
Total Of A	.11 Funds:	166,575.24	0.00	0.00	166,575.24