This meeting will be conducted via electronic conferencing using Zoom
or by phone +1 646 558 8656 (New York), Meeting ID: 897 5776 9059 Passcode: 533950

In addition, members of the public may send questions or comments for inclusion during the public portion to the Borough Clerk at by 12:00 Noon the Monday before the meeting.

AGENDA
BOROUGH OF CAPE MAY POINT
BOARD OF COMMISSIONERS

BOROUGH MEETING OF SEPTEMBER 22, 2026 – 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 Geiger, Mayor vanHeeswyk, Commissioner Yunghans

COMMISSIONERS' DISCUSSION AND REPORTS

- 2026 Dune Day Plan
- Proposed Tree Ordinance Revisions

PUBLIC QUESTIONS ON RESOLUTIONS ONLY

APPROVAL OF MINUTES

September 8, 2026 Regular Meeting and Closed Session

ORDINANCES FOR INTRODUCTION AND PUBLICATION:

RESOLUTIONS

114-26 Authorizing the Tax Collector to Refund Overpayment of Taxes
115-26 Authorizing a Contract with My Beach Tags, LLC a/n My Beach Mobile
116-26 Resolution Authorizing Bulk Water Rate Adjustment
117-26 Approval of Bill List

ORDINANCES FOR SECOND READING / PUBLIC HEARING / ADOPTION:

13-2026 An Ordinance Amending Chapter 130 "Streets and Sidewalks" 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 unmute yourself when the Clerk calls for public input and wait to be recognized. The Borough 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 114-26

AUTHORIZING THE TAX COLLECTOR TO REFUND OVERPAYMENT OF TAXES

WHEREAS, the property owners of 306 South Lake Drive (Block 27, Lot 6) paid their 3rd quarter 2026 taxes in the amount of $1,342.49 on August 11, 2026; and

WHEREAS, the property taxes for block 27, Lot 6 are paid through CoreLogic on a quarterly basis, the 3rd quarter having been paid by CoreLogic on August 18, 2026; and

WHEREAS, the property owner has requested a refund of the overpaid taxes.

BE IT RESOLVED by the Board of Commissioners of the Borough of Cape May Point, County of Cape May, State of New Jersey, that a refund of overpaid 3rd Quarter 2026 taxes, as recommended by the Borough Tax Collector, be and is hereby authorized as follows:

BLOCK/LOT	ADDRESS	NAME	AMOUNT
27 / 6	306 South Lake Drive	Margot Putukian	$1,342.49

	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Geiger						
vanHeeswyk						
Yunghans						

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 September 22, 2026.

_____
Municipal Clerk

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

RESOLUTION 115-26

AUTHORIZING A CONTRACT WITH MY BEACH TAGS, LLC a/n MY BEACH MOBILE FOR DIGITAL BEACH TAG SALES

WHEREAS, the Beach Director and Commissioner of Public Safety have researched options for accepting digital and electronic payment to allow better access to the public for purchasing beach tags; and

WHEREAS, the Board of Commissioners discussed the proposal of May Beach Tags, LLC for My Beach Mobile for the 2027 beach season which would allow the public the ability to purchase certain beach tags electronically by the use of the My Beach Mobile app which will collect a small user fee from the purchaser.

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 approve a contract with My Beach Tags, LLC a/n My Beach Mobile for digital sale of daily beach tags for the summer 2027 season at no cost to the Borough.

	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Geiger						
vanHeeswyk						
Yunghans						

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 September 22, 2026.

_____
Municipal Clerk

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

RESOLUTION 116-26

RESOLUTION AUTHORIZING BULK WATER RATE ADJUSTMENT

WHEREAS, pursuant to N.J.S.A. 40:14B-21, the City of Cape May ("City") is authorized to charge and collect fees or other charges in connection with the use of the City's water system from any owner or occupant supplied or furnished with such use; and

WHEREAS, the City provides potable water to the Borough of Cape May Point ("CMP") on a bulk rate basis pursuant to a March 2, 2016 Interlocal Service Agreement and automatic renewal for five (5) year increments unless otherwise terminated ("the Agreement"); and

WHEREAS, the Agreement provides that the bulk rate shall be reviewed by the parties on each fifth-year interval beginning January 1, 2021, and if the Bulk Rate does not reasonably relate to the costs of supplying water on a bulk rate basis, then the parties shall negotiate the bulk rate; and

WHEREAS, CMP met with the City in March 2026 and agreed the fifth-year interval was the appropriate time to discuss the actual costs of producing water and to adjust the Bulk Rate accordingly effective on May 1, 2026; and

WHEREAS, CMP met with the City in September 2026 to review the data used by the City in determining the cost of generating water in order to set the bulk rate and agreed to a new rate; and

WHEREAS, the City adopted Resolution 324-09-26 setting the Total Rate for water services at $7.85 per one thousand gallons commencing May 1, 2026, said rate including both the Bulk and Desalination Rates.

NOW, THEREFORE, BE IT RESOLOVED the Board of Commissioners of the Borough of Cape May Point, County of Cape May, State of New Jersey, agrees to the new Total Rate of $7.85 per one thousand gallons commencing May 1, 2026.

BE IT FURTHER RESOLVED the Borough of Commissioners authorizes the Mayor and Clerk to sign the Addendum to Interlocal Services Agreement, attached hereto, with the understanding the parties have agreed to work toward a new agreement to replace the 2016 Agreement, the 2021 Addendum, and this 2026 Addendum, in order to have a more streamlined and appropriate form of agreement.

	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Geiger						
vanHeeswyk						
Yunghans						

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 September 22, 2026.

_____

Municipal Clerk

ADDENDUM TO INTERLOCAL SERVICE AGREEMENT

THIS ADDENDUM, made this _____ day of _____ 2026, by and between:

CITY OF CAPE MAY, a municipal corporation of the State of New Jersey, with principal place of business located at 643 Washington Street, Cape May, New Jersey 08204, hereinafter referred to as "CAPE MAY",

and

BOROUGH OF CAPE MAY POINT, a municipal corporation of the State of New Jersey, with principal place of business located at 215 Lighthouse Avenue, Cape May Point, New Jersey 08012, hereinafter referred to as "CMP",

WHEREAS, the Interlocal Services Act, N.J.S.A. 40:8A-1, et seq., authorizes agreements between municipalities for the provision of services by one municipality for another; and

WHEREAS, CAPE MAY has provided potable water to CMP for many years on a bulk rate basis;

WHEREAS, CAPE MAY and CMP agree to amend and update the Interlocal Service Agreement dated March 2, 2016 ("Existing Agreement") to address CAPE MAY's projected costs and CMP's current and projected demands for water supply; and

WHEREAS, pursuant to Paragraph 2 of the Agreement, a Bulk Rate is set but "shall automatically adjust for the term" in accordance with the prior year's final federal consumer price index; and

WHEREAS, the Agreement provides that the bulk rate shall be reviewed by the parties on each fifth year interval beginning January 1, 2021, and if the Bulk Rate does not reasonably relate to the costs of supplying water on a bulk rate basis, then the parties shall negotiate the bulk rate; and

WHEREAS, in addition to the Bulk Rate, pursuant to Paragraph 6 of the Agreement, CMP pays a "Desalination Rate" for capital and operational costs of the desalination facility which is assessed to CMP through a prorated share of the annual debt service charges and operational costs to be estimated annually; and

WHEREAS, the Bulk Rate was last adjusted pursuant to an Addendum to Interlocal Service Agreement dated March 30, 2021 executed by the City of Cape May and the Borough of Cape May Point; and

WHEREAS, both parties are desirous of continuing an agreement pursuant to the Interlocal Services Act and revising the Bulk and Desalination Rate ("the total rate") of potable water supplied by CAPE MAY to CMP;

NOW THEREFORE, it is hereby agreed as follows:

1. The Existing Agreement is amended as follows:

> TOTAL RATE ADJUSTMENT: The Total Rate for water services to CMP shall be $7.85 per one thousand gallons commencing May 1, 2026. Said rate is inclusive of both the Bulk and Desalination Rates provided in Paragraph 2 and Paragraph 6 of the Agreement.

2. All other non-conflicting provisions shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have each hereunto caused their proper officers to sign and their respective corporate seals to be affixed hereto, the day and year first above written:

CITY OF CAPE MAY
A New Jersey municipal corporation

By: _____
Zachary M. Mullock, Mayor

Witness:

_____
Erin C. Burke, Clerk

BOROUGH OF CAPE MAY POINT
A New Jersey municipal corporation

By: _____
, Mayor

Witness:

_____
Elaine Wallace, Clerk

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

RESOLUTION 117-26

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 $87,564.00.

	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Geiger						
vanHeeswyk						
Yunghans						

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 September 22, 2026.

_____
Municipal Clerk

Range of Checking Accts: OTHER to OTHER Range of Check Ids: 19539 to 19561
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
19539	09/22/26	ATL01	ATLANTIC CITY ELECTRIC			1985
26-00501	ELECTRIC BILLS			2,464.35		
26-00517	ELECTRIC BILLS			3,046.75		
				5,511.10		
19540	09/22/26	AUT02	AUTO ZONE, INC.			1985
26-00498	STATEMENT			160.22		
19541	09/22/26	CAP03	CAPE MAY STAR & WAVE			1985
26-00496	LEGAL ADVERTISING			48.00		
26-00505	LEGAL ADVERTISING			48.00		
				96.00		
19542	09/22/26	CAP14	CAPE MAY COUNTY MUA			1985
26-00514	SOLID WASTE DUMP FEE			11,011.57		
19543	09/22/26	CAS01	CASA PAYROLL SERVICE			1985
26-00503	PAYROLL			228.00		
19544	09/22/26	CIT03	CITY OF CAPE MAY			1985
26-00502	AUGUST 2026 WATER			50,897.97		
19545	09/22/26	COOPE005	COOPER ELECTRIC SUPPLY, INC.			1985
26-00488	SUPPLIES			486.63		
19546	09/22/26	DAV01	DAVE'S TRASH REMOVAL			1985
26-00504	DUMP FEE			529.72		
19547	09/22/26	ELAIN005	ELAINE WALLACE			1985
26-00506	REIMBURSEMENT			316.32		
19548	09/22/26	ELISE005	ELISE GEIGER			1985
26-00510	REIMBURSEMENT			152.62		
19549	09/22/26	FPM01	FP MAILING SOLUTIONS			1985
26-00493	POSTAGE MACHINE			149.85		
19550	09/22/26	GREEN005	GREENMAN-PEDERSEN, INC.			1985
26-00513	BOROUGH ENGINEER			2,085.00		
19551	09/22/26	JESSE005	JESSE JAMES CANCELMO			1985
26-00508	TAX REFUND			3,086.41		
19552	09/22/26	MARGO005	MARGOT PUTUKIAN			1985
26-00511	REFUND OF TAXES			1,342.49		
19553	09/22/26	MCM01	MCMANIMON & SCOTLAND BAUMANN			1985
26-00495	BOND SALE			3,808.00		

Check #	Check Date	Vendor		Amount Paid	Reconciled/Void	Ref Num
PO #	Description					Contract
19554	09/22/26	NJS01	NJ ST. LEAGUE OF MUNICIPALITIE			1985
26-00479	LEAGUE REGISTRATIONS			465.00		
19555	09/22/26	REE01	REEL FIRE PROTECTION INV.			1985
26-00500	FIRE EXT ANNUAL CERTIFICATION			780.55		
19556	09/22/26	RIO01	RIO SUPPLY,INC			1985
26-00512	NEPTUNE 360 AMI SUBSCRIPTON			5,134.80		
19557	09/22/26	SAFEA005	SAFEANDSOUNDDELIVERY, LLC			1985
26-00507	REFUND MERCHANTILE LICENSE			350.00		
19558	09/22/26	SOU06	SOUTH JERSEY GAS			1985
26-00518	GAS BILLS			167.04		
19559	09/22/26	VER03	VERIZON WIRELESS			1985
26-00509	CELL PHONE/CAMERAS			279.29		
19560	09/22/26	VIL01	NAPA AUTO PARTS			1985
26-00497	STATEMENT			485.76		
19561	09/22/26	XTE01	XTEL COMMUNICATIONS INC			1985
26-00499	TELEPHONE			39.66		

Report Totals	Paid	Void	Amount Paid	Amount Void
Checks:	23	0	87,564.00	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	23	0	87,564.00	0.00

Totals by Year-Fund Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
CURRENT	6-01	24,881.56	0.00	0.00	24,881.56
	6-05	58,454.44	0.00	0.00	58,454.44
Year Total:		83,336.00	0.00	0.00	83,336.00
	C-04	3,808.00	0.00	0.00	3,808.00
TRUST ACCOUNT EXPENDITURES	T-13	420.00	0.00	0.00	420.00
Total Of All Funds:		87,564.00	0.00	0.00	87,564.00

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

ORDINANCE NO. 13-2026

AN ORDINANCE AMENDING CHAPTER 130 "STREETS AND SIDEWALKS" OF THE CODE OF THE BOROUGH OF CAPE MAY POINT

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 130 "Streets and Sidewalks", Article I "Street Openings and Excavations" and Article II "Right of Way Permits" of the Code of the Borough of Cape May Point be and is hereby amended as follows (deletions in ~~strikethrough~~ and additions in underline):

Section 1.

130-7 BONDING REQUIREMNTS.

c. The purpose of depositing the performance bond is to guarantee to the Borough that any construction, excavation or road opening will be performed and completed in an acceptable fashion consistent with the provisions of this Article. In the event that the Borough Engineer determines that the excavation, construction or restoration and refilling has not been performed consistent with the requirements of this Article, he shall be entitled, after reasonable notice to the applicant, to correct such deficiencies, to take the performance bond, surety bond or cash posted by the applicant and utilize them to correct any deficiencies, and have the area restored to its proper condition.

d. Upon completion of a construction project to which a performance bond has been deposited with the Borough, and upon request by the contractor and/or owner for inspection of the construction by the Borough, a determination shall be made by the Borough as to whether the performance bond amount shall be released. In the event that it is determined that the performance bond shall be released related to a particular construction project, such performance bond shall be replaced with a maintenance bond, in the amount of $5,000.00 or such other amount as may be deemed necessary and appropriate by the Borough Engineer. Such maintenance bond shall be required to remain in place for a period of one (1) year after the date of its original posting unless it is determined by the Borough Engineer that such maintenance bond may be released prior to that one (1) year anniversary date.

Section 2.

130-8 RESURFACING AND MAINTENANCE REQUIRED.

The applicant shall fill in and resurface any excavated section and shall maintain the same in a condition similar to the surrounding surface area for a minimum period of one year. During this one-year period the ~~performance~~ maintenance bond shall remain in full force and effect. Upon certification of the Borough Engineer, by inspection made thereof, to the ~~Board of Commissioners~~ Public Works Superintendent, the bond shall be ~~cancelled by motion of the Board of Commissioners~~ released. If such inspection does not show the surface to have been substantially returned and maintained in its original condition and level, the Borough shall use the bond proceeds on notice of intent to do so by 10 days' registered mail or direct service notice from the Borough Engineer. The Borough may use the same for the proper leveling and surfacing of the section, returning any balance of the deposit or charging the applicant for any excess required to place the section in proper condition. If, during the ten-day period, the applicant corrects the condition and notifies the Borough Engineer, in writing, then the notice shall be conditioned as a new application subject to reinspection and maintenance for one year from date of correction notice.

Section 3.

130-20 RIGHT-OF-WAY PERMIT FEESA ND DEPOSIT TOWARD ANTICIPATED MUNICIPAL EXPENSES

a. Every Right-of-Way Permit application for a Utility Regulated by the Board of Public Utilities must include a Right-of-Way Permit Fee in the following amounts:

   1. One to fives sites - $500.00

   2. Each additional site - $100.00

c. Every Right-of-Way Permit application submitted by an individual or entity related to real property that abuts the right of way for which the application is submitted shall be required to submit a Right-of-Way application fee in the amount of $100.00 at the time of application submission. In the event that such application is approved by the Borough, there shall be no permit fee required to be submitted by the applicant to the Borough.

Section 4.

130-21 MISCELLANEOUS PROVISIONS.

c. The Borough's consent for use of County Roads, as required pursuant to N.J.S.A. 27:16-6, shall take the form of a Right-of-Way Permit subject to the standards and application process set forth in this chapter. No such applicant shall be required to enter into a Right-of-Way Agreement with the Borough.

d. In addition to the terms, conditions, and requirements of Chapter 130, Sections 15-21(c), set forth above, no person shall cause, assist in, contribute to, or otherwise permit, without the written consent of the Borough Commissioners that is memorialized through entry into a Right-of-Way

Agreement, the construction or placement of any natural or man-made structure or object of any kind that is non-vegetative in, on, over, or under any municipal right-of-way or easement area that is owned by, held by, or otherwise dedicated to the Borough.

e. Any determination as to the approval or denial of any request for entry into a Right-of-Way Agreement with the Borough shall be in the sole and absolute discretion of the Borough Commissioners and the approval of any particular request shall not be deemed to be precedential or otherwise binding upon the Borough Commissioners as it relates to subsequent applications seeking approval of a Right-of-Way Agreement with the Borough whether such subsequent application is filed by the same individual or entity or a third-party individual or entity.

f. Any approval of a Right-of-Way application by the Borough shall be subject to any, and all, insurance requirements that are determined to be necessary and appropriate by the Borough's professionals. In the event that an Applicant is not willing to abide by the insurance requirements imposed by the Borough as a condition to approval of a Right-of-Way application, such approval shall be revoked in the sole and absolute discretion of the Borough.

Section 5. 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 6. This ordinance shall take effect twenty (20) days after passage and publication, according to law.

Final Adoption	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Geiger						
vanHeeswyk						
Yunghans						

ATTEST:

Elaine L. Wallace, Borough Clerk

Elise Geiger, Commissioner

Anita vanHeeswyk, Mayor

Suzanne Yunghans, Commissioner

FIRST READING: September 8, 2026
1ST PUBLICATION: September 8, 2026
PUBLIC HEARING
AND ADOPTION: September 22, 2026
2ND PUBLICATION: September 22, 2026
EFFECTIVE DATE: October 12, 2026

		Allowed	Requires Approval	Not Allowed
Vegetation				
	Grass/Lawn	X		
	Vegetative Ground Cover	X		
	Mulch		X	
	Shrubs < 3ft high	X		
	Shrubs > 3 ft High		X	
	Tree Planting		X	
	Tree removal/pruning		X	
	Landscape fabric			X
Ground Surface				
	Pavers/concrete/asphalt/brick			X
	Stone/gravel/shells		no more than 40% of area	
	Parking areas			?
	Artificial Turf			X
	Landscape Edging		No higher than 2"	
	Curbing inc Belgian Block and Railroad Ties			X
	Decorative rock/boulders			X
	Sidewalks			X
	Driveway expansion			X
Structures				
	Fence			X
	Gate			X
	Wall/retaining wall			X
	Structure (deck/platform)			X
	Pergola/Arbor			X
	Trash enclosure			X
	Bench			X
Irrigation	Sprinkler Heads			X
	Irrigation Piping			X
	Valve Boxes			X
Lighting/Electrical				
	Landscape Lighting			X
	Low voltage Lighting			X
	Electric Conduit		X	

	Electric Outlets			X
	Private Lighting Poles			X
Drainage				
	Changing grade/fill			X
	Redirecting Storm Water			X
	Discharge Pipes		X	
	Drainage Pipes		X	
Signs				
	Address	X		
	Parking/reserved parking			X
	Advertising/political			X
Other				
	Bike Racks			X
	Planters/Flower pots (removable)	X		
	Little Libraries		X	
	Bollards/ Posts			X