

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 DECEMBER 23, 2025 – 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/REPORTS

- Amendments to Tree Removal and Replacement Ordinance

ADMINISTRATOR'S REPORT

PUBLIC QUESTIONS ON RESOLUTIONS ONLY

APPROVAL OF MINUTES

December 9, 2025 Regular Meeting and Closed Session

ORDINANCES FOR INTRODUCTION AND PUBLICATION:

14-2025 An Ordinance Amending Chapter 29, Article 1 Administrative and Appointed Officials, Section 1 Administrator

Second Reading, Public Hearing, Consideration to Adopt – Jan. 27, 2026 at 12 pm

RESOLUTIONS

- 127-25 Authorizing the Participation of the Borough of Cape May Point in the South Jersey Power Cooperative Contract with UGI Energy Services to Furnish and Deliver Natural Gas
- 128-25 Adopting the Approved List of Replacement Tree Species for Cape May Point
- 129-25 Authorizing Submission of Strategic Plan for the Cape May County Municipal Alliance Grant Program for FY2027
- 130-25 Approval of Bill List
- 131-25 Authorizing Executive/Closed Session in Accordance with the Provisions of the Open Public Meetings Act N.J.S.A. 104-12(b): Contract Negotiations - Police

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 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 127-25

**AUTHORIZING THE PARTICIPATION OF THE BOROUGH OF CAPE MAY POINT
IN THE SOUTH JERSEY POWER CO-OPERATIVE CONTRACT WITH
UGI ENERGY SERVICES TO FURNISH AND DELIVER NATURAL GAS**

WHEREAS, the Borough of Cape May Point participates in the South Jersey Power Co-Operative (SJPC) which received bids for the provision of natural gas on November 14, 2025; and

WHEREAS, the bid of UGI Energy Services was the lowest responsible bid received for the South Jersey Gas accounts in bid group 2 which includes the Borough of Cape May Point; and

WHEREAS, on November 14, 2025, the County of Camden, as lead agency, awarded a contract to UGI Energy Services, LLC, as the lowest responsible bidder for group 2 at the rate of \$2.40 per DTH in Appendix A of the bid, which is the fixed basis upcharge pricing product for a term of 24 months beginning with the first meter read in December 2026 and ending with the first meter read after November 30, 2026, and group 3 at the rate of \$1.90/DTH in Appendix A of the bid, which is the fixed basis upcharge pricing product for a term of 24 months beginning with the first meter read after November 30, 2026 and ending with the first meter read after November 30, 2028; and

WHEREAS, N.J.A.C. 5:34-7.11 permits a municipality to participate in said contract as a registered member of the system and has received the approval of the lead agency and contractor.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Cape May Point, County of Cape May and State of New Jersey, does hereby participate in the contract for the purchase of natural gas as a participating contracting unit of the South Jersey Power Co-Operative for a two-years term beginning December 1, 2026 and ending November 30, 2028, at the dekatherm prices above, dependent upon certification of funds by the Chief Financial Officer.

	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Busch						
Moffatt						
vanHeeswyk						

CERTIFICATION OF AVAILABILITY OF FUNDS

I, James V. Craft, Chief Finance Officer of the Borough of Cape May Point, hereby certify that funds are available in the Current Fund Account 6-01-31-430-021, Utilities OE, to authorize the participation in the South Jersey Power Co-Operative contract with South Jersey Energy Company to furnish and deliver natural gas for an amount not to exceed \$9,000.00 starting December 1, 2026. I further certify that this commitment together with all previously made commitments does not exceed the appropriation balance available for this purpose.

Dated: December 23, 2025

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 December 23, 2025.

Municipal Clerk

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

RESOLUTION 128-25

**ADOPTING THE APPROVED LIST OF REPLACEMENT
TREE SPECIES FOR CAPE MAY POINT**

BE IT RESOLVED by the Board of Commissioners of the Borough of Cape May Point, County of Cape May and State of New Jersey, that the attached "Approved List of Replacement Tree Species for Cape May Point" be and is hereby approved.

	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 December 23, 2025.

Municipal Clerk

Approved List of Replacement Tree Species for Cape May Point

Common Name	Scientific Name	Height*	Planting Season	# of bird species supported
American Holly	Ilex opaca	Medium	Spring or fall	13
Black Cherry	Prunus serotina	Medium	Spring or fall	53
Black Oak	Quercus velutina	Medium	Spring	29
Black Walnut	Juglans nigra	Large	Spring or fall	
Black Willow	Salix nigra	Medium	Spring	
Blackgum	Nyssa sylvatica	Medium	Spring	34
Canadian Serviceberry	Amelanchier canadensis	Small	Spring or fall	38
Chestnut Oak	Quercus montana	Large	Spring	
Common Hackberry	Celtis occidentalis	Medium	Spring only	25
Common Persimmon	Diospyros virginiana	Medium	Spring or fall	15
Dwarf Hackberry	Celtis tenuifolia	Small	Spring or fall	25
Eastern Redbud	Cercis canadensis	Small	Spring	
Eastern Red Cedar	Juniperus virginiana	Medium	Spring or fall	32
Flowering Dogwood	Cornus florida	Small	Spring only	34
Loblolly Pine	Pinus taeda	Large	Spring or fall	
Missouri Willow	Salix eriocephala	Small	Spring	
Mockernut Hickory	Carya tomentosa	Large	Spring or fall	
Pignut Hickory	Carya glabra	Large	Spring	19
Pitch Pine	Pinus rigida	Medium	Spring or fall	28
Pond Pine	Pinus serotina	Medium	Spring or fall	
Post Oak	Quercus stellata	Medium	Spring	29
Red Maple	Acer Rubrum	Medium	Spring	5
Red Mulberry	Morus rubra	Medium	Spring or fall	44
River Birch	Betula nigra	Medium	Spring	
Sand Hickory	Carya pallida	Large	Spring or fall	
Sassafras	Sassafras albidum	Medium	Spring or fall	23
Scarlet Oak	Quercus coccinea	Large	Spring	
Shortleaf Pine	Pinus echinata	Medium	Spring or fall	
Southern Crab Apple	Malus angustifolia	Small	Spring	26
Southern Magnolia	Magnolia grandiflora	Large	Spring or fall	
Southern Red Oak	Quercus falcata	Large	Spring	29
Sweetbay Magnolia	Magnolia virginiana	Small	Spring	
Sweetgum	Liquidambar styraciflua	Large	Spring	21
Virginia Pine	Pinu virginiana	Small	Spring or fall	
White Oak	Quercus alba	Large	Spring	29
Willow Oak	Quercus phellos	Medium	Spring	29

*Height: Small (35' and under), Medium (35'-50'), Large 50' and over. Height depends on growing conditions, less height likely in seashore communities.

Planting Tree Care Standards: *Tree Owner's Manual* USDA Forest Service, July 2021. Digital version on Borough website; print copy available upon request.

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

RESOLUTION 129-25

**AUTHORIZING SUBMISSION OF STRATEGIC PLAN FOR THE
CAPE MAY COUNTY MUNICIPAL ALLIANCE GRANT PROGRAM FOR FY2027**

WHEREAS, the Governor's Council on Substance Use Disorder (GCSUD) established the Municipal Alliances for the Prevention of Substance Use Disorder 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.

WHEREAS, The Borough of Cape May Point, County of Cape May, State of New Jersey recognizes that substance use disorder is a serious problem in our society amongst persons of all ages; and therefore, has an established Municipal Alliance Committee; and,

WHEREAS, the Board of Commissioners further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent substance use disorder in our community; and,

WHEREAS, the Board of Commissioners has applied for funding to the Governor's Council on Substance Use Disorder through the County of Cape May;

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 hereby recognizes the following:

1. The Board of Commissioners does hereby authorize submission of a strategic plan for the Lower-Cape Municipal Alliance grant for fiscal year 2027 in the amount of:

DEDR	\$26,215.00
Cash Match	\$ 6,553.75
In-Kind	\$19,661.25

2. The Board of Commissioners acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

	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 December 23, 2025.

Municipal Clerk

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

RESOLUTION 130-25

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 \$134,936.50.

	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 December 23, 2025.

Municipal Clerk

December 19, 2025
10:41 AM

BOROUGH OF CAPE MAY POINT
Check Register By Check Id

Page No: 1

Range of Checking Accts: OTHER to OTHER Range of Check Ids: 19039 to 19067
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
19039	12/23/25	ANCOA005 ANCO ACE HARDWARE			1964
25-00671	STATEMENT		577.96		
19040	12/23/25	ARBOR005 ARBORCARE HORTICULTURAL SERV			1964
25-00675	REVIEW		106.00		
19041	12/23/25	ATL01 ATLANTIC CITY ELECTRIC			1964
25-00684	ELECTRIC BILLS		2,463.72		
19042	12/23/25	CAP14 CAPE MAY COUNTY MUA			1964
25-00677	SOLID WASTE DUMP FEE NOV 2025		779.80		
19043	12/23/25	CATHE005 CATHERINE BUSCH			1964
25-00656	SHADE TREE CONFERENCE		275.00		
19044	12/23/25	CIT03 CITY OF CAPE MAY			1964
25-00514	WATER AUG - NOV ADJUSTMENTS		73,766.69		
19045	12/23/25	CLA01 CLARKE CATON HINTZ			1964
25-00622	AFFORDABLE HOUSING		3,290.02		
19046	12/23/25	CLE01 CLEAN-FLO INTERNATIONAL			1964
25-00661	WINTER WARRIOR LB		1,060.00		
19047	12/23/25	COPIE005 COPIERS PLUS			1964
25-00660	COPIER MAINTENANCE		32.00		
19048	12/23/25	CUM01 CUMMINS SALES AND SERVICE			1964
25-00641	HEATER COOLANT		208.90		
19049	12/23/25	DAT01 DATA NETWORK SOLUTIONS			1964
25-00658	TELEPHONE		310.11		
19050	12/23/25	DAV01 DAVE'S TRASH REMOVAL			1964
25-00670	DUMP FEE		540.79		
19051	12/23/25	DEL01 DELL MARKETING LP			1964
25-00581	PowerEdge T360 Smart Selection		5,610.70		
19052	12/23/25	ELAIN005 ELAINE WALLACE			1964
25-00676	REIMBURSEMENT		137.32		
19053	12/23/25	GARDE005 GARDEN STATE LABORATORIES, INC			1964
25-00628	WATER TESTING		320.00		
19054	12/23/25	GREEN005 GREENMAN-PEDERSEN, INC.			1964
24-00632	Design PHII Alexander/Surf		9,767.25		
25-00001	Ocean/Lehigh Ave Const Eng		935.00		
25-00381	Tax Maps/Water Sewer Map		11,466.00		
25-00649	MAINTENANCE BUILD ADD/RENO		1,853.50		

December 19, 2025
10:41 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	
19054	GREENMAN-PEDERSEN, INC.	Continued		
25-00686	BOROUGH ENGINEER	<u>2,418.79</u>		
		26,440.54		
19055	12/23/25 JAC01 J & A CLEANING SERVICE		1964	
25-00655	NOVEMBER CLEANING	300.00		
19056	12/23/25 LACEY005 LACEY INC		1964	
25-00635	Muck Mats	6,035.00		
19057	12/23/25 LOW01 LOWE'S		1964	
25-00673	STATEMENT	313.16		
19058	12/23/25 NAT04 VAN EMBDEN, NATHAN, ESQUIRE		1964	
25-00679	SOLICITOR ADMIN BILLING	378.00		
19059	12/23/25 ONE02 ONE CALL CONCEPTS		1964	
25-00659	MARK OUTS	22.80		
19060	12/23/25 PINEL005 PINELAND CONSTRUCTION, LLC		1964	
25-00650	TRASH/RECYCLE NOV 2025	9,680.00		
19061	12/23/25 SAM01 SAMPLE MEDIA, INC		1964	
25-00666	LEGAL AD	69.30		
19062	12/23/25 SEA05 SEA GEAR MARINE		1964	
25-00668	STATEMENT	128.53		
19063	12/23/25 SOU06 SOUTH JERSEY GAS		1964	
25-00683	GAS BILLS	574.23		
19064	12/23/25 STA02 STATE OF NEW JERSEY PWT		1964	
25-00691	WATER TAX OCT-DEC	162.21		
19065	12/23/25 SWA01 SWAIN'S ACE HARDWARE		1964	
25-00654	NOVEMBER STATEMENT	395.60		
19066	12/23/25 THOMA010 THOMAS REILLY		1964	
25-00678	REIMBURSE FOR CLASS	725.00		
19067	12/23/25 VIL01 NAPA AUTO PARTS		1964	
25-00630	STATEMENT	233.12		
<hr/>				
Report Totals		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>
	Checks:	29	0	134,936.50
	Direct Deposit:	<u>0</u>	<u>0</u>	<u>0.00</u>
	Total:	29	0	134,936.50
				<u>0.00</u>

Totals by Year-Fund					
Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
CURRENT	5-01	35,113.84	0.00	0.00	35,113.84
	5-05	75,815.89	0.00	0.00	75,815.89
Year Total:		110,929.73	0.00	0.00	110,929.73
	C-04	12,555.75	0.00	0.00	12,555.75
TRUST ACCOUNT EXPENDITURES	T-13	11,451.02	0.00	0.00	11,451.02
Total of All Funds:		134,936.50	0.00	0.00	134,936.50

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

RESOLUTION 131-25

**AUTHORIZING EXECUTIVE/CLOSED SESSION IN ACCORDANCE WITH THE
PROVISIONS OF THE OPEN PUBLIC MEETINGS ACT N.J.S.A. 10:4-12(b)**

WHEREAS, the Open Public Meetings Act (N.J.S.A. 10:4-6 et. seq.) requires all meetings of the Board of Commissioners of the Borough of Cape May Point to be held in public, except that N.J.S.A. 10:4-12(b) sets forth nine (9) types of matters that may lawfully be discussed in "Executive or Closed Session," i.e., without the public being permitted to attend; and

WHEREAS, the Board of Commissioners of the Borough of Cape May Point has determined that **ONE (1)** issues are permitted by N.J.S.A. 10:4-12(b) to be discussed without the public in attendance during the Executive or Closed Session to be held on **Tuesday, December 23, 2025 at approximately 12:30 PM.**; and

WHEREAS, the nine (9) exceptions to public meetings set forth in N.J.S.A. 10:4-12(b) are listed below, and next to each exception is a box within which the number of issues to be privately discussed that fall within that exception shall be written, and after each exception is a space where additional information that will disclose as much information about the discussion as possible without undermining the purpose of the exception shall be written:

_____ **"(1) Any matter which, by express provision of Federal law, State statute or rule of court shall be rendered confidential or excluded from public discussion."** The legal citation to the provision(s) at issue is: _____ and the nature of the matter, described as specifically as possible without undermining the need for confidentiality is _____

_____ **"(2) Any matter in which the release of information would impair a right to receive funds from the state or federal government."** The nature of the matter, described as specifically as possible without undermining the need for confidentiality is _____

_____ **"(3) Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information relative to the**

individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly." The nature of the matter, described as specifically as possible without undermining the need for confidentiality is _____

“(4) Any collective bargaining agreement, or the terms and conditions of which are proposed for inclusion in any collective bargaining agreement, including the negotiation of terms and conditions with employees or representatives of employees of the public body.” The collective bargaining contract(s) discussed are between the Borough and _____

“(5) Any matter involving the purchase, lease or acquisition of real property with public funds, the setting of bank rates or investment of public funds where it could adversely affect the public interest if discussion of such matters were disclosed.” The nature of the matter, described as specifically as possible without undermining the need for confidentiality is _____

“(6) Any tactics and techniques utilized in protecting the safety and property of the public provided that their disclosure could impair such protection. Any investigations of violations or possible violations of the law.” The nature of the matter, described as specifically as possible without undermining the need for confidentiality is _____

X

“(7) Any pending or anticipated litigation or contract negotiation in which the public body is or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer.” The parties to and docket numbers of each item of litigation and/or the parties to each contract discussed is _____
Police Contract Negotiations

“(8) Any matter involving the employment, appointment, termination of employment, terms and conditions or employment, evaluation of the performance, promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all individual employees or appointees whose rights could be adversely affected request, in writing, that such matter or matters be discussed at a public meeting.” Subject to the balancing of the public's interest and the employee's privacy rights under *South Jersey Publishing Co. v. New Jersey*

Expressway Authority, 124 N.J. 478, the employee(s) and nature of the discussion, described as specifically as possible without undermining the need for confidentiality is _____

“(9) Any deliberation of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party as a result of an act or omission for which the responding party bears responsibility.” The nature of the matter, described as specifically as possible without undermining the need for confidentiality is _____

WHEREAS, the Board of Commissioners shall reconvene the public meeting at the conclusion of the authorized closed or executive session, which may or may not include formal action as a result of the discussion(s) held.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Cape May Point, assembled in public session on the date of the meeting of the governing body set forth herein above, that a closed session shall be held for the discussion of matters relating to the specific items designated above involving the Borough of Cape May Point. The governing body shall convene a closed session discussion immediately upon passage of this resolution and it is anticipated that the deliberations conducted in closed session shall be disclosed to the public upon conclusion of the matter and/or after determination of the Board of Commissioners that the public interest will no longer be served by such confidentiality and that the meeting will return to open session at the conclusion of the discussion and formal action may be taken if/as authorized.

BE IT FURTHER RESOLVED that the Municipal Clerk, at the present public meeting, shall read aloud enough of this resolution so that members of the public in attendance can understand, as precisely as possible, the nature of the matters that will be privately discussed.

BE IT FURTHER RESOLVED that the Municipal Clerk, on the next business day following this meeting, shall furnish a copy of this resolution to any member of the public who requests one at the fees authorized by N.J.S.A. 47:1A-1, et. seq.

	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 December 23, 2025.

Municipal Clerk