

**MARCH 11, 2025**  
**REGULAR MEETING MINUTES**

The Regular Meeting of the Board of Commissioners of the Borough of Cape May Point was called to order by Mayor vanHeeswyk at 6:00 PM. Mayor vanHeeswyk read the Open Public Meetings Statement and then led those present in the flag salute. Commissioner Geiger, Mayor vanHeeswyk, and Commissioner Yunghans answered roll call. Also in attendance: Administrator Ed Grant, Clerk Elaine Wallace, and Solicitor John Amenhauser. This meeting was held electronically via ZOOM under local operation guidance from the NJDCA pursuant to P.L. 2020, c.11.

**COMMISSIONERS' DISCUSSION/REPORTS:**

**Review of Draft Ordinance addressing Planning Board Recommendations:**

Mayor vanHeeswyk reviewed a draft ordinance that would adopt several recommendations made by the Planning Board. The previous Board chose to allow the incoming Board to act upon the recommendations. The proposed ordinance would amend Chapter 150 Zoning to: clarify the placement of mechanicals to remove ambiguity; clarify and define pervious surfaces; clarify certain setbacks. The ordinance would be introduced after commissioner review. Mrs. vanHeeswyk also said she would like the Planning Board to look into the Environmental Commission's dark sky recommendations prior to the governing body discussing it. In addition, she'd like them to make recommendations on handicapped ramps on private property. Ms. vanHeeswyk asked Elaine Wallace and Bruce Britton to work on a creating an information sheet on construction site standards. The Zoning Officer would provide it to all applicants and would require them to sign an acknowledgement. This would provide proof that the applicants were made aware of pertinent Borough regulations. She hoped to have it completed by next month. Commissioner Geiger felt the list would be useful for code enforcement and would also like to see it posted on the Borough's website. She thought it might also be helpful to decide if certain enforcement concerns may benefit from oversight by the police when doing rounds in the Point by adding notes to their log. Commissioner Geiger commented on the draft ordinance for zoning amendments saying they were mostly clarification in a lot of areas, particularly the definition of pervious. She believed people may be surprised at how impervious pavers, which are becoming more common, really are. The State stormwater regulations seek as much pervious surface area as possible to control stormwater and flooding. Once the Commissioners have a chance to fully review the draft, the ordinance would be scheduled for introduction.

**Consideration of Resolution to Establish a Shared Services Advisory Committee:**

Commissioner Geiger previously ask Solicitor Amenhauser to draft a resolution to establish an advisory committee. While her initial purpose was to get assistance for her and Administrator Grant in preparing for the police contract negotiations, she asked that it be worded to allow for consultation on shared services in general in case assistance is needed in the future on other contracts. Ms. Geiger

announced five people who have expressed interest in being a part of the committee, each bringing experience and skill in different areas: Andy Rusnak, Peter Dugre, Jim Imbriaco, Jim Hull, and John Auerbach. She was looking forward to working with them, being challenged by them, and having their assistance in getting a fair police contract for both parties.

Mayor vanHeeswyk announced the Floodplain Administrator will be doing a presentation at an upcoming meeting, details to be announced, that Borough residents are encourage to attend. She also noted Travel and Leisure magazine reported in an article that New Jersey was the safest state to retire to in the U.S. and Cape May is the number one vacation market in the country. Lastly, she suggested that Clean-Flo be asked to speak to the Environmental Commission about the lake. Or, better yet, have them present at a Borough Commission meeting so the maximum number of people will have the chance to hear and be informed at the same time.

Commissioner Geiger was happy to hear the report that New Jersey is the safest place to retire. She presented the details of the February police report which included 63 service calls and one suspicious vehicle call to Cape May Point. She also announced a special radar detail on Lighthouse Avenue in February and no speeding tickets had to be issued. The Code Enforcement drove 45 miles during the last month and mostly dealt with dumpsters and signs. She felt the dos and don'ts list from Zoning will be a great help to him.

Commissioner Yunghans reported the water main replacement on Lehigh and Ocean has been completed. Some curbing and concrete work would be next, then paving should begin in mid-April. Public Works has been cleaning beach entrances. One of two new employees will begin this week. With regard to Lake Lily, Ms. Yunghans explained the Clean-Flo was under new management and the Borough had been trying for several months to get them to come repair the bubblers so Winter Warrior could be applied. She fully intended to have an open discussion, but not until after Clean-Flo honored their contract. She loved the idea of having them present at a Commission meeting. Ms. Yunghans reported Clean-Flo was expected later in the week, after which they will provide a report to the Borough on the condition of the lake. Afterward, the report will be shared and a meeting will be scheduled. It is a challenge to address competing interests about the health of the lake, vegetation, wildlife, stormwater management all while wanting it to be healthy for people and wildlife. Commissioner Geiger said there is a difference between the appearance vs. functionality, but health is paramount. Mayor vanHeeswyk explained one of the few things she gets to do as mayor is to appoint to the boards and commissions. In order to address the undercurrent about the lake, she wanted to have a representative of Friends of Lake Lily and the Taxpayers Association so everyone could understand each other and there would be a clear flow of information. She would like to have experts talk to the Borough and have a plan and focus. Commissioner Yunghans suggested Tom Reilly reach out to Dr. Souza, a professor at Rutgers and expert on lake

management. Commissioner Geiger suggested getting Dr. Souza to present to the Commissioners. She also suggested having Environmental Commission members take the Rutgers' lake management course.

**ADMINISTRATOR'S REPORT:**

Mr. Grant reported he will be attending a county meeting later in the month on electric rate increases. The veterans memorial committee was looking into concerns raised with distributing the plan in 3 phases. They would also be working on a solicitation strategy for getting phase 1 done. Lastly, he reported he will be taking a hard look at the South Jersey Power Cooperative's upcoming bid.

**PUBLIC QUESTIONS ON AGENDA ITEMS:**

Rich Johnson asked what the Borough commitment would be for resolution 43-25. Clerk Wallace advised the Borough's share was only \$65.54.

Sandy Allison asked about the dumpster ordinance, but clerk Wallace explained it was adopted at the last meeting.

**APPROVAL OF MINUTES:**

February 25, 2025

February 25, 2025 Closed Session

*Motion: vanHeeswyk, Geiger*

*Roll call: all in favor*

**ORDINANCES FOR INTRODUCTION/PUBLICATION:**

02-2024 Calendar Year 2025 Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank (NJSA 40A:4-45.14)

*Motion: vanHeeswyk, Yunghans*

*Roll call: all in favor*

**RESOLUTIONS:**

40-25 Governor's Council on Substance Use Disorder Fiscal Cycle October 2020-June 2026

*Motion: vanHeeswyk, Geiger*

*Roll call: all in favor*

41-25 Introduction of the 2025 Municipal Budget

*Motion: vanHeeswyk, Geiger*

*Roll call: all in favor*

42-25 Authorizing the Tax Collector to Refund Overpayment of Taxes

*Motion: vanHeeswyk, Yunghans*

*Roll call: all in favor*

43-25 Authorizing Water Bill Adjustment in Accordance with Ch. 146-17.d "Water Leakage Policy" of the Code of the Borough of Cape May Point

*Motion: Yunghans, vanHeeswyk*

*Roll call: all in favor*

44-25 Creation of Advisory Committee  
*Motion: Geiger, vanHeeswyk*  
*Roll call: all in favor*

45-25 Approval of Bill List  
*Motion: vanHeeswyk, Yunghans*  
*Roll call: all in favor*

46-25 Authorizing Change Order No. 3 for Public Works Building Addition and Renovation Project  
*Motion: Yunghans, Geiger*  
*Roll call: all in favor*

**ORDINANCES FOR SECOND READING AND PUBLIC HEARING:** None

**MAYORAL APPOINTMENTS**

**Planning Board**

Jerrilynn Hobdy – Alt. 2 – unexpired 2-year term expiring 4/8/2025

Susan Shufelt – Alt. 3 – unexpired 2-year term expiring 4/8/2026

**PUBLIC PORTION:**

Tom Reilly thanked Commissioner Yunghans for directing him to Dr. Souza. He reached out to Dr. Souza and convinced him to consult on the lake even though he was now retired. Mr. Reilly, as president of Friends of Lake Lily (FLL), then read a statement. Many people have expressed concerns to him about the condition of the lake and he has had to explain that the lake is controlled by the Borough not the FLL. He hoped to start with a clean slate and to work with the Borough and Environmental Commission going forward. He gave a brief overview of how the lake became property of the Borough and of the historic relationship between the FLL and the Borough. Most recently, he was distressed when, after speaking with Commissioner Yunghans, he contacted Clean-Flo to arrange a presentation to interested parties only to have Clean-Flo contact him the following day to say they could only meet at the Borough's direction, not FLL. Mr. Reilly posed the following questions: 1) Who specifically made the call to Clean-Flo?; 2) What happened in 24 hours to cause the about face?; 3) Could the situation be explained so the public could understand? Solicitor Amenhauser cautioned the Commissioners to only address the questions if they had clear answers, otherwise it was acceptable to take time to research. Commissioner Yunghans said she looked forward to working with FLL. At the time Mr. Reilly set up the meeting, the Borough was struggling to get Clean-Flo to fix the bubblers as originally requested in November 2024. She apologized for any miscommunication and assured Mr. Reilly she wasn't trying to put up a roadblock. Once Clean-Flo completes the work on the bubblers, she would like to schedule a meeting with both Clean-Flo and Dr. Souza, if available. The meeting would include the Commissioners, FLL, and any other interested party. Mr. Reilly thanked Commissioner Yunghans and was pleased there was a desire to work together.

Andy Rusnak thanked Tom Reilly for his comments. He asked Solicitor Amenhauser the protocol around getting answers to Mr. Reilly's questions. Mr. Amenhauser

explained the public portion is for comments and questions, but the Commissioners aren't required to have answers. Mr. Rusnak hoped the questions would be addressed.

Helen Chezem spoke highly of Dr. Souza and gave some background information and shared some of her experiences with lakes at her primary residence. She also expressed concern that the previously purchase Winter Warrior treatment wasn't applied when first purchased since she was told there was a shelf life for the product. Public Works Manager Bill Gibson explained the product wasn't delivered until February of this year and he was told it would be good until the bubblers were repaired. He also reviewed the steps he'd taken since November trying to get Clean-Flo to come do the repair work up to being told in February that they wouldn't be doing the work until April when they were coming to speak to FLL. At that point, he and Commissioner Yunghans spoke and decided that to avoid rising tensions, there would be only one point of contact with Clean-Flo – himself or Commissioner Yunghans. Mr. Gibson informed Clean-Flo of this decision, which resulted in the cancellation of the meeting arranged by Mr. Reilly. Helen Chezem thanked him for that information.

Mayor vanHeeswyk asked Mr. Gibson the status of the bubblers. He explained only 6 or 7 bubblers were working and he was told by Clean-Flo that the Winter Warrior shouldn't be applied until all the bubblers were working so they would distribute the product properly.

Tom Reilly asked if Winter Warrior was for the south end of the lake as he was told by former Commissioner Busch that the treatment would help the south end of the lake. FLL provided special funds for that since there was tremendous concern over the appearance of the lake there. Commissioner Geiger, who was a member of the Environmental Commission at that time, gave her recollection. Clean-Flo came out in response to the concerns raised, and was asked to make a recommendation. They recommended the addition of another treatment for a total of four and the additional use of a product called Winter Warrior, applied in the winter. In 2024 the Winter Warrior was applied late, and was followed by 4 Lake treatments. Winter Warrior is being applied late again in 2025 making an assessment of its efficacy difficult. Lastly, she felt the fact the lake is 3-4' lower due to the drought hasn't helped the situation.

Hope Luken asked if the Borough has a contract with Clean-Flo. Clerk Wallace answered there wasn't a contract, that they were hired as needed. Ms. Luken asked whether they provide services or just products that Public Works applies. Mr. Gibson explained he purchased supplies and applies them. Clean-Flo services the bubblers and compressors. Ms. Luken asked if Clean-Flo offers a maintenance contract where they would come out and apply products and maintain bubblers. Mr. Gibson said they did, for a significant price. Lastly, Ms. Luken asked how much of the \$49,000 paid to Clean-Flo over the last 5 years was paid by Friends of Lake Lily, and for a copy of what was contributed to the Lake Lily Trust. Clerk Wallace said she'd provide the information.

Sandy Allison commended Commissioner Geiger for pulling people from the community to serve on an advisory group. She also said she felt construction information doesn't make it to subcontractors and felt construction site standards should be posted next to the construction permit so everyone can see them. Lastly, she was glad to see everyone talking together about the lake.

When no one else wished to speak, the meeting was adjourned at 7:31 pm on motion of Mayor vanHeeswyk, seconded by Commissioner Geiger.

Respectfully submitted,

Accepted:

---

Elaine L. Wallace, RMC, CMR  
Municipal Clerk

---

Commissioner Geiger

---

Mayor vanHeeswyk

---

Commissioner Yunghans