

This meeting will be conducted via electronic conferencing using Zoom <https://www.zoom.us/>  
or by phone +1 646 558 8656 US (New York) Meeting ID: 860 4443 4025 Passcode: 003379

**Direct link:** <https://us02web.zoom.us/j/86044434025?pwd=UVlvU0ZlaTJ4d1pCTDd6TVlyTFVxUT09>

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 PM the Wednesday before the meeting.

**AGENDA  
BOROUGH OF CAPE MAY POINT  
BOARD OF COMMISSIONERS**

**BOROUGH MEETING – APRIL 8, 2025 – 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 Geiger, Mayor vanHeeswyk, Commissioner Yunghans

**2025 BUDGET:**

**Presentation on Budget by Borough Auditor Mike Garcia**

**ORDINANCE FOR SECOND READING/PUBLIC HEARING**

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

**BUDGET RESOLUTIONS AND PUBLIC HEARING**

50-25 Read by Title Only and Open a Public Hearing on 2025 Municipal  
Budget

51-25 Adoption of Municipal Budget for the Year 2025

**COMMISSIONERS' DISCUSSION/REPORTS**

**ADMINISTRATOR'S REPORT**

**PUBLIC QUESTIONS ON RESOLUTIONS ONLY**

**APPROVAL OF MINUTES**

March 25, 2025

**ORDINANCES FOR INTRODUCTION / PUBLICATION**

05-2025 An Ordinance Amending the Code of the Borough of Cape May Point Chapter 90  
"Flood Damage Prevention"

*Second Reading, Public Hearing, Consideration to Adopt – May 13, 2025 at 6 pm*

**RESOLUTIONS**

52-25 Resolution in Support of the Borough of Cape May Point's Submission of a  
Transportation Alternatives Set-Aside Program Grant Application to NJ  
Department of Transportation

- 53-25 Approval of Emergency Management Emergency Operations Plan
- 54-25 Approval of Bill List
- 55-25 Authorizing Executive/Closed Session in Accordance with the Provisions of the Open Public Meetings Act N.J.S.A. 10:4-12(b) – Potential Litigation – Lighthouse Avenue water/sewer damage

**ORDINANCES FOR SECOND READING / PUBLIC HEARING / ADOPTION**

- 03-2025 An Ordinance Amending the Code of the Borough of Cape May Point Chapter 76 “Construction Site Standards”

**MAYORAL APPOINTMENTS**

**Planning Board**

Jerrilyn Hobby – Alt. 2 – 2-year term expiring 4/8/2027

**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  
NEW JERSEY**

**ORDINANCE 02-2025**

**CALENDAR YEAR 2025  
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET  
APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK  
(N.J.S.A. 40A: 4-45.14)**

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

**WHEREAS**, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

**WHEREAS**, the Borough Commission of the Borough of Cape May Point in the County of Cape May finds it advisable and necessary to increase its CY 2025 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

**WHEREAS**, the Borough Commission hereby determines that a 1.0% increase in the budget for said year, amounting to \$14,145.65 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

**WHEREAS** the Borough Commission hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW THEREFORE BE IT ORDAINED**, by the Borough Commission of the Borough of Cape May Point, in the County of Cape May, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2025 budget year, the final appropriations of the Borough of Cape May Point shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$49,509.78, and that the CY 2025 municipal budget for the Borough of Cape May Point be approved and adopted in accordance with this ordinance; and,

**BE IT FURTHER ORDAINED**, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

<b>Final Adoption Vote</b>	<b>MOTION</b>	<b>SECOND</b>	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Geiger						
vanHeeswyk						
Yunghans						

\_\_\_\_\_  
Elise Geiger, Commissioner

\_\_\_\_\_  
Anita vanHeeswyk, Mayor

\_\_\_\_\_  
Suzanne Yunghans, Commissioner

ATTEST:

\_\_\_\_\_  
Elaine L. Wallace, Borough Clerk

FIRST READING: March 11, 2025

PUBLICATION: March 19, 2025

PUBLIC HEARING: April 8, 2025

PUBLICATION: April 16, 2025

I hereby certify that the foregoing is a true copy of an Ordinance introduced 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 March 11, 2025 and finally adopted unanimously by the Board of Commissioners at a meeting held on April 8, 2025.

\_\_\_\_\_  
Elaine L. Wallace, RMC, CMR  
Municipal Clerk

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

**RESOLUTION 50-25**

**READ BY TITLE ONLY AND OPEN PUBLIC HEARING  
ON 2025 MUNICIPAL BUDGET**

**WHEREAS**, N.J.S.A. 40A: 4-8 provides that the budget may be read by title only at the time of the public hearing if a resolution is passed by not less than a majority of the full governing body, providing that at least ten (10) days prior to the date of the hearing, a publication by summary of the budget has been advertised and copies have been made available by the Clerk to persons requesting them.

**NOW, THEREFORE, BE IT RESOLVED** that the conditions of N.J.S.A. 40A:4-8 have been met and the budget shall be read by title only.

	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 April 8, 2025.

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

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

**RESOLUTION 51-25**

**ADOPTION OF MUNICIPAL BUDGET FOR THE YEAR 2025**

**NOW, THEREFORE, BE IT RESOLVED**, this 8<sup>th</sup> day of April, 2025 by the Board of Commissioners of the Borough of Cape May Point, County of Cape May, the governing body thereof, that the Municipal Budget for 2025 be and is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of \$1,808,088.08 to be raised by taxes for municipal purposes.

	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 April 8, 2025.

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

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

**RESOLUTION 52-25**

**RESOLUTION IN SUPPORT OF THE BOROUGH OF CAPE MAY POINT'S  
SUBMISSION OF A TRANSPORTATION ALTERNATIVES SET-ASIDE  
PROGRAM GRANT APPLICATION TO NJ DEPARTMENT OF  
TRANSPORTATION**

**WHEREAS**, the Borough of Cape May Point has determined that a safe and accessible walkway to the beach is in the best interest of the residents and visitors of the Borough; and

**WHEREAS**, the Borough of Cape May Point is applying for funding to conduct improvements that provides beach access through a safe and readily accessible ADA compliant walkway over of the dune at Coral Avenue within the Borough of Cape May Point; and

**WHEREAS**, the project will allow individuals with mobility challenges to reach the beach easily while minimizing the impact on the delicate coastal ecosystem, thus encouraging pedestrian access by all to the coastal beauty of the beaches and provide a wonderful vista of the Atlantic Ocean and Delaware River Bay; and

**WHEREAS**, maintenance of the facility, once constructed, will be assumed by Borough of Cape May Point;

**NOW, THEREFORE BE IT RESOLVED**, by the Commission of the Borough of Cape May Point that it hereby supports the submission of a grant application, identified as TA-2025 Coral Avenue Accessible Dune Crossover – 00006, for the Transportation Alternatives Set-Aside Program within the State of New Jersey Department of Transportation and authorizes the Mayor, Administrator, Borough Engineer, and the Municipal Clerk to execute any and all documents necessary and related to the submission of said grant application or grant agreement.

**STATEMENT**

*This Resolution supports the Borough of Cape May Point's submission of a Transportation Alternatives Set-Aside Program grant application to NJ Department of Transportation*

	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 April 8, 2025.

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

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

**RESOLUTION 53-25**

**APPROVAL OF EMERGENCY MANAGEMENT  
EMERGENCY OPERATIONS PLAN**

**WHEREAS**, the Borough’s Emergency Management Coordinator has updated the Borough’s Emergency Operations Plan, which must be approved by resolution of the Board of Commissioners prior to submission to FEMA.

**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 the Emergency Operations Plan, prepared by the Borough’s Emergency Management Coordinator effective February 10, 2025.

	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 April 8, 2025.

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



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

**RESOLUTION 54-25**

**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 \$315,255.50.

	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 April 8, 2025.

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

Range of Checking Accts: OTHER to OTHER Range of Check Ids: 18576 to 18615  
Report Type: All Checks Report Format: Condensed Check Type: Computer: Y Manual: Y Dir Deposit: Y

Check #	Check Date	Vendor	Reconciled/Void	Ref Num
PO #	Description	Amount Paid	Contract	
18576	04/08/25	ACM01 ACMJIF		1947
25-00196	2ND QU ASSESSMENT	14,853.00		
18577	04/08/25	ASS02 ASSN. CERTIFIED ASSESSORS CMCO		1947
25-00047	2025 DUES	330.00		
18578	04/08/25	ATL01 ATLANTIC CITY ELECTRIC		1947
25-00181	ELECTRIC BILLS	1,516.38		
25-00213	ELECTRIC BILLS	2,278.66		
		<u>3,795.04</u>		
18579	04/08/25	CAP03 CAPE MAY STAR & WAVE		1947
25-00155	LEGAL AD	7.50		
25-00187	LEGAL ADVERTISING	113.50		
25-00192	LEGAL ADVERTISING	11.50		
25-00205	LEGAL ADVERTISING	11.50		
		<u>144.00</u>		
18580	04/08/25	CAP31 CAPE MINING & RECYCLING LLC		1947
25-00219	STUMPS/TREE PARTS	617.84		
18581	04/08/25	CAS01 CASA PAYROLL SERVICE		1947
25-00184	PAYROLL	307.00		
18582	04/08/25	CAT02 CATERINA SUPPLY INC.		1947
25-00183	METER PIT ETC	6,305.00		
18583	04/08/25	CHR01 CHRISTOPHER GARRISON		1947
25-00191	CHANGE FUND 2025	1,000.00		
18584	04/08/25	CLA01 CLARKE CATON HINTZ		1947
25-00141	AFFORDABLE HOUSING	465.00		
25-00178	AFFORDABLE HOUSING	3,304.50		
		<u>3,769.50</u>		
18585	04/08/25	CLE01 CLEAN-FLO INTERNATIONAL		1947
25-00167	PARKS DIFFUSER CLEANING	1,800.00		
18586	04/08/25	COAST005 COASTAL LANDSCAPING		1947
25-00176	LAKE LILY AND BUTTERFLY GARDEN	1,117.77		
18587	04/08/25	COM01 COMCAST		1947
25-00214	INTERNET 6 MONTHS	2,216.46		
18588	04/08/25	CON01 CONTINENTAL FIRE & SAFETY, INC		1947
25-00177	METAL FACE STORZ ADAPTER	835.00		
18589	04/08/25	COPIE005 COPIERS PLUS		1947
25-00140	COPIER MAINTENANCE	140.66		

April 8, 2025  
10:39 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	
18590	04/08/25	COU02 COURT HOUSE OFFICE SUPPLIES		1947
25-00188	OFFICE SUPPLIES	167.18		
18591	04/08/25	COU03 COUNTY OF CAPE MAY		1947
25-00186	FEBRUARY 2025 FUEL	522.19		
18592	04/08/25	DAT01 DATA NETWORK SOLUTIONS		1947
25-00179	TELEPHONE	310.11		
18593	04/08/25	DEL01 DELL MARKETING LP		1947
25-00194	KEYBOARD & SOUNDBAR	115.61		
18594	04/08/25	DOCUV005 VAULT SOLUTIONS, LLC		1947
25-00217	SHREDDING	73.45		
18595	04/08/25	GARDE005 GARDEN STATE LABORATORIES, INC		1947
25-00165	WATER TESTING	160.00		
18596	04/08/25	GREEN005 GREENMAN-PEDERSEN, INC.		1947
23-00329	Water Utility Controls	660.00		
24-00632	Design PHII Alexander/Surf	3,617.50		
25-00001	Ocean/Lehigh Ave Const Eng	3,382.70		
25-00190	BOROUGH ENGINEER	525.00		
		<u>8,185.20</u>		
18597	04/08/25	GRR01 GRR CONSULTING SERVICES LLC		1947
25-00193	CONSULTING FOR MARCH 2025	4,655.00		
18598	04/08/25	JAC01 J & A CLEANING SERVICE		1947
25-00220	CLEANING	300.00		
18599	04/08/25	LINDA005 LINDA THOMAS		1947
25-00210	RECYCLING COORDINATOR	599.00		
18600	04/08/25	LOW01 LOWE'S		1947
25-00215	STATEMENT	935.85		
18601	04/08/25	NAT04 VAN EMBDEN, NATHAN, ESQUIRE		1947
25-00185	SOLICITOR ADMIN BILLING	700.00		
18602	04/08/25	NEW02 NEW JERSEY PLANNING OFFICIALS		1947
25-00189	CLASS JERRI HOBDY	145.00		
18603	04/08/25	NJS01 NJ ST. LEAGUE OF MUNICIPALITIE		1947
25-00016	2025 DUES	245.00		
18604	04/08/25	PINEL005 PINELAND CONSTRUCTION, LLC		1947
25-00204	TRASH/RECYCLING	9,680.00		
18605	04/08/25	PRO02 PRO PET DISTRIBUTORS		1947
25-00200	DOGIPOT SMARK LITTER BAGS	1,560.18		

Check #	Check Date	Vendor	Reconciled/Void	Ref Num	
PO #	Description	Amount Paid	Contract		
18606	04/08/25	RIO01 RIO SUPPLY, INC 25-00199 SUPPLIES	1,280.00	1947	
18607	04/08/25	RMAXW005 R. MAXWELL CONSTRUCTION CO, INC 24-00225 PUBLIC WORKS BUILDING ADD/RENO	240,860.48	1947	
18608	04/08/25	STA02 STATE OF NEW JERSEY PWT 25-00216 1ST QU WATER TAX	55.38	1947	
18609	04/08/25	STA08 STATE OF NEW JERSEY 25-00197 HEALTH BENEFITS	5,981.40	1947	
18610	04/08/25	SWA01 SWAIN'S ACE HARDWARE 25-00211 MARCH 2025	452.33	1947	
18611	04/08/25	TRE07 TREASURER, STATE OF NEW JERSEY 25-00209 1ST QU MARRIAGE REPORT	25.00	1947	
18612	04/08/25	VER01 VERIZON 25-00180 TELEPHONE BILLS	351.80	1947	
18613	04/08/25	VER03 VERIZON WIRELESS 25-00182 CELL PHONE	410.99	1947	
18614	04/08/25	VIL01 NAPA AUTO PARTS 25-00170 STATEMENT	211.98	1947	
18615	04/08/25	XTE01 XTEL COMMUNICATIONS INC 25-00212 TELEPHONE	41.10	1947	
<hr/>					
Report Totals		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
	Checks:	40	0	315,255.50	0.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	<u>40</u>	<u>0</u>	<u>315,255.50</u>	<u>0.00</u>

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Totals by Year-Fund Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
CURRENT	4-01	3,617.50	0.00	0.00	3,617.50
CURRENT	5-01	44,063.56	0.00	0.00	44,063.56
	5-05	<u>17,269.92</u>	<u>0.00</u>	<u>0.00</u>	<u>17,269.92</u>
Year Total:		61,333.48	0.00	0.00	61,333.48
	C-04	244,243.18	0.00	0.00	244,243.18
	G-02	1,876.84	0.00	0.00	1,876.84
TRUST ACCOUNT EXPENDITURES	T-13	4,184.50	0.00	0.00	4,184.50
Total of All Funds:		<u><u>315,255.50</u></u>	<u><u>0.00</u></u>	<u><u>0.00</u></u>	<u><u>315,255.50</u></u>

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

**RESOLUTION 55-25**

**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)** issue is 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, April 8, 2025 at approximately 6:45 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 \_\_\_\_\_

Potential Litigation: Lighthouse Avenue Water/Sewer Damage

\_\_\_\_\_  
“(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 April 8, 2025.

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



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

**ORDINANCE NO. 03-2025**

**AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF  
CAPE MAY POINT CHAPTER 76 “CONSTRUCTION SITE STANDARDS”**

**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 76 “Construction Site Standards”, of the Code of the Borough of Cape May Point be and is hereby amended as follows (deletions in ~~strike through~~ and additions in underline):

**Section 1.**

**76-3 STANDARDS FOR ALL CONSTRUCTION SITES**

c. Semi-Trailers or Special Mobile Vehicles

2. Tow trailers, commonly known as “construction trailers,” containing tools, materials or supplies for contractors and craftsmen, may be parked at or near the construction site on any street located within the Borough streets between the hours of 6:00 a.m. and 12:00 a.m., but only during the period of actual construction involving the work being performed by the particular contractor using these such particular trailer(s). No construction trailer(s) shall be permitted to be parked on any street located within the Borough streets outside of the hours prescribed in this section and shall not be permitted to be parked on any street located within the Borough streets during any period where construction work is not being actively performed. Any violation of this section shall be subject to penalty pursuant to subparagraph (l) of this chapter. All such Any construction trailers that are being parked on any street located within the Borough streets in accordance with the provisions of this chapter shall be immediately removed following completion of their owning contractor’s phase of the construction.

**Section 2.** 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 3.** This ordinance shall take effect twenty (20) days after passage and publication, according to law.

<b>Final Adoption</b>	<b>MOTION</b>	<b>SECOND</b>	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Geiger						
vanHeeswyk						
Yunghans						

ATTEST:

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Elaine L. Wallace, Borough Clerk

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Elise Geiger, Commissioner

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Anita vanHeeswyk, Mayor

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Suzanne Yunghans, Commissioner

FIRST READING: March 25, 2025

PUBLICATION: March 26, 2025

PUBLIC HEARING: April 8, 2025

PUBLICATION: April 16, 2025