

MAY 26, 2026
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: Clerk Administrator 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:

Bamboo Regulations: Commissioner Geiger gave a brief background on the enactment of the Borough's ordinance regulating bamboo. The way the ordinance is written with regard to who is responsible for removing bamboo, and under which circumstances is creating an enforcement issue. Ms. Geiger stated there are several "bamboo forests" in the Borough that encroach on multiple properties and it is not possible to determine where the bamboo originated and who would be responsible under the ordinance as currently written. She referred to ordinances from two other towns that regulate bamboo in a different way that makes enforcement easier and clearer. In addition, the state recently adopted The Invasive Species Management Act, which will prohibit the sale of running bamboo, wisteria, English ivy, and privet. Ms. Geiger noted that the Borough could also treat those plants as it does bamboo and expand the ordinance to additional types of invasives. The benefit of the new state law is that these plants will no longer be sold in New Jersey after a 3-year run-in period. This diminishes the potential for planting, leaving the Commissioners to decide on whether bamboo should be controlled and/or removed. It is recognized that containment or removal is an arduous task for the affected homeowners. Mrs. vanHeeswyk explained how bamboo had encroached onto her property and how she eliminated it. She said she would support whatever action was suggested to help eradicate it and agreed that it can be impossible to determine the original source in many instances. There was discussion on whether to allow longer times to address the situation, especially where there are multiple properties involved. Solicitor Amenhauser said it could either be written into the ordinance, or timing could be at the discretion of the Code Enforcement Officer. In situations where there is a smaller area, timing could be shorter. Commissioner Geiger suggested Mr. Amenhauser look at the Ho-Ho-Kus and Aberdeen ordinances, which she found well written, for examples of how to amend the Borough's ordinance. The language about the source and prior knowledge should be removed to clarify that if it is on your property, you have a duty to contain or remove it. Commissioner Yunghans reminded everyone that Public Works cannot collect or dispose of bamboo. She wondered if any bamboo was currently a threat to any Borough property or infrastructure. Ultimately it was decided to have Solicitor Amenhauser to draft some changes to the ordinance for bamboo but not to address other invasives at this time.

REPORTS:

Commissioner Geiger said that despite the rain it was a wonderful Memorial Day weekend in Cape May Point.

Mayor vanHeeswyk reported on two major topics discussed at the mayor's roundtable meeting. The first was the County was looking into building affordable housing. She explained that in previous rounds affordable housing rules allowed towns to contribute from their trust funds for projects in nearby towns, but that is no longer an option. The other topic was NJPACT REAL rules. The discussion left her feeling hopeful that the rules implementation deadline would be pushed back to allow changes to be made to the regulations. She said the Borough was prepared to meet the deadline if necessary, but doing so only to have to repeal it after changes were made, was an expensive and wasteful proposition for the Borough. Solicitor Amenhauser agreed the compliance deadline was likely to be extended.

Commissioner Yunghans reported Public Works has been repairing potholes in addition to preparing public spaces for the Memorial Day Weekend. She also said the Borough, with funds from the Friends of Lake Lily and the Taxpayers Association, hired a contractor to haul away the piles of vegetation from the island in Lake Lily and remove some of the roots. Once done, the contractor put down black plastic to inhibit new growth. Lastly, the Borough is still waiting for the NJDEP permit so they can complete beach raking before the season starts.

PUBLIC QUESTIONS ON AGENDA ITEMS:

APPROVAL OF MINUTES:

May 12, 2026

Motion: vanHeeswyk, Geiger

Roll call: all in favor

ORDINANCES FOR INTRODUCTION/PUBLICATION: None

RESOLUTIONS:

81-26 Authorizing Water Bill Adjustment in Accordance with Ch. 146-20.d
"Water Leakage Policy"

Motion: Yunghans, vanHeeswyk

Roll call: all in favor

82-26 Salary Resolution 2026

Motion: vanHeeswyk, Yunghans

Roll call: all in favor

83-26 Authorizing the Mayor to Sign Right-of-Way Agreement with Fiber
Assetco LLC

Motion: vanHeeswyk, Geiger

Roll call: all in favor

- 84-26 Authorizing special Event Permit for Erin Wheeler
Motion: vanHeeswyk, Yunghans
Roll call: all in favor
- 85-26 Approval of Bill List
Motion: vanHeeswyk, Geiger
Roll call: all in favor

ORDINANCES FOR SECOND READING AND PUBLIC HEARING: None

PROCLAMATION: Pride Month June 2026

PUBLIC PORTION:

Sandy Allison was glad to see bamboo being addressed further. She also asked about the new steps for the Brainard Avenue beach entrance. She said several people have complained about the steepness and angle of the steps. Public Works Superintendent Bill Gibson said the stairs were built to code after the Borough was put on notice by members of the public that the slope of the previous entrance was a safety issue. The height and configuration of the dune required 19 steps. Anyone who can't climb steps can use the Stites Avenue entrance that is half a block away. Lastly, Ms. Allison thanked Bill Gibson and the others who opened the firehouse early so the Environmental Commission could give away magnolia trees.

Rich Johnson asked about an error in the salary resolution. Clerk Wallace thanked him for his attention to detail and reported she made the correction after receiving his email and posted the updated version to the website prior to the meeting.

When no one else wished to speak, the meeting was adjourned at 12:37 pm on motion of Mayor vanHeeswyk, seconded by Commissioner Yunghans.

Respectfully submitted,

Accepted:

 Elaine L. Wallace, RMC, CMR
 Municipal Clerk

 Commissioner Geiger

 Mayor vanHeeswyk

 Commissioner Yunghans