

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: 867 7697 3932 Passcode: 366168

Direct link: <https://us02web.zoom.us/j/86776973932?pwd=3NlX08bJDapt8cDi8dI7oWSGIBKjJ.1>

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 PM the Monday before the meeting.

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

BOROUGH MEETING – JUNE 9, 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

COMMISSIONERS' DISCUSSION/REPORTS

PUBLIC QUESTIONS ON RESOLUTIONS ONLY

APPROVAL OF MINUTES

May 26, 2026

ORDINANCES FOR INTRODUCTION / PUBLICATION

RESOLUTIONS

- 86-26 Resolution to Close a Portion of Yale Avenue on Saturday, August 29, 2026
- 87-26 Approval of Bill List
- 88-26 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 – Code Enforcement

ORDINANCES FOR SECOND READING / PUBLIC HEARING / ADOPTION:

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
STATE OF NEW JERSEY**

RESOLUTION 86-26

**RESOLUTION TO CLOSE A PORTION OF
YALE AVENUE ON SATURDAY, AUGUST 29, 2026**

WHEREAS, the Cape May Point Taxpayers Association and Volunteer Fire Company are holding Point Fest on Saturday, August 29, 2026, and have requested that Yale Avenue be closed between Ocean and Cape Avenues from 4 pm to 9 pm; and

WHEREAS, the Borough will provide appropriate barricades and signage to make traffic aware of the temporary closure.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Cape May Point that the request to close Yale Avenue between Ocean and Cape Avenues on Saturday, August 29, 2026 from 4 pm to 9 pm be and is hereby approved.

	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Geiger						
vanHeeswyk						
Yunghans						

Certification

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 June 9, 2026.

Municipal Clerk

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

RESOLUTION 87-26

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 \$181,573.86.

	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 June 9, 2026.

Municipal Clerk

June 5, 2026
12:02 PM

BOROUGH OF CAPE MAY POINT
Check Register By Check Id

Page No: 1

Range of Checking Accts: OTHER to OTHER Range of Check Ids: 19334 to 19364
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
19334	06/09/26	ALL01 ALLEGRA MARKETING			1977
26-00322	POSTAGE		267.06		
19335	06/09/26	ANCOA005 ANCO ACE HARDWARE			1977
26-00308	STATEMENT		183.98		
19336	06/09/26	CAP03 CAPE MAY STAR & WAVE			1977
26-00290	LEGAL AD		48.00		
19337	06/09/26	CAP14 CAPE MAY COUNTY MUA			1977
26-00293	WASTEWATER 2ND QU 2026		62,249.50		
19338	06/09/26	CAP31 CAPE MINING & RECYCLING LLC			1977
26-00282	MULCH/STUMPS/TREE PARTS		593.88		
26-00287	TOPSOIL		468.70		
26-00309	CONCRETE		143.69		
			<u>1,206.27</u>		
19339	06/09/26	CHRIS010 CHRISTOPHER WIMBERG			1977
26-00319	POLL WORKER		300.00		
19340	06/09/26	CHU01 CHURCH'S GARDEN CENTER & FARM			1977
26-00276	PLANTS		1,119.60		
19341	06/09/26	CIT03 CITY OF CAPE MAY			1977
26-00281	APRIL WATER		19,493.73		
19342	06/09/26	COAST005 COASTAL LANDSCAPING			1977
26-00303	FRONT PARK		504.19		
19343	06/09/26	COM01 COMCAST			1977
26-00268	INTERNET 6 MONTHS		2,292.18		
19344	06/09/26	COPIE005 COPIERS PLUS			1977
26-00301	COPIER MAINTENANCE		45.75		
19345	06/09/26	COU03 COUNTY OF CAPE MAY			1977
26-00295	APRIL FUEL 2026		2,099.12		
19346	06/09/26	DAT01 DATA NETWORK SOLUTIONS			1977
26-00299	TELEPHONE		310.11		
19347	06/09/26	DAV01 DAVE'S TRASH REMOVAL			1977
26-00278	DUMP FEE		1,022.38		
19348	06/09/26	DAVEA005 DAVE ADAMS ROOFING & SIDING			1977
26-00244	Roof Repair - Borough Hall		16,500.00		
19349	06/09/26	FOR01 FORD SCOTT AND ASSOCIATES, LLC			1977
26-00307	AUDIT		15,000.00		

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
PO #	Description				Contract
19350	06/09/26	GARDE005 GARDEN STATE LABORATORIES, INC			1977
26-00291	WATER TESTING		190.00		
19351	06/09/26	GREEN005 GREENMAN-PEDERSEN, INC.			1977
26-00037	Alexander Ave Const Eng		2,139.75		
19352	06/09/26	JAC01 J & A CLEANING SERVICE			1977
26-00306	CLEANING MAY 2026		300.00		
19353	06/09/26	JAN01 JANET M WESTCOTT			1977
26-00316	POLL WORKER		325.00		
19354	06/09/26	MAR15 MARY IMPERATO			1977
26-00318	POLL WORKER		300.00		
19355	06/09/26	NAT04 VAN EMBDEN, NATHAN, ESQUIRE			1977
26-00289	SOLICITOR ADMIN BILLING		350.00		
19356	06/09/26	NJAS NJ AUDUBON SOCIETY			1977
26-00305	COMMUNITY WORKDAY		250.00		
19357	06/09/26	RI001 RIO SUPPLY, INC			1977
26-00133	Remote Meter Reading Equipment		39,500.00		
26-00300	METERS		<u>1,316.00</u>		
			40,816.00		
19358	06/09/26	SEA05 SEA GEAR MARINE			1977
26-00269	STATEMENT		222.57		
19359	06/09/26	SHE01 SHEPANSKI'S AUTO REPAIR			1977
26-00294	REPAIR		2,167.32		
19360	06/09/26	SWA01 SWAIN'S ACE HARDWARE			1977
26-00304	STATEMENT		1,429.89		
19361	06/09/26	THOMA005 THOMAS IMPERATO			1977
26-00317	POLL WORKER		300.00		
19362	06/09/26	UNI03 UNIVERSAL SUPPLY COMPANY			1977
26-00296	BRAINARD AVE BEACH ENTRANCE		9,690.46		
19363	06/09/26	VEC01 VECTOR SECURITY, INC.			1977
26-00272	SERVICE REPAIR		202.00		
19364	06/09/26	VER03 VERIZON WIRELESS			1977
26-00274	CELL PHONE/CAMERAS		249.00		

Check #	Check Date	Vendor	Reconciled/Void		Ref Num
PO #	Description	Amount Paid	Amount Paid	Amount Void	Contract
19364	VERIZON WIRELESS				
	Report Totals				
			<u>Paid</u>	<u>Void</u>	
	Checks:		31	0	
	Direct Deposit:		0	0	
	Total:		31	0	
			<u>181,573.86</u>	<u>0.00</u>	

Totals by Year-Fund					
Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
CURRENT	6-01	52,252.85	0.00	0.00	52,252.85
	6-05	<u>127,016.29</u>	<u>0.00</u>	<u>0.00</u>	<u>127,016.29</u>
Year Total:		179,269.14	0.00	0.00	179,269.14
	G-02	2,304.72	0.00	0.00	2,304.72
Total of All Funds:		<u>181,573.86</u>	<u>0.00</u>	<u>0.00</u>	<u>181,573.86</u>

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

RESOLUTION 88-26

**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, June 9, 2026 at approximately 12:20 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: Code Enforcement

_____ **"(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 June 9, 2026.

Municipal Clerk