

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=3NlkX08bJDapt8cDi8dI7oWSGIBKjJ.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 – SEPTEMBER 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

COMMISSIONERS' DISCUSSION/REPORTS

- Right of Way Regulations

PUBLIC QUESTIONS ON RESOLUTIONS ONLY

APPROVAL OF MINUTES

August 11, 2026

ORDINANCES FOR INTRODUCTION / PUBLICATION

RESOLUTIONS

- 109-26 Authorizing Special Event Permit – Michael Cameron
- 110-26 Authorizing Refund of Overpaid Taxes
- 111-26 Authorizing Refund of Vendor License Fee
- 112-26 Approval of Bill List
- 113-26 Authorizing Executive/Closed Session

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 109-26

AUTHORIZING SPECIAL EVENT PERMIT – MICHAEL CAMERON

WHEREAS, Michael Cameron has applied for a Special Event Permit for the purpose of having a rehearsal picnic on Friday, September 11, 2026 in Pavilion Circle from 6:00 pm to 9:30 pm; and

WHEREAS, the applicant has supplied all documentation required under Ordinance No. 551-08, including the requisite Certificate of Insurance, and has further pledged to comply with all applicable rules and regulations pertaining to the conduct of said Special Event.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Cape May Point, County of Cape May, New Jersey that the Borough Clerk is hereby authorized to issue Special Event Permit to Michael Cameron for a rehearsal picnic on Sunday, October 11, 2026 on Alexander Avenue beach entrance from 12:00 pm to 2:00 pm.

	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 September 8, 2026.

Municipal Clerk

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

RESOLUTION 110-26

**AUTHORIZING THE TAX COLLECTOR TO REFUND
OVERPAYMENT OF TAXES**

WHEREAS, the property owners of 506 Holly Avenue (Block 18, Lot 13) paid their 3rd and 4th quarter 2026 taxes in the amount of \$3,086.41 on August 18, 2026; and

WHEREAS, the property taxes for block 18, Lot 13 are paid through CoreLogic on a quarterly basis, the 3rd quarter having been paid by CoreLogic on August 18, 2026; and

WHEREAS, the property owner has requested a refund of the overpaid taxes.

BE IT RESOLVED by the Board of Commissioners of the Borough of Cape May Point, County of Cape May, State of New Jersey, that a refund of overpaid 3rd and 4th Quarter 2026 taxes, as recommended by the Borough Tax Collector, be and is hereby authorized as follows:

<u>BLOCK/LOT</u>	<u>ADDRESS</u>	<u>NAME</u>	<u>AMOUNT</u>
13 / 13	506 Holly Avenue	Jesse James Cancelmo	\$3,086.41

	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Geiger						
vanHeeswyk						
Yunghans						

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Municipal Clerk

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

RESOLUTION 111-26

**AUTHORIZING THE REFUND OF VENDOR LICENSE FEE
TO SAFEANDSOUNDELIVERY, LLC**

WHEREAS, SafeAndSoundDelivery, LLC, dba Mister Softee, applied for and was issued a vending license; and

WHEREAS, when Mister Softee came to do business under the permit, it was determined that their truck was not in compliance with Borough Code, thus was not qualified for a vendor license; and

WHEREAS, the vendor was notified they would have to use a different vehicle or their license would be revoked and the license fee would be refunded.

NOW, THEREFORE, BE IT RESOLVED the Board of Commissioners of the Borough of Cape May Point, County of Cape May, State of New Jersey, hereby revokes the vendor license issued to SafeAndSoundDelivery, LLC and authorizes the refund of the license fee of \$350.

	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Geiger						
vanHeeswyk						
Yunghans						

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Municipal Clerk

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

RESOLUTION 112-26

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 \$117,059.24.

	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Geiger						
vanHeeswyk						
Yunghans						

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Municipal Clerk

September 4, 2026
12:09 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: 19523 to 19538
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	
19523	09/08/26	ANCOA005 ANCO ACE HARDWARE		1984
26-00489	STATEMENT	772.51		
19524	09/08/26	CAS01 CASA PAYROLL SERVICE		1984
26-00481	PAYROLL	249.50		
19525	09/08/26	CIT02 CITY OF CAPE MAY		1984
26-00288	EMS 1ST QU 2026	5,498.84		
19526	09/08/26	COPIE005 COPIERS PLUS		1984
26-00482	COPIER MAINTENANCE	139.74		
19527	09/08/26	DAT01 DATA NETWORK SOLUTIONS		1984
26-00483	TELEPHONE	310.11		
19528	09/08/26	GARDE005 GARDEN STATE LABORATORIES, INC		1984
26-00484	WATER TESTING	340.00		
19529	09/08/26	GENER010 GENERAL CODE		1984
26-00491	ANNUAL MAINTENANCE	1,295.00		
19530	09/08/26	HOOPE005 HOOBER, INC.		1984
26-00490	STATEMENT	333.62		
19531	09/08/26	JAC01 J & A CLEANING SERVICE		1984
26-00480	CLEANING	300.00		
19532	09/08/26	ONE02 ONE CALL CONCEPTS		1984
26-00492	MARK OUTS	87.40		
19533	09/08/26	ORIGI005 ORIGINAL WATERMEN, INC.		1984
26-00286	UNIFORMS	1,638.65		
19534	09/08/26	PINEL005 PINELAND CONSTRUCTION, LLC		1984
26-00487	TRASH/RECYCLING	9,989.76		
19535	09/08/26	ROUTE005 ROUTE 23 AUTOMALL LLC		1984
26-00134	'26 4x4 SD CC 6.75' F-350	95,052.00		
19536	09/08/26	SWA01 SWAIN'S ACE HARDWARE		1984
26-00486	STATEMENT	511.92		
19537	09/08/26	VER01 VERIZON		1984
26-00478	TELEPHONE	530.59		
19538	09/08/26	WIL01 WILLIAM GIBSON		1984
26-00494	REIMBURSEMENT	9.60		

September 4, 2026
12:09 PM

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	

19538 WILLIAM GIBSON	Continued			
Report Totals		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>
	Checks:	16	0	117,059.24
	Direct Deposit:	0	0	0.00
	Total:	16	0	117,059.24

Totals by Year-Fund					
Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
CURRENT	6-01	21,329.87	0.00	0.00	21,329.87
	6-05	45,729.37	0.00	0.00	45,729.37
Year Total:		67,059.24	0.00	0.00	67,059.24
	C-04	50,000.00	0.00	0.00	50,000.00
Total of All Funds:		117,059.24	0.00	0.00	117,059.24

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

RESOLUTION 113-26

**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, September 8, 2026 at approximately 6:30 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 _____

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						

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Municipal Clerk