CITY OF CAPE MAY, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

ORDINANCE NO. 587-2026

ORDINANCE AUTHORIZING UTILITY EASEMENT AGREEMENT WITH THE ATLANTIC CITY ELECTRIC COMPANY TO ACCOMMODATE RELOCATION OF ELECTRIC POLES, EQUIPMENT, AND OVERHEAD LINES IN THE AREA OF THE NEW POLICE STATION AND LAFAYETTE STREET PARK - BLOCK 1061, LOTS 42 & 51

WHEREAS, the City of Cape May is the owner of property commonly known as Block 1061, Lot 42 & 51 located in the City of Cape May, County of Cape May, State of New Jersey ("the property"); and

WHEREAS, the properties abut St. John and Lafayette Streets and is in the vicinity of the new police station facility and Lafayette Street Park; and

WHEREAS, in preparation for the construction of the new Police Station headquarters, the City will require reconfiguration of existing overhead primary wires and poles to provide adequate space for construction of the new building. The City Council authorized a work order to Atlantic City Electric Company (ACE) for this relocation pursuant to Resolution No. 319-11-2025; and

WHEREAS, ACE has proposed a Utility Easement Agreement to confirm the locations of the proposed poles, equipment, and lines associated with the relocation which is attached hereto as EXHIBIT A and incorporated herein by reference; and

WHEREAS, pursuant to the Local Lands and Buildings Law, N.J.S.A. 40A:12-1 et seq., an Ordinance is required to authorize and approve the attached Deed of Easement; and

WHEREAS, the City Engineer and City Solicitor has reviewed the proposed agreement and indicated approval as to form; and

WHEREAS, the City Council has reviewed the matter and determined that authorizing the agreement referenced herein is in the best interest of the City.

NOW, THEREFORE BE IT ORDAINED by the City Council of the City of Cape May in the County of Cape May and State of New Jersey as follows:

SECTION 1. The City is hereby authorized to convey a Utility Easement Agreement to Atlantic City Electric Company with respect to real property identified as Block 1061, Lots 42 & 51 on the Official Tax Map of the City of Cape May. Said properties are more particularly described in the Utility Easement Agreement attached hereto as EXHIBIT A and incorporated herein by reference.

SECTION 2. Upon fulfillment and execution of all requirements for the enactment of this Ordinance, the Utility Easement Agreement shall be returned to Atlantic City Electric Company for recording in the Office of the Cape May County Clerk.

SECTION 3. The Mayor and City Clerk are hereby authorized to execute any and all instruments and to take any and all actions necessary to effectuate the purposes of this Ordinance.

SECTION 4. If any article, section, subsection, paragraph, subdivision, or clause of this Ordinance shall be adjudged invalid by a court of competent jurisdiction, such order or judgment shall not affect or invalidate the remainder thereof, and to this end, the provisions of this Ordinance are hereby declared to be severable.

SECTION 5. This Ordinance shall take effect twenty (20) days after final passage and publication according to law.

ATTEST:

Erin C. Burke, City Clerk

CITY OF CAPE MAY, a municipal corporation of the State of New Jersey

BY: Zachary M. Mullock, Mayor

NOTICE

Ordinance 587-2026 was introduced at a Regular meeting of the City Council of the City of Cape May, held on January 6, 2026 and was further considered for final passage during a Regular meeting of the City Council, held at the Cape May City Hall Auditorium, 643 Washington Street, Cape May, New Jersey, on February 3, 2026 at 5:00P.M. at which time a Public Hearing was held.

Erin C. Burke, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain	Motion	Second
Meier			X			
McDade	X				X	
Bodnar	X					
Baldwin	X					X
Mullock	X					

Introduced: January 6, 2026
1st Publication: January 14, 2026
2nd Reading & Adoption: February 3, 2026
Final Publication: February 11, 2026
Effective Date: March 3, 2026

EXHIBIT A

Utility Easement Agreement
Block 1061, Lots 42 & 51