

Note: Complete Meeting Appears
on 25-16 on file in
Borough Clerk's Office

November 30, 2016
Wildwood Crest, NJ

Prior to the opening of the meeting, Mr. Groom led those present in the Pledge of Allegiance to the Flag.

The meeting of the Board of Commissioners, Borough of Wildwood Crest, Cape May County, New Jersey, was held in the Municipal Court Room at 5:30 p.m. On roll call the following answered to their names:

Gould – Cabrera – Groom – Yes

Mr. Groom read the following statement: In compliance with the Open Public Meeting Act, Chapter 231, P.L. 1975, the notice requirements have been satisfied as to the time, place and date of holding said meeting by posting notice on the bulletin board in the Borough Hall and by mailing and same to the Gazette-Leader, Herald of Cape May County and The Press on November 4, 2015.

Mr. Groom next announced the one-way in and the one-way out method of ingress and egress in case of emergency.

Mrs. Gould motioned, seconded by Mr. Cabrera, that Ordinance 1245 be placed on second and final passage by title only.

Vote: Gould - Cabrera – Groom – Yes

THE CLERK READ THE FOLLOWING ORDINANCE BY TITLE ONLY:

ORDINANCE NO. 1245

AN ORDINANCE REPEALING CHAPTER 67 – STREET EXCAVATIONS – OF THE CODE OF THE BOROUGH OF WILDWOOD CREST, COUNTY OF CAPE MAY, STATE OF NEW JERSEY, ADOPTED DECEMBER 20, 1974 AS ORDINANCE NO. 473, AMENDED APRIL 23, 1975 BY ORDINANCE NO. 480, AMENDED OCTOBER 17, 1978 BY ORDINANCE NO. 530, AMENDED DECEMBER 5, 1988 BY ORDINANCE NO. 683, AMENDED JUNE 25, 2003 BY ORDINANCE NO. 935; AMENDED IN ITS ENTIRETY MARCH 9, 2005 BY ORDINANCE NO. 973; AMENDED IN ITS ENTIRETY OCTOBER 26, 2005 BY ORDINANCE NO. 984; AMENDED NOVEMBER 5, 2015 BY ORDINANCE NO. 1197, AND ORDINANCE NO. 1243 ADOPTED AUGUST 10, 2016, AND ADOPTING NEW CHAPTER 67 – STREET EXCAVATIONS AND OPENINGS – OF THE CODE OF THE BOROUGH OF WILDWOOD CREST.

Mrs. Gould motioned, seconded by Mr. Cabrera, that a public hearing now be held on Ordinance No. 1245.

Vote: Gould - Cabrera – Groom – Yes

After no comments from the public, Mrs. Gould motioned, seconded by Mr. Cabrera, that the public hearing on Ordinance No. 1245 now be closed.

Vote: Gould - Cabrera – Groom – Yes

Mrs. Gould motioned, seconded by Mr. Cabrera, that Ordinance No. 1245 be passed on second and final reading and advertised according to law.

Vote: Gould - Cabrera – Groom – Yes

Mrs. Gould motioned, seconded by Mr. Cabrera, that Ordinance 1246 be placed on second and final passage by title only.

Vote: Gould - Cabrera – Groom – Yes

THE CLERK READ THE FOLLOWING ORDINANCE BY TITLE ONLY:

ORDINANCE NO. 1246

AN ORDINANCE REPEALING CHAPTER 63 – SIDEWALKS,
CURBS AND ALLEYWAYS, ORDINANCE NO. 305
ADOPTED MAY 22, 1963 - OF THE CODE OF THE
BOROUGH OF WILDWOOD CREST IN ITS ENTIRETY AND
REPEALING ORDINANCE NO. 928 ADOPTED FEBRUARY
26, 2003, AND ADOPTING NEW CHAPTER 63 –
SIDEWALKS, CURBS AND ALLEYWAYS

Mrs. Gould motioned, seconded by Mr. Cabrera, that a public hearing now be held on Ordinance No. 1246.

Vote: Gould - Cabrera – Groom – Yes

After no comments from the public, Mrs. Gould motioned, seconded by Mr. Cabrera, that the public hearing on Ordinance No. 1246 now be closed.

Vote: Gould - Cabrera – Groom – Yes

Mrs. Gould motioned, seconded by Mr. Cabrera, that Ordinance No. 1246 be passed on second and final reading and advertised according to law.

Vote: Gould - Cabrera – Groom – Yes

ORDINANCE NO. 1247

AN ORDINANCE AUGMENTING AND AMENDING CHAPTER 56A –
RENTAL PROPERTIES - RENTAL LICENSE REGULATIONS,
ESTABLISHING LICENSING PROCEDURES, REQUIRED INSPECTIONS
AND REGISTRATION FOR ALL RENTAL PROPERTIES OR PROPERTIES
CONTAINING RENTAL UNITS, INCLUDING, BUT NOT LIMITED TO,
RESORT HOUSES, OF THE CODE OF THE BOROUGH OF WILDWOOD
CREST – ORDINANCE NO. 1235 ADOPTED FEBRUARY 24, 2016

Mrs. Gould motions, Mr. Cabrera seconds that Ordinance No. 1247 be passed on first reading, advertised according to law, be brought up for second and final reading and public hearing on December 14, 2016 at 9:30 a.m.

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 804-16

Authorizing Execution of an Interlocal Services Agreement for Fire
Suppression Services

WHEREAS, there currently exists an Interlocal Services Agreement for Fire Suppression Services between the Borough of Wildwood Crest, the Wildwood Crest Volunteer Fire Company No. 1, the Township of Lower and the Erma Volunteer Fire Company, Station 62, Fire District No. 3, which expires on December 31, 2016, and

WHEREAS, it is the desire of all parties to renew the Interlocal Services Agreement for a period of three years beginning the January 1, 2017 through December 31, 2019 and all terms and conditions have been agreed upon by all parties, and

WHEREAS, the Commissioners of Fire District No. 3, Erma Volunteer Fire Company, Station 62, in the Township of Lower have authorized the Interlocal Services Agreement by Resolution #2016-24 adopted at their meeting held on October 18, 2016, and

NOW, THEREFORE, BE IT RESOLVED by the Borough Commissioners as follows:

1. The attached Interlocal Services Agreement for the period of January 1, 2017 through December 31, 2019 between the Borough of Wildwood Crest, the Wildwood Crest Volunteer Fire Company No. 1, the Township of Lower and the Commissioners of Fire District No. 3 be and is hereby approved.
2. The Mayor of and the Municipal Clerk are hereby authorized and directed to execute the attached Interlocal Services Agreement on behalf of the Borough.

Mrs. Gould motioned, seconded by Mr. Cabrera, that the foregoing Resolution be adopted.

Vote: Gould - Cabrera – Groom – Yes

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 805-16

**Authorizing an Addendum to the Existing
Memorandum of Understanding between the Borough of Wildwood
Crest and the Wildwood Crest Volunteer Fire Company No. 1**

WHEREAS, there currently exists a Memorandum of Understanding between the Borough of Wildwood Crest and the Wildwood Crest Volunteer Fire Company No. 1 for the period of January 1, 2016 through December 31, 2025 defining the respective duties and obligations of the Volunteer Fire Company and the Borough which was authorized by Resolution #552-15 on December 16, 2015, and

WHEREAS, it is necessary to amend the Memorandum of Understanding referred to above.

WHEREAS, the Borough of Wildwood Crest and the Wildwood Crest Volunteer Fire Company No. 1 have agreed to the attached Addendum to the original Memorandum of Understanding adopted on December 16, 2015 by Resolution 552-15.

NOW, THEREFORE, BE IT RESOLVED by the Borough Commissioners of the Borough of Wildwood Crest as follows:

1. The attached Addendum to Memorandum of Understanding adopted December 16, 2015 between the Borough of Wildwood Crest and Wildwood Crest Volunteer Fire Company No. 1 is hereby approved.
2. The Mayor and Borough Clerk are authorized and directed to execute the attached Addendum to the MOU between the Borough and Wildwood Crest Volunteer Fire Co. No. 1 on behalf of the Borough.

Mrs. Gould motioned, seconded by Mr. Cabrera, that the foregoing Resolution be adopted.
Vote: Gould - Cabrera – Groon – Yes

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 806-16

SUBJECT: A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE BOROUGH OF WILDWOOD CREST AND PBA LOCAL 59, POLICEMAN'S BENEVOLENT ASSOCIATION FOR THE PERIOD JANUARY 1, 2016 THROUGH DECEMBER 31, 2019.

WHEREAS, the Borough of Wildwood Crest (the Borough) and PBA Local 59, Policeman's Benevolent Association (the PBA) engaged in collective bargaining negotiations to replace the current Agreement which expired on December 31, 2015; and

WHEREAS, the Borough Commission discussed the tentative Agreement between the Borough and the PBA at a Closed Session held on November 30, 2016; and

WHEREAS, the Borough Commission approved the tentative Agreement between the Borough and PBA covering the contract term of four (4) years commencing January 1, 2016 through December 31, 2019; and

WHEREAS, the parties have determined that the tentative Agreement between the parties should be memorialized in a final contract covering the period January 1, 2016 through December 31, 2019.

NOW, THEREFORE, BE IT RESOLVED by the Borough Commission of the Borough of Wildwood Crest, County of Cape May, State of New Jersey, that:

1. Statements of the preamble hereto are incorporated herein by this reference.
2. The proposed Agreement between the Borough of Wildwood Crest and PBA Local 59 Policeman's Benevolent Association covering the period January 1, 2016 through December 31, 2019 (a copy of which is on file in the Office of the Borough Clerk) is approved and the Mayor and the Borough Clerk be hereby authorized, directed and empowered to execute said Agreement on behalf of the Borough of Wildwood Crest subject such final editing as may be approved by Borough labor counsel.
3. The Borough Clerk is further authorized, directed and empowered to seal said Agreement with the seal of the Borough of Wildwood Crest.

Dated: November 30, 2016

Mrs. Gould motioned, seconded by Mr. Cabrera, that the foregoing Resolution be adopted.
Vote: Gould - Cabrera – Groon – Yes

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 807-16

WHEREAS, N.J.S.A. 40A:4-58 permits transfers between budget appropriations during the final two (2) months of the fiscal year;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey, that transfers between 2016 budget appropriations be and the same are hereby authorized as follows:

<u>Appropriation Title</u>	<u>To</u>	-	<u>From</u>
Public Works -Other Expenses	28,100.00		
Sanitation Salaries & Wages (Recycling)			25,800.00
Beach Cleaning Salaries & Wages			2,300.00
	<hr/>		<hr/>
	\$ 28,100.00		\$ 28,100.00
	<hr/>		<hr/>

Mrs. Gould motioned, seconded by Mr. Cabrera, that the foregoing Resolution be adopted.
Vote: Gould - Cabrera – Groom – Yes

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 808-16

**Authorizing Retention Via Professional Services Agreement
Of An Engineer Specializing In Roads and Roadway Reconstruction**

WHEREAS, the Borough of Wildwood Crest requires the professional services of an Engineering firm specializing in Roads and Roadway Reconstruction; and

WHEREAS, it is desired to employ a professional, pursuant to law, who is duly trained, experienced and specialized in the area of engineering; and

WHEREAS, the Local Public Contracts Law provides for the entering into of a contract for professional services pursuant to R.S.40A:11-5(1)(a), without advertising for competitive bidding; and

WHEREAS, the Borough has determined that the firm Mott MacDonald, of Cape May Court House, New Jersey is qualified to perform said work and it is desired to enter a professional contract with Mott MacDonald for said services pursuant to law, and to provide for the advertising of a notice pursuant to law; and

WHEREAS, the firm Mott MacDonald , has completed and submitted a Business Entity Disclosure Certification which certifies that Hatch Mott MacDonald, will not make any reportable contributions pursuant to N.J.S.A. 19:44A-1 commencing November 30, 2016 to any political committee or candidate through the term of this contract;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey, as follows:

1. **The firm Mott MacDonald**, of Cape May Court House, New Jersey is hereby retained as Engineer to provide specialized professional services for the Reconstruction of Pacific Avenue from Cresse Avenue to Rambler Road for the period not to exceed one year and commencing November 30, 2016. The said professional services to be received shall be “as directed” by the Borough of Wildwood Crest from time to time.
2. The Commissioner of Public Safety and Borough Clerk be and they are hereby authorized and directed to enter into a contract with the firm Mott MacDonald of Cape May Court House, New Jersey for specialized professional services for Site Evaluation and Materials Review for Emergency Management Shelter Location for the period indicated above, which contract shall provide for payment at the not to exceed amount of **Two Hundred Four Thousand Six Hundred (\$204,600) dollars**. Said award is further contingent upon the certification of availability of funds below by the CFO.
3. This contract is awarded without competitive bidding as a professional service in accordance with the provisions of the Local Public Contracts Law aforesaid, and in accordance with the provisions of N.J.S.A. 19:44A-1, and shall be in a form approved by the Borough.

4. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this Resolution.
5. This Resolution and a copy of the contract for professional services shall be maintained on file in the offices of the Borough Clerk for public inspection.
6. A copy of this Resolution shall be published in the legal newspaper designated by the Borough as required by law, within ten (10) days of its passage.

Mrs. Gould motioned, seconded by Mr. Cabrera, that the foregoing Resolution be adopted.

Vote: Gould - Cabrera – Groom – Yes

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 809-16

BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey, that the Policies and Procedures Manual of the Borough of Wildwood Crest be amended as follows:

1. That **Section One: Employee Evaluation Policy**, be amended and supplemented pursuant to Exhibit “A” attached.
2. That **Section Four: Compensation & Employee Benefits Policies**, be amended and supplemented pursuant to Exhibit “B” attached.
3. That **Section Four: Overtime Compensation Policy**, be amended and supplemented pursuant to Exhibit “C” attached.

Mrs. Gould motioned, seconded by Mr. Cabrera, that the foregoing Resolution be adopted.

Vote: Gould - Cabrera – Groom – Yes

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 810-16

Approving the purchase of Auto Parts from NAPA in
Accordance with the National Co-operative Purchasing Agreement

WHEREAS, the Borough of Wildwood Crest is allowed to participate in national purchasing cooperative per N.J.S.A 52:34-6.2 (b) P.L. 2001, c.139 which was enacted into law permitting agencies to utilize national purchasing cooperatives; and

WHEREAS, the Borough of Wildwood Crest entered into the National Joint Powers Alliance (NJPA) Cooperative Pricing System; and

WHEREAS, the National Joint Powers Alliance (NJPA) has a contract with Genuine Parts Co. dba NAPA auto, Contract # 062916-GPC, for Fleet Services, Parts and Equipment through 9/6/2020; and

WHEREAS, the Department of Public Works will be using the National Joint Power Alliance contract 062916-GPC to purchase the necessary parts for equipment maintenance; and

WHEREAS, it is recommended that the Borough Commissioners approve the purchase of auto parts through the contract with NAPA; and

NOW THEREFORE, BE IT RESOLVED by the Borough Commissioners of the Borough of Wildwood Crest, New Jersey, that it approves the purchase of auto parts from Genuine Parts Co. dba NAPA auto in accordance with the National Joint Powers Alliance Cooperative Pricing System contract 062916-GPC.

BE IT FURTHER RESOLVED by the Borough Council of Wildwood Crest, New Jersey authorizes the purchase of automotive parts for equipment maintenance from Genuine Parts Co. dba NAPA auto in accordance with the National Joint Powers Alliance Cooperative Pricing System and that the Departments are authorized to issue a purchase orders as needed for the necessary auto parts in accordance with the terms of the National Joint Powers Alliance Cooperative Pricing System Fleet Services, Parts & Equipment.

Mrs. Gould motioned, seconded by Mr. Cabrera, that the foregoing Resolution be adopted.

Vote: Gould - Cabrera – Groom – Yes

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 811-16

WHEREAS, in 1997, the State of New Jersey passed a number of laws which expanded the potential function of the Open Space and Farmland Preservation Trust Fund programs to include recreation and historic preservation; and

WHEREAS, the decision to expand the Open Space Program into the realms of recreation and historic preservation beginning in 2013 has helped to enhance and protect our collective community assets; and

WHEREAS, the possibility of expanding existing bike paths in several communities is being entertained to include the new zone that will be created between the existing dune structure and the new proposed dune through the U.S. Army Corps of Engineers; and

WHEREAS, the Board of Commissioners recognize the value of the current bike path in our community and the potential to enhance the attraction; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners are in support of exploring this potential project, to include a formal application, through County Open Space.

Mrs. Gould motioned, seconded by Mr. Cabrera, that the foregoing Resolution be adopted.
Vote: Gould - Cabrera – Groom – Yes

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 812-16

WHEREAS, Constance Mahon, has recently been hired to the position of Administrator for the Borough of Wildwood Crest on November 30, 2016; and

WHEREAS, Constance Mahon currently sits on the Executive Board of the ACMJIF; and

WHEREAS, Patricia A. Feketics, Municipal Clerk, is currently the Fund Commissioner for the ACMJIF; and

WHEREAS, it is the desire of the Board of Commissioners to appoint Constance Mahon as the Borough's Fund Commissioner for the ACMJIF, effective November 30, 2016; and

WHEREAS, it is further the desire of the Board of Commissioners to appoint Patricia A. Feketics, Municipal Clerk, as Alternate Fund Commissioner effective November 30, 2016;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May and State of New Jersey, as follows:

1. The preamble hereto is repeated herein as if fully set forth.
2. Constance Mahon be and she is hereby appointed as the Borough's Fund Commissioner for the ACMJIF effective November 30, 2016.
3. Patricia A. Feketics be and she is hereby appointed as the Borough's Alternate Fund Commissioner for the ACMJIF effective November 30, 2016.

Mrs. Gould motioned, seconded by Mr. Cabrera, that the foregoing Resolution be adopted.
Vote: Gould - Cabrera – Groom – Yes

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 813-16

WHEREAS, the Wildwood Crest Police Department is desirous of having Andrew Eckert and Cole Sawyer attend the Cape May County Police Academy; and

WHEREAS, the governing body of the Borough of Wildwood Crest has concluded that this would be in the best interests of the Wildwood Crest Police Department, and wishes to authorize same;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey, that Andrew Eckert and Cole Sawyer be and they are hereby authorized to attend the Cape May County Police Academy on behalf of the Wildwood Crest Police Department.

Mrs. Gould motioned, seconded by Mr. Cabrera, that the foregoing Resolution be adopted.
Vote: Gould - Cabrera – Groom – Yes

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 814-16

RESOLUTION SUPPORTING THE PAINTING OF A THIN BLUE LINE IN SUPPORT OF CAPE MAY COUNTY LAW ENFORCEMENT

WHEREAS, the “Thin Blue Line” is a universal symbol to law enforcement, used not only to commemorate fallen law enforcement officers but also to represent the shared commitment of all of those who choose to protect their communities every day; and

WHEREAS, many municipalities throughout the State of New Jersey have chosen to display their support for their local law enforcement by painting a thin blue line on a main road in their respective municipality; and

WHEREAS, the Commissioners of the Borough of Wildwood Crest share in this sentiment and support the painting of a thin blue line in support of the law enforcement community in Cape May County.

NOW, THEREFORE, BE IT RESOLVED, Commissioners of the Borough of Wildwood Crest strongly supports the symbolic painting of a thin blue line in support of the law enforcement in Cape May County.

BE IT FURTHER RESOLVED that the Municipal Clerk forward a certified copy of this resolution to the all Cape May County Municipalities.

Mrs. Gould motioned, seconded by Mr. Cabrera, that the foregoing Resolution be adopted.
Vote: Gould - Cabrera – Groon – Yes

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 815-16

**A RESOLUTION IN SUPPORT OF SENATE BILL S-2254 AND ASSEMBLY BILL A-3821
WHICH AFFIRMS THE LANGUAGE AND LEGISLATIVE INTENT OF THE FAIR
HOUSING ACT**

WHEREAS, the Borough of Wildwood Crest supports the provision of affordable housing in a reasonable, rational and achievable way, consistent with economic realities and sound planning; and

WHEREAS, pursuant to the March 2015 New Jersey Supreme Court order which transferred oversight of the Fair Housing Act (FHA) to the courts, hundreds of municipalities filed declaratory judgment actions to voluntarily comply with their State imposed affordable housing requirements; and **WHEREAS**, in February, the Ocean County Superior Court included a distinct “gap period” analysis retroactively over an additional 16 year period, separate and apart from the normal 10 year present and prospective need; and

WHEREAS, the Appellate Division recently in a unanimous decision overturned the February Ocean County Superior Court decision and held that municipalities are only responsible to address the ten year present and prospective need, not any “gap period” number; and

WHEREAS, the New Jersey Supreme Court has, for the stated purposes of, “...judicial economy and efficiency based on the large number of actions involved. The Court makes no findings as to the reasonable probability of success on the merits, irreparable harm, or the relative hardship to the parties,” agreed to hear an appeal of the Appellate Division ruling in late November; and

WHEREAS the Fair Housing Act (FHA) and existing case law, requires that “present and prospective fair share of the housing need in a given region ... shall be computed for a 10- year period.” [N.J.S.A. 52:27D-307(c)]; and

WHEREAS, the “gap issue” arises out of the inability of the New Jersey Council on Affordable Housing to promulgate third round regulations from 1999 to the present or make any final determination as to state and regional housing need, as well as constant litigation by certain groups; and

WHEREAS, any retroactive “gap” obligations could have significant and unfunded impacts on municipalities, may double count households under both present and prospective need, and will likely result in forcing municipalities and their property taxpayers to subsidize development; and **WHEREAS**, this issue needs a resolution which provides both certainty and an achievable path forward so municipalities can proceed with planning for and implementing their affordable housing obligations;

WHEREAS, Senate Bill S-2254, sponsored by Senators Greenstein and Bateman, and Assembly Bill A-3821, sponsored by Assemblymen DeAngelo and Benson, re-affirm the language and legislative intent of the Fair Housing Act, so as to preclude significant unfair impacts and instead further progress toward a more rational statewide housing policy, including reasonable and achievable obligations for municipalities, facilitate municipal compliance and the actual provision of affordable housing.

NOW, THEREFORE, BE IT RESOLVED, on this 30th day of November, 2016 by the Borough of Wildwood Crest that:

1. The Borough of Wildwood Crest strongly urges New Jersey Legislators to immediately reaffirm the language and legislative intent of the Fair Housing Act (FHA) and expressly clarify that the municipal affordable housing share is the sum of present and prospective need for the enumerated ten year period.

2. The Borough of Wildwood Crest supports Senate Bill S-2254 and Assembly Bill A-3821.

3. Copies of this resolution be distributed to the Governor, the Lieutenant Governor, the President of the New Jersey Senate, the Speaker of the New Jersey General Assembly, the Legislative Sponsors, Senator Jeff Van Drew, Senator Ronald Rice, Assemblyman Jerry Green and Assemblywoman Mila Jasey, the New Jersey, Assemblyman Bob Andrzejczak, Assemblyman R. Bruce Land, League of Municipalities and the New Jersey Conference of Mayors.

Mrs. Gould motioned, seconded by Mr. Cabrera, that the foregoing Resolution be adopted.
Vote: Gould - Cabrera – Groon – Yes

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:
RESOLUTION NO. 816-16

REFUND OVERPAYMENT ON PROPERTY TAXES OR UTILITY PAYMENTS

WHEREAS, the Tax Collector of the Borough of Wildwood Crest collected from the property owner or it's designee an excess amount on 2016 property taxes and/or utility payments; and

WHEREAS, an overpayment was created for the reason listed below, and

WHEREAS, the Tax Collector of the Borough of Wildwood Crest has determined the said overpayment should be refunded accordingly as indicated below.

68.03-1-C0707	Robert & Diane Van Dongen	Amount
2016 Tax	7100 Ocean Avenue	\$742.65
	Title Company and Mortgage Company	
	both paid 2016 4 th quarter taxes	
	Refund overpayment to	
	Lereta Tax Service	
	1123 Park View Drive	
	Covina, CA 91724	

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Commissioners of the Borough of Wildwood Crest, County of Cape May, State of New Jersey, the Chief Financial Officer is hereby authorized to execute said refund as soon as practicable and the Tax Collector should mark the records accordingly to reflect said refund as per the meeting on November 30, 2016.

Mrs. Gould motioned, seconded by Mr. Cabrera, that the foregoing Resolution be adopted.
Vote: Gould - Cabrera – Groon – Yes

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:
RESOLUTION NO. 817-16

WHEREAS, Elizabeth Ann Cooper, 400 Sutton Ave., Folsom, PA 19033, made application before the Wildwood Crest Planning Board on April 6, 2016 for preliminary and final site plan approval without variances for block 43, lot 23, a/k/a 6303-6305 New Jersey Ave., Wildwood Crest, New Jersey; and

WHEREAS, Elizabeth Ann cooper has requested the return of the unused escrow fee of \$354.60; and

WHEREAS, the Planning Board of the Borough of Wildwood Crest, by Resolution No. PB-A-16-12 of said Board dated November 2, 2016, has recommended that the escrow fee as referenced above be returned to Elizabeth Ann Cooper;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey, that the Chief Financial Officer of the Borough of Wildwood Crest be and he is hereby authorized and directed to cause a refund of escrow fee of \$354.60 to be made to Elizabeth Ann Cooper, 400 Sutton Ave., Folsom, PA 19033, for the reasons set forth above.

Mrs. Gould motioned, seconded by Mr. Cabrera, that the foregoing Resolution be adopted.
Vote: Gould - Cabrera – Groon – Yes

Mrs. Gould motioned, seconded by Mr. Cabrera, that all bills properly authorized, as submitted, be paid.

Vote: Gould - Cabrera – Groom – Yes

Mrs. Gould motioned, seconded by Mr. Cabrera, that reports received from the CFO, Court Administrator, Tax Collector, and the Chief of Police for the month of October 31, 2016 as well as the 2016 Bond Anticipation Notes Sale from the CFO dated November 21, 2016 be approved as presented.

Vote: Gould - Cabrera – Groom – Yes

Mrs. Gould motioned, seconded by Mr. Cabrera, that the minutes from Regularly Scheduled Commission Meetings of October 19th and November 9, 2016, as well as the Work Session Minutes dated October 19, 2016 be approved as presented.

Vote: Gould - Cabrera – Groom – Yes

CORRESPONDENCE

There were no correspondences to address.

The Mayor opened the floor for public commentary. After hearing nothing from the public, the commissioners discussed meeting dates for 2017 with 3 options for a resolution to be passed. After a lengthy discussion, Commissioner Gould indicated that two Saturday meetings in the summer would be sufficient; the Mayor indicated the same, while Commissioner Cabrera indicated he wanted five Saturday meetings.

After the discussion, THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:
RESOLUTION NO. 818-16

SUBJECT: A RESOLUTION TO PROVIDE FOR THE DESIGNATED MEETING DATES OF THE BOARD OF COMMISSIONERS FOR CALENDAR YEAR 2017.

BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey, that the designated Borough Meetings for calendar year 2017 be and the same are hereinafter provided in accordance with the annual meeting notice requirements subject to any adjustments to be determined from time to time by resolution of the Board as follows:

	<u>DATE</u>	<u>TIME</u>	<u>PLACE</u>
JANUARY	4, 2017	9:30 A.M.	BOROUGH HALL
	25, 2017	5:30 P.M.	BOROUGH HALL
FEBRUARY	8, 2017	9:30 A.M.	BOROUGH HALL
	22, 2017	5:30 P.M.	BOROUGH HALL
MARCH	8, 2017	9:30 A.M.	BOROUGH HALL
	29, 2017	5:30 P.M.	BOROUGH HALL
APRIL	12, 2017	9:30 A.M.	BOROUGH HALL
	26, 2017	5:30 P.M.	BOROUGH HALL
MAY	10, 2017	9:30 A.M.	BOROUGH HALL
	24, 2017	5:30 P.M.	BOROUGH HALL
JUNE	7, 2017	9:30 A.M.	BOROUGH HALL
	17, 2017 (Saturday)	9:30 A.M.	BOROUGH HALL
	21, 2017	5:30 P.M.	BOROUGH HALL
JULY	5, 2017	9:30 A.M.	BOROUGH HALL
	19, 2017	5:30 P.M.	BOROUGH HALL
AUGUST	2, 2017	9:30 A.M.	BOROUGH HALL
	12, 2017 (Saturday)	9:30 A.M.	BOROUGH HALL
	16, 2017	5:30 P.M.	BOROUGH HALL
SEPTEMBER	6, 2017	9:30 A.M. (morning)	BOROUGH HALL
	20, 2017	9:30 A.M. (morning)	BOROUGH HALL
OCTOBER	4, 2017	9:30 A.M.	BOROUGH HALL
	18, 2017	5:30 P.M.	BOROUGH HALL

NOVEMBER	1, 2017	9:30 A.M.	BOROUGH HALL
	15, 2017	5:30 P.M.	BOROUGH HALL
DECEMBER	6, 2017	9:30 A.M. (morning)	BOROUGH HALL
	27, 2017	9:30 A.M. (morning)	BOROUGH HALL

Mrs. Gould motioned, seconded by Mr. Groom, that the foregoing Resolution be adopted.

Vote: Gould - Cabrera – Groom – Yes

LIBRARY PRESENTATION:

Catherine Lorentz, AIA, gave a presentation on the building that formerly housed the library at 6301 Ocean Avenue. She had three proposals based on price. After hearing the presentation, the floor was opened for public commentary.

Commissioner Cabrera indicated that roof on the building was a priority.

Gene Mulligan, 6511 New Jersey Avenue, asked about polished cement, vinyl epoxy, or solar panels as cost effective options and Ms. Lorentz indicated they could be considered.

Pat Tarleton, 7302 Pacific Avenue, asked if the roof could be re-done without signage or if different signage could be done later without damaging the roof. Ms. Lorentz stated that this is a hurricane zone and the signage was designed to be secured to the roof.

Nancy Pietropaoli, 6002 Seaview Avenue, wanted to know if senior citizens were considered with respect to having an emotional tie to the building and questioned if investing so much money was worth it. Open Space funding was touched upon.

With nothing further regarding the Library Presentation, The Mayor indicated that the US Army Corps of Engineers was close to presenting a draft design and the Borough should expect it in a few weeks. There were no further developments in the old business for discussion. The Mayor opened the floor once again for public commentary on new and old business.

Ed Keller, 7005 New Jersey Avenue, indicated he was in support of having the lanes reduced for safety purposes and for crossing Pacific Avenue with small children.

Gene Mulligan, 651 New Jersey Avenue, indicated he would like it to stay the way it is.

Laura Nichols, 104 E. Forget Me Not Road, inquired about the proposed bike lane on Pacific and Mayor Groom indicated that the study recommend one lane each way and the bike path could be eliminated. Ms. Nichols then indicated that she was in favor of it remaining four lanes because it would be a hindrance on time if it were to change.

Gene Mulligan, 6511 New Jersey Avenue, inquired about the streets currently being paved and if they would be torn up again. The conversation switched to infrastructure and the criteria that needed to be met for a street to be completely redone.

Bob Harkins, 6400 Pacific Avenue, stated he was a seasoned law enforcement officer and sees vehicles traveling at excessive rates of speed and there is no reason to have a four lane highway on a barrier island and that 4 lanes encourages people to pass and increases danger.

Laura Nichols, 104 E. Forget Me Not Road, commented that she witnesses cars speeding on her street and inquired about the usage of speed bumps.

Pat Tarleton, 7302 Pacific Avenue, disagreed with Mr. Harkins and doesn't see speeding as a problem. She then asked if the bike path portion for Pacific Avenue would be eliminated. Commissioner Cabrera indicated that it would certainly be considered. Ms. Tarleton then asked about the left turn proposal and how tight it would make parking and the Mayor indicated if the bike lanes were eliminated, it would not present an issue.

Gene Mulligan, 6511 New Jersey Avenue, asked if the County's traffic study was considered a "suggestion" and if they had to yield to it and then suggested that traffic be more steadily enforced for 25 mph.

Pat Tarleton, 7302 Pacific Avenue, asked about rear end accidents and indicated that the flashing speed signs are working. Commissioner Cabrera indicated that they are not a permanent solution, but agreed they are definitely helping. Ms. Tarleton suggested trying other stuff first before moving to reducing the lanes of traffic.

Commissioner Gould added that she was never in favor of changing the traffic pattern.

The Mayor then had the floor and indicated that it is important to recognize the pedestrian/ bicycle/ driving problems we face in the summer. He further added that Pacific Avenue is currently a problem. First and foremost, he stressed was the safety of children and elderly when crossing the street.

Seth Fuscellaro, 200 E. Rosemary Road, pointed out that Cape May County Engineer, Dale Foster, did a traffic study on Pacific Avenue in conjunction with a Planning Engineer from The RBA Group, Inc. and they recommended the three lane approach: one lane each way with a turn lane. He further stated that this is a safety is at the forefront and now there may a liability issue if the recommendation is not followed through. Gene Mulligan, 6511 New Jersey Avenue, stated he believes Pacific Avenue is less dangerous than other streets.

Seth Fuscellaro, 200 E. Rosemary Road, indicated the Borough has been told what it should do, and asked if the Borough had plans for a subsequent study.

Commissioner Cabrera pointed out that when medians were discussed previously, it was done to create a “safe haven” for people to traverse the road and to enhance the neighborhood. Mayor Groon added that the traffic study was not politically driven.

Ed Keller, 7005 New Jersey Avenue, added that he crossed Pacific Avenue daily in the summer and it is dangerous.

Gene Mulligan, 6511 New Jersey Avenue, added that perhaps we should be trying to better educate drivers and perhaps we need to increase police. Mayor Groon added that some signage is helpful.

Alan Gould, 8801 Seaview Avenue, stated he has listened to the opinions on Pacific Avenue and asked for the written traffic study on Pacific Avenue with the recommendations and the Clerk indicated it is on the Borough’s webpage and she would provide a copy at the end of the meeting.

After hearing nothing further, Mrs. Gould motioned, seconded by Mr. Cabrera that the meeting be adjourned. All were in favor. The time was 7:25 p.m.

Dated: December 22, 2016

Patricia A. Feketics, Borough Clerk

