

Note: Complete Meeting Appears  
on 06-17 on file in  
Borough Clerk's Office

March 8, 2017  
Wildwood Crest, NJ

Prior to the opening of the meeting, Mr. Groon 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 9:30 a.m. On roll call the following answered to their names:

Gould – Cabrera – Groon YES

Mr. Groon 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 e-mailing and same to the Gazette-Leader, Herald of Cape May County and The Press on December 1, 2016.

Mr. Groon 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 1252 be placed on second and final passage by title only.

Vote: Gould - Cabrera - Groon – Yes

THE CLERK READ THE FOLLOWING ORDINANCE BY TITLE ONLY:  
ORDINANCE NO. 1252

AN ORDINANCE CREATING CHAPTER 87 OF THE CODE OF THE BOROUGH OF WILDWOOD CREST – ADOPTION, ENFORCEMENT AND AUTHORIZED USES OF THE BOROUGH OF WILDWOOD CREST'S OFFICIAL SEAL AND OTHER INTELLECTUAL PROPERTY

Mrs. Gould motioned, seconded by Mr. Cabrera, that a public hearing now be held on Ordinance No. 1252.

Vote: Gould - Cabrera - Groon – Yes

After no comments from the public, Mrs. Gould motioned, seconded by Mr. Cabrera, that the public hearing on Ordinance No. 1252 now be closed.

Vote: Gould - Cabrera - Groon – Yes

Mrs. Gould motioned, seconded by Mr. Cabrera, that Ordinance No. 1252 be passed on second and final reading and advertised according to law.

Vote: Gould - Cabrera - Groon – Yes

Mrs. Gould motioned, seconded by Mr. Cabrera, that Ordinance 1253 be placed on second and final passage by title only.

Vote: Gould - Cabrera - Groon – Yes

THE CLERK READ THE FOLLOWING ORDINANCE BY TITLE ONLY:  
ORDINANCE NO. 1253

ORDINANCE TO ESTABLISH CAP BANK FOR  
CY2017 PURSUANT TO N.J.S.A. 40A:4-45.14

Mrs. Gould motioned, seconded by Mr. Cabrera, that a public hearing now be held on Ordinance No. 1253.

Vote: Gould - Cabrera - Groon – Yes

After no comments from the public, Mrs. Gould motioned, seconded by Mr. Cabrera, that the public hearing on Ordinance No. 1253 now be closed.

Vote: Gould - Cabrera - Groon – Yes

Mrs. Gould motioned, seconded by Mr. Cabrera, that Ordinance No. 1253 be passed on second and final reading and advertised according to law.

Vote: Gould - Cabrera - Groon – Yes

THE CLERK READS THE FOLLOWING RESOLUTION TITLE AND IN FULL:

RESOLUTION NO. 917-17  
**Authorizing Retention Via Professional Services Agreement  
Of Law Enforcement Consultant Specializing In Police Accreditation**

WHEREAS, the Borough of Wildwood Crest requires the professional services of a Law Enforcement Consultant specializing in police accreditation; and

WHEREAS, it is desired to employ a professional, pursuant to law, who is duly trained, experienced and specialized in the area of police accreditation; 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 **Christopher J. Winter, Sr.** is qualified to perform said work and it is desired to enter a professional contract with him for said services pursuant to law, and to provide for the advertising of a notice pursuant to law; and

WHEREAS, **Cristopher J. Winter, Sr.** has completed and submitted a Business Entity Disclosure Certification which certifies that Christopher J. Winter, Sr. will not make any reportable contributions pursuant to N.J.S.A. 19:44A-1 commencing March 18, 2017 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. **Christopher J. Winter, Sr.** is hereby retained as Law Enforcement Consultant to provide specialized professional services in the field of Police Accreditation through December 31, 2017. The said professional services to be received shall be “as directed” by the Borough of Wildwood Crest from time to time.
2. The Mayor and Borough Clerk be and they are hereby authorized and directed to enter into a contract with **Christopher J. Winter, Sr.**, for specialized professional services in the field of police accreditation for a term of the period indicated above, which contract shall provide for payment at the not to exceed rate of **Five thousand four hundred dollars (\$5,400.00)**. 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 filed 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.

WHEREAS, the CFO has certified the availability of funds as evidenced below by her signature,

Account Number(s)	Amount	Signature

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

Vote: Gould - Cabrera - Groon – Yes

THE CLERK READS THE FOLLOWING RESOLUTION TITLE AND IN FULL:

RESOLUTION NO. 918-17  
A RESOLUTION TO AUTHORIZE A SETTLEMENT AGREEMENT, AND AUTHORIZE  
PAYMENT IN THE MATTER OF RICHARD RIVERA AND GWENDA R. DAVIS V. BOROUGH OF  
WILDWOOD CREST (AN OPRA CLAIM) UNDER DOCKET NO. CPM-L-31-17

WHEREAS, the Borough of Wildwood Crest is a Defendant in OPRA litigation filed by the Plaintiff, Richard Rivera and Gwenda R. Davis, under Docket No. CPM-L-31-17, Superior Court of New Jersey, County of Cape May; and



**Section 2:** The prohibitions and requirements of this resolution shall extend to any person or entity, including but not limited to any volunteer organization or inter-local organization, whether structured as a governmental entity or a private entity, that receives authorization or support in any way from the Borough of Wildwood Crest to provide services that otherwise could be performed by the Borough of Wildwood Crest.

**Section 3:** Discrimination, harassment and civil rights shall be defined for purposes of this resolution using the latest definitions contained in the applicable Federal and State laws concerning discrimination, harassment and civil rights.

**Section 4:** The Borough Clerk shall establish written procedures for any person to report alleged discrimination, harassment and violations of civil rights prohibited by this resolution. Such procedures shall include alternate ways to report a complaint so that the person making the complaint need not communicate with the alleged violator in the event the alleged violator would be the normal contact for such complaints.

**Section 5:** No person shall retaliate against any person who reports any alleged discrimination, harassment or violation of civil rights, provided however, that any person who reports alleged violations in bad faith shall be subject to appropriate discipline.

**Section 6:** The Borough Clerk shall establish written procedures that require all officials, employees, appointees and volunteers of the Borough of Wildwood Crest, as well as all other entities subject to this resolution, to periodically complete training concerning their duties, responsibilities and rights pursuant to this resolution.

**Section 7:** The Borough Clerk shall establish a system to monitor compliance and shall report at least annually to the governing body the results of the monitoring.

**Section 8:** At least annually, the Borough Clerk shall cause a summary of this resolution and the procedures established pursuant to this resolution to be communicated within the Borough of Wildwood Crest. This communication shall include a statement from the governing body expressing its unequivocal commitment to enforce this resolution. This summary shall also be posted on the Borough's website.

**Section 9:** This resolution shall take effect immediately.

**Section 10:** A copy of this resolution shall be published in *The Herald of Cape May County* in order for the public to be made aware of this policy and the Borough's commitment to the implementation and enforcement of this policy.

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

THE CLERK READS THE FOLLOWING RESOLUTION TITLE AND IN FULL:

**RESOLUTION NO. 921-17**

WHEREAS, Mayor Carl H. Groon has determined to re-appoint BRIAN MELCHIORRE, Assistant Code Enforcement Officer, as Class II Member of the Planning Board; and

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest wish to acknowledge the re-appointment by Mayor Groon of BRIAN MELCHIORRE as Class II Member of the Planning Board of the Borough of Wildwood Crest;

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. That the re-appointment of BRIAN MELCHIORRE, Assistant Code Enforcement Officer, by Mayor Carl H. Groon as Class II Member of the Planning Board of the Borough of Wildwood Crest, be and the same is hereby confirmed and ratified effective immediately, with the expiration of the term of appointment being December 31, 2017.

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

THE CLERK READS THE FOLLOWING RESOLUTION TITLE AND IN FULL:

**RESOLUTION NO. 922-17**

**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 2017 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.

51-29-C0201 2017 Tax	Keller, Richard & Smith, Heather 112 E. Rosemary Rd. #2A Title Company & Mortgage Company both paid 2017 1 <sup>st</sup> quarter taxes. Refund overpayment to Corelogic	<b>Amount</b> \$1023.86
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**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 March 8, 2017.

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

THE CLERK READS THE FOLLOWING RESOLUTION TITLE AND IN FULL:  
**RESOLUTION NO. 923-17  
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 2017 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.

68.01-3-C0201 2017 Tax	Connelly, Christopher P & Tricia 7100 Seaview Ave. Title Company & Mortgage Company both paid 2017 1 <sup>st</sup> quarter taxes. Refund overpayment to Corelogic	<b>Amount</b> \$465.37
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**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 March 8, 2017.

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

THE CLERK READS THE FOLLOWING RESOLUTION TITLE AND IN FULL:  
**RESOLUTION NO. 924-17  
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 2017 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.

152-29-C0002 2017 Tax	Becker, William & Sandra 220 E. Hollywood Ave Title Company & Mortgage Company both paid 2017 1 <sup>st</sup> quarter taxes. Refund overpayment to William & Sandra Becker 695 Beverly Rd. Holland, PA 18966	<b>Amount</b> \$745.36
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**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 March 8, 2017.

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

Vote: Gould - Cabrera - Groon – Yes

THE CLERK READS THE FOLLOWING RESOLUTION TITLE AND IN FULL:

RESOLUTION NO. 925-17

WHEREAS, on February 23, 2017, THE MOREY ORGANIZATION, 3501 Boardwalk, Wildwood, NJ 08260, applied for a Special Events Permit for the purpose of the "DOGGIE DASH" 5K RACE to be held on SEPTEMBER 9, 2017, from 9:00 AM to 10:00 AM on the BEACH from CRESSE AVE to CARDINAL RD; and

WHEREAS, THE MOREY ORGANIZATION, 3501 Boardwalk, Wildwood, NJ 08260, has supplied all documentation required under Ordinance No. 936, and has further pledged to comply with all applicable rules and regulations pertaining to the conduct of said Special Event; and

WHEREAS, the application has been reviewed by the Board of Commissioners, upon verification by appropriate members of staff as to completeness of the application, scheduling compatibility, etc.;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey that the Borough Clerk be and she is hereby authorized and directed to issue a Special Events Permit to THE MOREY ORGANIZATION, 3501 Boardwalk, Wildwood, NJ 08260 for the purpose of the "DOGGIE DASH" 5K RACE to be held on SEPTEMBER 9, 2017, from 9:00 AM to 10:00 AM on the BEACH from CRESSE AVE to CARDINAL RD.

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

Vote: Gould - Cabrera - Groon – Yes

THE CLERK READS THE FOLLOWING RESOLUTION TITLE AND IN FULL:

RESOLUTION NO. 926-17

WHEREAS, on February 21, 2017, ROBIN JULIANO and KEVIN MARSHALL, 772 E. 24<sup>th</sup> St., Chester, PA 19013, applied for a Special Events Permit for the purpose of the JULIANO-MARSHALL WEDDING to be held on JUNE 3, 2017, from 6:00 PM to 8:30 PM, at the SUNSET LAKE GAZEBO; and

WHEREAS, THE MOREY ORGANIZATION, 3501 Boardwalk, Wildwood, NJ 08260, have supplied all documentation required under Ordinance No. 936, 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; and

WHEREAS, the application has been reviewed by the Board of Commissioners, upon verification by appropriate members of staff as to completeness of the application, scheduling compatibility, etc.;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey that the Borough Clerk be and she is hereby authorized and directed to issue a Special Events Permit to THE MOREY ORGANIZATION, 3501 Boardwalk, Wildwood, NJ 08260 for the purpose of the "DOGGIE DASH" 5K RACE to be held on SEPTEMBER 9, 2017, from 9:00 AM to 10:00 AM on the BEACH from CRESSE AVE to CARDINAL RD.

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 - Groon – Yes

The Mayor then opened the floor for public commentary. Dennis Travascio, 112 E. Louisville, asked for further detail on the second resolution. The Solicitor then elaborated that the settlement was in regard to an OPRA settlement for Use of Force reports. The Borough adhered to the guidelines set forth by the County, but in the interim, the court seemed to reverse its opinion and based on a legal opinion, it was better to provide the unredacted documents and settle the court fees.

David Delconte, Superintendent of Crest Memorial Public School, indicated he was there for three reasons. The first was to thank Frank Basile and Brian Cunniff and the entire Recreation Department for all of their efforts during the recent Island Wide Tournament and dance. The 4 day event was a huge success and the kids and parents thoroughly enjoyed it. Second, Mr. Delconte thanked Mr. Joe Bond and the entire Public Works department for their endless help and how they always respond when needed. Lastly, Mr. Delconte applauded the Wildwood Crest Police Department for their constant presence at drop off, pick-up, and throughout the day. He further indicated that this was the most support he has had in years and wanted to come in person to make sure the Board knew how appreciative the entire school is.

Hearing nothing further from the public, the Mayor indicated that there was nothing for new business. With regard to old business, both the School Generator and the Army Corps Dune Plan have had no developments. With regard to Sunset Lake and the Kayak Launch, the Mayor indicated it was still in the early stage and they need to individually meet with the Administrator to discuss locations.

Having nothing further to discuss, Mr. Cabrera added that South Jersey Gas would be replacing high pressure, bare-steel gas mains and services with plastic pipe and there was a schedule available for those locations. Secondly, the Borough will be having a Shred Event on May 6, 2017 from 2:30 – 5:00.

Hearing nothing further, Mrs. Gould motioned, seconded by Mr. Cabrera, that the meeting be adjourned.

Dated: March 29, 2017

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Patricia A. Feketics, Borough Clerk

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