

Note: Complete Meeting Appears
On 22-19 on file in
Borough Clerk's Office

November 21, 2019
Wildwood Crest, NJ

The Mayor 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 - Thompson - Cabrera - YES

Mr. Cabrera 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 e-mailing and same to the Gazette-Leader, Herald of Cape May County and The Press on October 31, 2019.

Mr. Cabrera 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. Thompson that Ordinance No. 1314 be placed on second reading and final passage by title only.

Vote: Gould -- Thompson -- Cabrera -- YES

THE CLERK READS THE ORDINANCE BY TITLE:

ORDINANCE NO. 1314

AN ORDINANCE TO AMEND SECTION 59-3 OF THE CODE OF THE BOROUGH OF WILDWOOD CREST, KNOWN AS THE "SALARY ORDINANCE," FIXING AND DETERMINING SALARIES AND COMPENSATIONS OF THE BOROUGH OF WILDWOOD CREST, AND PROVIDING FOR THE RAISING OF THE AMOUNTS THEREOF BY TAXATION AND FOR THE TIME AND METHOD OF PAYMENT

Mrs. Gould motioned, Mr. Thompson seconded that a public hearing now be held on Ordinance No. 1314.

Vote: Gould -- Thompson -- Cabrera -- YES

Mrs. Gould explained that the salary ordinance provides a minimum and maximum for the positions.

Mrs. Gould motioned, Mr. Thompson seconded that the public hearing now be closed on Ordinance No. 1314.

Vote: Gould -- Thompson -- Cabrera -- YES

Mrs. Gould motioned, Mr. Thompson seconded that Ordinance No. 1314 be passed on second and final reading and advertised according to law.

Vote: Gould -- Thompson -- Cabrera -- YES

Mrs. Gould motioned, seconded by Mr. Thompson that Ordinance No. 1315 be placed on second reading and final passage by title only.

Vote: Gould -- Thompson -- Cabrera -- YES

THE CLERK READS THE ORDINANCE BY TITLE:

ORDINANCE NO. 1315

ORDINANCE OF THE BOROUGH OF WILDWOOD CREST AMENDING AND SUPPLEMENTING SECTION 79-47, SCHEDULE XVI PROHIBITED RIGHT TURNS ON RED SIGNAL AT RAMBLER AND NEW JERSEY AVENUE

Mrs. Gould motioned, Mr. Thompson seconded that a public hearing now be held on Ordinance No. 1315.

Vote: Gould -- Thompson -- Cabrera – YES

The Clerk reads the following Interpretive Statement: This Ordinance supplements the existing ordinances of the Borough that regulate vehicles and traffic by providing for two new No Turn On Red signs to prohibit right turns on red from northbound New Jersey Avenue to eastbound Rambler Road, and from westbound Rambler Road to Northbound New Jersey Avenue on a seasonal basis from May 1st to October 1st of each year. The intent of this ordinance is to eliminate potential traffic conflicts between vehicles traveling southbound on Park Boulevard and vehicles traveling northbound on New Jersey Avenue, and vehicles traveling westbound on Rambler Road.

Mrs. Gould motioned, Mr. Thompson seconded that the public hearing now be closed on Ordinance No. 1315.

Vote: Gould -- Thompson -- Cabrera – YES

Mrs. Gould motioned, Mr. Thompson seconded that Ordinance No. 1315 be passed on second and final reading and advertised according to law.

Vote: Gould -- Thompson -- Cabrera – YES

Mrs. Gould motioned, Mr. Thompson seconded that Ordinance No. 1316 be placed on second reading and final passage by title only.

Vote: Gould -- Thompson -- Cabrera – YES

THE CLERK READS THE ORDINANCE BY TITLE:

ORDINANCE NO. 1316

**ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER 79 VEHICLES AND TRAFFIC PROHIBITING
PARKING OF CERTAIN LARGE VEHICLES AND
ATTACHED TRAILERS ALONG SUNSET LAKE**

Mrs. Gould motioned, Mr. Thompson seconded that a public hearing be held on Ordinance No. 1316.

Vote: Gould -- Thompson -- Cabrera – YES

The Clerk reads the following Interpretive Statement: This Ordinance supplements the existing ordinances of the Borough that regulate vehicles and traffic by prohibiting the parking of large “box” type trucks, recreational vehicles, or “RV’s” and vehicles with attached trailers on both sides of New Jersey Avenue along Sunset Lake. The intent of this ordinance is to promote the health, safety and welfare of persons by preventing wide vehicles from parking in this area due to the narrow nature of the roadway and high pedestrian use of Sunset Lake Bayfront Park and the recreational facilities located thereon. The ordinance also protects scenic resources by preserving the views and open space of the park land and Sunset Lake from being blocked by large vehicles.

Vote: Gould -- Thompson -- Cabrera – YES

Mrs. Gould motioned, Mr. Thompson seconded that the public hearing now be closed on Ordinance No. 1316.

Vote: Gould -- Thompson -- Cabrera – YES

Mrs. Gould motioned, Mr. Thompson seconded that Ordinance No. 1316 be passed on second and final reading and advertised according to law.

Vote: Gould -- Thompson -- Cabrera – YES

Mrs. Gould motioned, Mr. Thompson seconded that Ordinance No. 1317 be placed on second reading and final passage by title only.

Vote: Gould -- Thompson -- Cabrera – YES

THE CLERK READS THE ORDINANCE BY TITLE:

ORDINANCE NO. 1317

**ORDINANCE OF THE BOROUGH OF WILDWOOD CREST
AMENDING AND SUPPLEMENTING CHAPTER 79 VEHICLES AND
TRAFFIC TO PROVIDE FOR REDUCED SPEED LIMIT ON NEW
JERSEY AVENUE AND BAYVIEW DRIVE ALONG SUNSET LAKE**

Mrs. Gould motioned, Mr. Thompson seconded that a public hearing be held on Ordinance No. 1316.

Vote: Gould -- Thompson -- Cabrera – YES

The Clerk reads the following Interpretive Statement: This Ordinance supplements the existing ordinances of the Borough that regulate vehicles and traffic by reducing speed limit on New Jersey Avenue from Rambler Road to Miami Avenue from 25 miles per hour to 20 miles per hour. This ordinance also reduces the speed from 25 miles per hour to 20 miles per hour on Bayview Drive from Nashville Avenue to St. Paul Avenue. Due to the increased use of Sunset Lake Bayfront Park, pedestrian walkway, and recreational facilities located thereon, and the use of New Jersey Avenue and the pedestrian walkway by school children going to and from Crest Memorial School, the Borough has determined that the reduction of the speed limit will enhance the welfare and safety of all persons and vehicles transiting the area.

Mrs. Gould asked Captain Lloyd to look into possibility of making Atlanta Avenue one way going east. Commissioner Thompson indicated it was looked into by Ralph Grassi and it is one of the wider streets in Wildwood Crest.

Dennis Travascio, 112 E. Louisville Avenue, indicated if Atlanta Avenue turns into a one way street that there will be two consecutive streets going one way and will force traffic down Louisville Avenue.

Mrs. Gould motioned, Mr. Thompson seconded that the public hearing now be closed on Ordinance No. 1317.

Vote: Gould -- Thompson -- Cabrera – YES

Mrs. Gould motioned, Mr. Thompson seconded that Ordinance No. 1317 be passed on second and final reading and advertised according to law.

Vote: Gould -- Thompson -- Cabrera – YES

THE CLERK READS THE ORDINANCE BY TITLE:

ORDINANCE NO. 1318

**BOND ORDINANCE PROVIDING FOR THE
IMPROVEMENT OF THE STORM WATER DRAINAGE
AND SANITARY SEWERAGE SYSTEMS IN AND BY THE
BOROUGH OF WILDWOOD CREST, IN THE COUNTY OF
CAPE MAY, NEW JERSEY, APPROPRIATING \$6,000,000
THEREFOR AND AUTHORIZING THE ISSUANCE OF
\$5,700,000 BONDS OR NOTES OF THE BOROUGH FOR
FINANCING SUCH APPROPRIATION.**

Mrs. Gould motioned, Mr. Thompson seconded that Ordinance No. 1318 be passed on first reading, advertised according to law, be brought up for second and final reading and public hearing on December 11, 2019 at 9:30 a.m.

The Clerk reads the following Interpretive Statement:

The improvement of the storm water drainage and sanitary sewerage systems in and by the Borough including the upgrade of storm water drainage and sewerage facilities in and along various streets in the Borough, including, Pacific Avenue, Washington Avenue, St. Louis Avenue, Hollywood Avenue, Miami Avenue, and Farragut Avenue, including also the improvement of New Jersey Avenue, together with all piping, inlets, manholes, curbing, paving, milling, structures, equipment, site work, work and materials necessary therefor or incidental thereto

Prior to vote, Dominic Fassolo, 222 East Hollywood Avenue, inquired about the time frame for the project and the Mayor indicated the Borough's portion to begin Spring 2020 and the County will commence in 2021.

Vote: Gould -- Thompson -- Cabrera -- YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 294-19

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST 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, 2019, 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, 2020 through December 31, 2022 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 # 2019-17 adopted at their meeting held on October 15, 2019.

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

1. The attached Interlocal Services Agreement for the period of January 1, 2020 through December 31, 2022 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 motions, Mr. Thompson seconds that the foregoing resolution be adopted.

Vote: Gould -- YES Thompson -- ABSTAIN Cabrera -- YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 295-19

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST 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, the Borough of Wildwood Crest and Wildwood Crest Volunteer Fire Company No. 1 authorized an Addendum to the original MOU on November 30, 2016 via Resolution No. 805-16 (the "Addendum #1"), and

WHEREAS, the Borough of Wildwood Crest and the Wildwood Crest Volunteer Fire Company No. 1 have agreed to further amend the Memorandum of Understanding in accordance with the terms and conditions of Addendum #2 attached hereto.

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

1. The attached Addendum #2, dated November 21, 2019, to Memorandum of Understanding adopted December 16, 2015 and Addendum #1 dated November 30, 2016 between the Borough of Wildwood Crest and Wildwood Crest Volunteer Fire Company No. 1 is hereby approved.
2. The Mayor of and the Municipal Clerk are hereby authorized, instructed and empowered to execute the attached Amendment to the original Memorandum of Understanding dated December 16, 2015, and First Addendum dated November 30, 2016, on behalf of the Borough.

Mrs. Gould motions, Mr. Thompson seconds that the foregoing resolution be adopted.

Vote: Gould -- YES Thompson -- ABSTAIN Cabrera -- YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 296-19

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING THE GOVERNOR'S COUNCIL ON ALCOHOLISM AND DRUG ABUSE FISCAL GRANT CYCLE JULY 1, 2020 TO JUNE 30, 2021

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey; and

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and

WHEREAS, the Borough of Wildwood Crest further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Cape May.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, State of New Jersey hereby authorizes the submission of the grant for the Greater Wildwood Municipal Alliance Consortium grant in the amount of:

1. The Borough Commission does hereby authorize submission of a strategic plan for the Greater Wildwood Municipal Alliance grant for fiscal year 2021 (July 1, 2020– June 30, 2021) in the amount of:

DEDR	\$20,374
Cash Match	\$5,094
In-Kind	\$15,280

The Borough of Wildwood Crest portion of the local cash match shall be \$1,493.91

2. The Board of Commissioners of the Borough of Wildwood Crest acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

APPROVED: _____
Don Cabrera, Mayor

Mrs. Gould motions, Mr. Thompson seconds that the foregoing resolution be adopted.

Vote: Gould -- Thompson -- Cabrera -- YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 297-19

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING MUNICIPAL COURT ADMINISTRATOR TO VOID CERTAIN CHECKS FROM THE MUNICIPAL COURT GENERAL ACCOUNT AND THE MUNICIPAL COURT BAIL ACCOUNT

BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey, that the Municipal Court Administrator be and is hereby authorized to void the following checks issued against the Borough of Wildwood Crest Municipal Court General Account and to void the following check against Borough of Wildwood Crest Bail Account:

Wildwood Crest Municipal Court General Account (# 549015652 / Crest Savings)

<u>Check #</u>	<u>Check Date</u>	<u>Payable To</u>	<u>Amount</u>
2387	October 12, 2018	Michael Oleniacz	\$7.00
TOTAL AUTHORIZED TO BE VOIDED			\$7.00

Wildwood Crest Municipal Court Bail Account (# 549015736 / Crest Savings)

<u>Check #</u>	<u>Check Date</u>	<u>Payable To</u>	<u>Amount</u>
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TOTAL AUTHORIZED TO BE VOIDED

\$0.00

Mrs. Gould motions, Mr. Thompson seconds that the foregoing resolution be adopted.

Vote: Gould -- Thompson -- Cabrera -- YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 298-19

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AMENDING THE POLICIES AND PROCEDURES MANUAL OF THE BOROUGH OF WILDWOOD CREST

WHEREAS, the Atlantic County Municipal Joint Insurance Fund requires the Policies and Procedures Manual to be updated and distributed to managerial / supervisory employees every two years; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Commissioners of the Borough of Wildwood Crest, in the 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 Three: Paid and Unpaid Time Off Policies, Donated Leave Policy be amended and supplemented pursuant to Exhibit "A" attached.

Mrs. Gould motions, Mr. Thompson seconds that the foregoing resolution be adopted.

Vote: Gould -- Thompson -- Cabrera -- YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 299-19

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING REFUND OF PROPERTY TAXES OR UTILITIES OVERPAYMENT TO DENNIS AND JOYCE DEVER

WHEREAS, the Tax Collector of the Borough of Wildwood Crest collected from the property owner or its designee an excess amount on 2019 property taxes and/or utility payments; and

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

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

142-11	Dever, Dennis & Joyce	Amount
2019 Taxes	213 E Preston Ave	\$1,268.80
	Paid taxes after settlement 8/19/19	

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Commissioners of the Borough of Wildwood Crest, County of Cape May, State of New Jersey, that 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 21, 2019.

Mrs. Gould motions, Mr. Thompson seconds that the foregoing resolution be adopted.

Vote: Gould -- Thompson -- Cabrera -- YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 300-19

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING REFUND OF PROPERTY TAXES OR UTILITIES OVERPAYMENT TO CORELOGIC

WHEREAS, the Tax Collector of the Borough of Wildwood Crest collected from the property owner or it's designee an excess amount on 2019 property taxes and/or utility payments; and

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

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

9-44	Honore, Olin & Beverly	Amount
2019 Taxes	206 W Morning Glory Rd.	\$5,040.32

Homeowner & Mortgage Company paid
Refund Overpayment to Corelogic

47-24.01	Witcoski, John & Kate	
2019 Taxes	104 E Columbine Rd	\$1,012.69
	Double payment by Mortgage Company	
	Refund Overpayment to Corelogic	
117.02-23-C0204	Melito, Mark	
2019 Taxes	427 E. Miami Ave	\$482.94
	Homeowner & Mortgage Company paid	
	Refund Overpayment to Corelogic	

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 21, 2019.

Mrs. Gould motions, Mr. Thompson seconds that the foregoing resolution be adopted.
Vote: Gould -- Thompson -- Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 301-19

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING AN AGREEMENT WITH NATIONAL TIME SYSTEMS FOR AN EMPLOYEE TIME AND ATTENDANCE SOFTWARE AND HARDWARE FOR A TERM OF TWO YEARS

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey, desires to streamline the methods in which employee time and attendance is tracked; and

WHEREAS, the Chief Financial Officer solicited quotes and watched demonstrations of time and attendance software systems from various vendors; and

WHEREAS, after review of quotes and consultation with the Borough information technology specialist, the recommendation by the CFO is to enter into an agreement with National Time Systems for the employee time and attendance software and associated hardware; and

WHEREAS, National Time Systems has experience with integrating the Borough's current payroll service which should result in a seamless transition; and

WHEREAS, the agreement shall not exceed \$15,000.00 a year:

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

Account Number(s) _____ Amount _____

Signature _____

BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey, that an agreement with National Time Systems is hereby authorized and approved for the purpose of providing time and attendance software and hardware to the Borough at the rates attached with the agreement.

BE IT FURTHER RESOLVED that the Mayor and Municipal Clerk are hereby authorized, instructed, and empowered to execute and attest any and all documents, including the "Agreement," necessary to effectuate the award of this agreement; all of which is fully approved subject to the certification of availability of funds by the CFO.

Mrs. Gould motions, Mr. Thompson seconds that the foregoing resolution be adopted.
Vote: Gould -- Thompson -- Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 302-19

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING A LICENSING AGREEMENT BETWEEN BOROUGH OF WILDWOOD CREST AND LOWER CAPE MAY REGIONAL HIGH SCHOOL FOR THE USE OF THE JOSEPH VON SAVAGE POOL

WHEREAS, the LOWER CAPE MAY REGIONAL HIGH SCHOOL has requested to use the Joseph Von Savage Pool located at 8800 New Jersey Avenue for a period defined below; and

WHEREAS, the LOWER CAPE MAY REGIONAL HIGH SCHOOL would like to enter into an agreement for the following payment terms:

\$150.00 FOR SWIM MEET LOWER VS WWC ON 12/10/19 FROM 4:00-5:30 PM
\$150.00 FOR SWIM MEET LOWER VS OAKCREST ON 12/17/19 FROM 4:00-5:30 PM
\$150.00 FOR SWIM MEET LOWER VS BUENA ON 1/8/20 FROM 4:00-6:00 PM
\$150.00 FOR SWIM MEET LOWER VS PVILLE ON 1/14/20 FROM 4:00-5:30 PM

WHEREAS, the Board of Commissioners hereby authorized a licensing agreement with LOWER CAPE MAY REGIONAL HIGH SCHOOL for a license for the non-exclusive right to use the Licensed Property known as the Joseph Von Savage Pool for the above referenced fees and swim seasons.

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

1. That the recital paragraphs set forth above are incorporated herein as if set forth at length.
2. That a license for the non-exclusive right to use the Licensed Property known as Joseph Von Savage Pool in the Borough of Wildwood Crest is hereby granted to LOWER CAPE MAY REGIONAL HIGH SCHOOL for the period LISTED ABOVE. The foregoing payment schedule, the days and hours of permitted use, and all other conditions, which shall affect, change or modify this license shall be contained in said license agreement as Schedule "A", a copy of which is attached hereto and made a part hereof.
3. The Mayor and the Borough Clerk are hereby authorized and directed to execute and attest said license agreement on behalf of the Borough.

Mrs. Gould motions, Mr. Thompson seconds that the foregoing resolution be adopted.

Vote: Gould -- Thompson -- Cabrera -- YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 303-19

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST REJECTING ALL BIDS IN RESPONSE TO THE NOTICE TO BIDDER FOR A SOLAR POWER PURCHASE AGREEMENT

WHEREAS, on September 26, 2019, bids were received in response the Notice to Bidder for a Solar Power Purchase Agreement; and

WHEREAS, the Notice to Bidders, as advertised on September 6, 2019 in *The Press of Atlantic City* and as advertised on September 11, 2019 in *The Herald of Cape May County* reserved the right of the Board of Commissioners to reject any or all bids and N.J.S.A. 40A:11-13.2(c) provides that the contracting unit may reject all bids if it determines to abandon the project for provision or performance of the goods or services and N.J.S.A. 40A:11-13.2(d) further provides that a contracting unit may reject all bids if the unit wants to substantially revise the specifications for the goods or services; and

WHEREAS, there was one bid received from HESP Solar, L.L.C. Inc.; and

WHEREAS, the Board of Commissioners has determined to not proceed forward with the solar power purchase agreement at this time and may substantially revise the specifications for the goods or services.

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

1. The above recital paragraphs are incorporated herein as if set forth at length.
2. The bid received from HESP Solar, L.L.C. Inc.; in response to the Notice to Bidders for the Solar Power Purchase Agreement is hereby rejected pursuant to the reserved right to reject in the Notice to Bidders and further pursuant to N.J.S.A. 40A:11-13.2(c) and (d).

Mrs. Gould motions, Mr. Thompson seconds that the foregoing resolution be adopted.

Vote: Gould -- Thompson -- Cabrera -- YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 304-19

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING SPECIAL EVENTS PERMIT TO ANN MARIE DOUGHERTY

WHEREAS, on November 13, 2019, Ann Marie Dougherty, 7826 Arlington Ave, Upper Darby, PA 19082, applied for a Special Events Permit for the purpose of a Wedding to be held on May 16, 2020, from 1:00 pm to 2:00 pm, at the Sunset Lake Gazebo; and

WHEREAS,

WHEREAS, has supplied all documentation required under Ordinance No. 1304, 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 is authorized and directed to issue a Special Events Permit to

WHEREAS, , 7826 Arlington Ave, Upper Darby, PA 19082 for the purpose of a Wedding to be held on May 16, 2020, from 1:00 pm to 2:00 pm, at the Sunset Lake Gazebo.

Mrs. Gould motions, Mr. Thompson seconds that the foregoing resolution be adopted.

Vote: Gould -- Thompson -- Cabrera -- YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 305-19

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST APPROVING THE FILING OF AN APPLICATION FOR COMMUNITY FACILITY GRANT PROGRAM FUNDING TO THE US DEPARTMENT OF AGRICULTURE – RURAL DEVELOPMENT (USDA -RD)

WHEREAS, the Borough of Wildwood Crest desires to apply to USDA-RD for Community Facility Grant Program funding in an amount not to exceed \$45,000, for the purchase of up to six dual-band radios, and;

WHEREAS, the Borough of Wildwood Crest has determined that this purchase will have a positive and significant impact on public safety throughout the Borough, and;

WHEREAS, the Borough of Wildwood Crest, without financial assistance from the aforementioned USDA program, would be unable to purchase these critical communication pieces on its own;

NOW, THEREFORE, BE IT RESOLVED, that funding for the purchase of up to six dual-band radios is hereby in all respects approved and be it further resolved that the Mayor or his designee and the Borough Clerk are hereby authorized to execute all documents associated with the Application for USDA Rural Development funding through the Community Facility Grant Program.

BOROUGH COMMISSION OF THE
BOROUGH OF WILDWOOD CREST

By: _____
DON CABRERA, MAYOR

Attest:

Patricia A. Feketics, Borough Clerk

Mrs. Gould motions, Mr. Thompson seconds that the foregoing resolution be adopted.

Vote: Gould -- Thompson -- Cabrera -- YES

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

Vote: Gould -- Thompson -- Cabrera -- YES

REPORTS: Mrs. Gould motioned, seconded by Mr. Thompson that all reports received from the Court Administrator, Tax Collector, Chief of Police, Supervisor of the Recreation Department, Emergency Services Coordinator for the EMS and the Wildwood Crest Volunteer Fire Company Chief for the month ending October 31, 2019 be accepted as presented.

Vote: Gould -- Thompson -- Cabrera -- YES

MINUTES: Mrs. Gould motioned, seconded by Mr. Thompson that all minutes from the regularly scheduled Commission Meetings dated October 23, 2019 and November 6, 2019 be approved as presented.

Vote: Gould -- Thompson -- Cabrera -- YES

ADMINISTRATOR'S REPORT:

November 21, 2019

Kayak Launch/ Sunset Lake Shoreline Stabilization

Tom Thornton has been working with South State and their subcontractors to get all punch list items completed in the very near future. The replacement of stamped concrete in certain areas is weather dependent therefore the contractor will be scheduling it when there are a few concurrent days in which the temperatures are above normal. We are also still working on the liquidated damages claim. We did receive an extension on the Cape May County Open Space's shared service agreement as we await project closeout.

Beach/ Dune Project

I was asked to approach NJDEP Division of Coastal Engineering regarding the possibility of a cost share on increasing the height of the current fishing pier to ensure adequate protection from coastal storms. As it is now the current pier would be significantly lower (8 ft) vs the 14 ft height of the new dune if we do nothing to the pier. I continue to work with the NJDEP and US Army Corps on a regular basis and continue to provide them with all information including permitting updates.

Rio Grande Avenue Gateway Improvement Project

Construction is ongoing and traffic detours are expected to continue through the winter months.

Cape May County Open Space and Recreation Applications 2018

Marc DeBlasio is currently preparing the bid specifications for the Sunrise Park recreation project. We were awarded \$283,625 by the Cape May County Open Space Board for this project. The additional parking included in the park plans has been included in our IP permit which is under review by NJDEP-Land Use Regulation. Conceptual plans are currently posted on our website for all to review.

Pacific Avenue- Rambler to Jefferson

Our engineer is currently preparing engineering plans for sanitary sewer and storm water improvements for this 2020 county/municipal project. These infrastructure improvements must be completed prior to the County's reconstruction of this area of roadway. The County is seeking federal funding for this project.

New Jersey Avenue-Rambler to Cresse

We now have the conceptual, artistic renderings for this project and also the Cape May County Creative Placemaking Plan to utilize to ensure continuity with other projects throughout the Crest and Cape May County. We will be holding a stakeholders meeting on December 11th at 5:30 pm at the firehouse. Letters have been sent to all neighboring property owners and all are encouraged to attend.

Center Designation

A letter requested a pre-application meeting has been sent to the Office of Planning Advocacy. Unfortunately, we have not received a response nor has the OPA provided us with a proposed meeting date.

Beach Signage

Public Works is currently working with a sign manufacturer to produce street-end, beach rule signs and a few park signs for next year's summer season. I expect to be meeting with the vendor in early December.

Old Library

As previously reported, repairs have now been completed to the north side that incorporate the new design esthetics for this building. Now that these repairs are complete and the building is water tight once again, it is time to proceed with the ADA accessible bathrooms for which we were approved for a DCA Small Cities grant in the amount of \$354,545 to be shared with improvements to the Von Savage Pool. Our architect and engineer have submitted designs are awaiting approval to proceed with the next phase. We are working with Gary Finger of to apply for a NJ Clean Energy Program called Pay for Performance Grant to install HVAC and other necessary mechanicals so that we can at least get the bathrooms open to the public. This grant can provide us with up to \$250,000 and will provide future cost savings through efficiency upgrades.

Scoop Taylor Park

We have applied for FY2020 DCA Small Cities funding to make this park ADA compliant. The budget for this project is Budget is \$678,670 and includes the replacement of the playground equipment and a new ADA complaint surface, replacement of existing ramps and walkways, picnic tables and a new gazebo. Conceptual plans for the playground will be posted on our website as we await word on this grant which cannot exceed \$400,000.

Mayor Cabrera added that the Borough has requested the USACE cost share to address the gap between the proposed dune and the fishing pier.

ENGINEER'S REPORT:

Grant Applications

1. **FY2020 NJDOT Municipal Aid Program**
 - The NJDOT has announced that they are accepting State Aid applications for Roadways, Bikeways, Pedestrian, Safe Streets to Transit and Transit Village projects.
 - The Borough has elected to submit for the reconstruction of Beach Avenue from Crocus Road to Forget-Me-Not Road.
 - The grant application was submitted to the NJDOT on July 15, 2019.
2. **FY2020 NJDCA Small Cities Grant Application**

- The Borough is considering submitting an application for ADA improvements at Scoop Taylor Park.
 - Our office provided the engineering report to Blauer Associates in support of the grant application on August 8th.
3. FEMA Flood Mitigation Assistance (FMA)
- The Borough is proposing to construct two (2) bayside storm sewer pump stations in the north west section.
 - Our office provided the engineering report to Triad Associates on November 15, 2019.

Capital Projects

1. NJDEP CAFRA Permit-Beach Programming and Improvements
 - The permit application was transmitted to the NJDEP on October 21, 2019.
2. Sunrise Park Improvements
 - Cape May County approved a grant for Sunrise Park in the amount of \$283,625.00.
 - These park improvements are currently contained in the Borough's NJDEP CAFRA Permit-Beach Programming and Improvements application.
 - Construction is tentatively scheduled for Spring, 2020.
3. Pacific Avenue Storm Sewer Improvements and Borough Street Improvements
 - Our office provided a proposal to the Borough on December 14, 2018 to complete the proposed improvements.
 - Our office met with Cape May County Engineering on October 9th to review the conceptual design.
 - Our office met with Cape May County Engineering and the Borough on November 6th to review the design and layout a schedule.
 - The preliminary design plans are scheduled to be delivered to Cape May County in December 2019.
 - Our office is in the process of applying for a NJDEP CAFRA permit for the proposed improvements.
4. 2019 Road Improvement Program - Crocus Road, Denver, Stockton and Trenton Avenues
 - The contract was awarded to Asphalt Paving Systems, Inc in the amount of \$2,144,400.00.
 - The sanitary sewer work on Trenton Avenue and Denver Avenue is complete.
 - The concrete curb along Beach Avenue is complete with the exception of the ramps.
 - The contractor is currently installing water main on Stockton Avenue.
5. FY2019 NJDCA Small Cities Program
 - The State has notified the Borough that \$354,545.00 in grant funding has been allocated for ADA improvements at the Old Library Building and Von Savage Pool.
 - Our office provided a proposal to the Borough on June 6, 2019 to complete the proposed improvements.
6. New Jersey Avenue Sanitary Sewer Replacement
 - Our office provided a proposal to the Borough on September 13, 2019 to complete the proposed improvements.
7. Washington Avenue Beach Outfall – Preliminary Investigation
 - The project survey and existing base maps are complete. The television inspection is scheduled for the week of December 15th.
8. Solar Power Purchasing Agreement (SPPA)
 - The bid opening was September 26th at 11:00 AM and the most advantageous bidder was HESP Solar, L.L.C. with an Estimated Savings Over 15 Years in the amount of \$1,240,423.00.
 - The estimated savings is segregated in the following manner:
 1. Borough Facilities - \$527,619.12 (\$35,000.00/year)
 2. Crest Memorial School - \$712,803.87 (\$47,000.00/year)
9. Pacific Avenue Sanitary Sewer Replacement
 - Our office provided a proposal to the Borough on April 25, 2019 to complete the proposed improvements.
 - Our office completed a video inspection of the current sanitary sewer condition on Pacific Avenue in October, 2019.
 - Our office met with Cape May County Engineering and the Borough on November 6th to review the design and layout a schedule.
 - The preliminary design plans are complete, pending the approval of the Borough.

General Engineering

1. Sanitary Sewer Regulations, Ordinance and Standards

- The objectives of the new sanitary sewer ordinance is to provide a new process for sanitary sewer permits, inspections and construction standards.
 - Our office has completed and transmitted the draft ordinance for Borough review on December 10, 2018 and recently completed a final coordination meeting with Borough officials.
2. Bulkhead Ordinance
 - Our office is currently working with the Borough to develop a draft ordinance.
 3. Lot Grading Ordinance
 - Our office is currently working with the Borough to develop a draft ordinance.

CORRESPONDENCE:

None.

PUBLIC COMMENTS:

None.

DISCUSSION:

NEW BUSINESS:

N/A.

OLD BUSINESS:

-Tents on the beach/ Smoking on the beach: Governing Body to look at ordinance and give comments to Administrator. He requested that the issue of smoking on the beach to be revisited and indicated that the Borough of Wildwood Crest recently presented a resolution to the League of Municipalities at their annual conference urging the governor to provide funding for the recently passed Smoke Free Air Act.

-Parking in front of Leader Printers: On hold.

-Draft Ordinance for Ch. 63 Sidewalks: Draft ordinance in circulation and awaiting commentary.

-Sunset Lake Bathroom: Waiting for bid specs.

-Washington Avenue Lot/Field: Being utilized until end of April 2020.

-Parking for RVs: Draft ordinance in circulation.

-Old Library- The Administrator covered in her report.

-Faux Lawn→ to Green Team and Planning Board: No comments from Green Team or Planning Board thus far.

-Referendum permitting one consumption liquor license in business zone- No movement. The Administrator indicated there is talk to amend current ABC laws and how it revitalizes downtown development.

The Mayor requested the Dune / Fishing Pier remain on Old Business.

PUBLIC COMMENTS:

Victoria Dolan, 6400 Atlantic Avenue, indicated that silt fences were needed in the construction code. The Mayor indicated this was recently amended and included in the code and it is currently in effect.

Dennis Travascio, 112 E. Louisville Avenue, requested that the Borough enforce it.

Victoria Dolan, 6400 Atlantic Avenue, wanted to know who to contact if she someone in violation and the Administrator indicated Code Enforcement.

Dominic Fassolo, 222 E. Hollywood Avenue, inquired about the replacement of street signs to make them bigger.

Vince Nardini, 222 E. Hollywood Avenue, added traffic slows down in order to read the street signs and he was urged to attend the Stakeholder meeting on December 11th at the Volunteer Fire Company.

After hearing no further comments from the public,

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 306-19

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING EXECUTIVE/CLOSED SESSION IN ACCORDANCE WITH THE PROVISIONS OF THE OPEN PUBLIC MEETINGS ACT, SPECIFICALLY 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 Wildwood Crest 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 Wildwood Crest has determined that one (1) issue(s) is/are permitted by N.J.S.A. 10:4-12(b) to be discussed without the public in attendance to be discussed during the Executive or Closed Session to be held on **Thursday, November 21, 2019** at 5:30 P.M.; 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 _____

_____ **“(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 and the nature of the discussion, described as specifically as possible without undermining the need for confidentiality is potential contract negotiations and more specifically is potential acquisition of property

_____ **“(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 are _____.

_____ **“(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 Wildwood Crest, 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 Wildwood Crest. 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.

Mrs. Gould motions, Mr. Thompson seconds that the foregoing resolution be adopted.

Vote: Gould -- Thompson -- Cabrera – YES

After returning from Closed session and going back into open session and hearing nothing from the public, Mrs. Gould motioned, and Mr. Thompson seconded that the meeting be adjourned. The time was 6:21 p.m.

Dated: December 27, 2019

Patricia A. Feketics, Borough Clerk

