

Note: Complete Meeting Appears  
on CD #01-16 on File in the  
Borough Clerk's Office

January 6, 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 9:30 a.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.

The Clerk announced there were no ordinances for introduction or adoption.

**THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:**

**RESOLUTION NO. 575-16**

WHEREAS, there exists the need for the "Professional Services" of a BOROUGH SOLICITOR, to be retained by the Borough for the performance of legal services and related duties associates therewith as directed by the authorized representatives of the Borough of Wildwood Crest, all as more specifically set forth in the attached Agreement which is made a part hereof by reference as if fully set forth; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:1-11, et. seq.) requires that the Resolution authorizing the award of contracts for "Professional Services" without competitive bids must be publicly advertised; and

WHEREAS, Doreen Y. Corino, Esquire, has completed and submitted a Business Entity Disclosure Certification which certifies that Doreen Y. Corino, Esquire, will not make any reportable contributions pursuant to N.J.S.A. 19:44A-1 commencing January 1, 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, in the County of Cape May, New Jersey, as follows:

1. That the allegations of the preamble hereto are incorporated herein as if fully set forth.
2. That the Mayor and Borough Clerk be and they are hereby authorized, instructed, and empowered to execute the attached agreement with DOREEN Y. CORINO, ESQUIRE, who shall be compensated by voucher at the agreed upon rates, contingent upon certification below from the Chief Financial Officer as to the availability of funds, and whose rate/fee structure are contained in the aforesaid Agreement and said "Independent Contractor" shall be required to comply with this Resolution, and the attached Agreement. Said Solicitor is further required to comply with all other conditions/provisions of law or regulation applicable to a "Professional Services Contractor," including but not limited to procuring/maintaining sufficient insurance coverages necessary to

fully protect the interests of the Borough in each and every instance relative to performance under this contract.

3. That the aforesaid contract is awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law because N.J.S.A. 40A:11-5 states that no local unit shall be required to advertise for bids for services rendered or performed by a person authorized by law to practice a recognized profession and whose practice is regulated by law, or to advertise for bids for services which are of such a qualitative nature as will not reasonably permit the drawing of specifications or the receipt of competitive bids, all of which classification the aforesaid contact falls within. Said contract is also awarded not in accordance with the open and fair process of the New Jersey Pay-to-Play Law, but all conditions required for the award, based upon the conditions set forth at N.J.S.A. 19:44A-1, et. seq., shall be met in order to permit said award.

4. The Business Disclosure Entity Certification shall be placed on file with this Resolution.

5. That a copy of the specific items appertaining to the award of this contract shall be published in a Notice of Award in *The Herald of Cape May County* as required by law within ten (10) days of passage of the Resolution authorizing same.

ALICIA BELANSEN, CFO

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. 576-16**

BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, in the County of Cape May, New Jersey, that Alicia A. Belansen, Chief Financial Officer, be the custodian of the following accounts:

CREST SAVINGS BANK

<u>Account Number</u>	<u>Account Name</u>
54-902507-3	Borough of Wildwood Crest Lien Redemption Account
54-901556-1	Borough of Wildwood Crest Current Account
54-901557-9	Borough of Wildwood Crest Disbursement Account
54-901560-3	Borough of Wildwood Crest Trust Escrow Account
54-901559-5	Borough of Wildwood Crest Recreation Trust Account
54-901561-1	Borough of Wildwood Crest Police Forfeiture Account
54-901564-5	Borough of Wildwood Crest Animal Control Account
53-181178-5	Borough of Wildwood Crest Unemployment Trust Account
54-100167-6	Borough of Wildwood Crest General Capital Fund
54-901558-7	Borough of Wildwood Crest Payroll Account
54-904337-3	Borough of Wildwood Crest Flexible Spending Account

SOVEREIGN BANK

9551000005	Wildwood Crest Investment Account
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BE IT FURTHER RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, in the County of Cape May and State of New Jersey, that the municipal officials listed hereinbelow be and are hereby designated as signatories on the above listed accounts (excluding Payroll and Lien Redemption Accounts) when necessary or required as follows:

Alicia A. Belansen

or

and

Carl H. Groom Or Joyce P. Gould Or Don Cabrera

and

Patricia A. Feketics or Loretta G. Scott

BE IT FURTHER RESOLVED that Alicia A. Belansen, Carl H. Groom, Joyce P. Gould, and Don Cabrera be and are hereby designated as the authorized signatories on the Borough of Wildwood Crest Payroll Account (No. 54-901558-7).

BE IT FURTHER RESOLVED that Alicia A. Belansen and Lyndsey Herman be and are hereby designated as the authorized signatory of the Borough of Wildwood Crest Lien Redemption Account (No. 54-902507-3).

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. 577-16

BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, in the County of Cape May, New Jersey, that, in accordance with the provisions of N.J.S.A. 40:53-1, et. seq., designation of official newspapers in precise order be and the same are as follows:

1. *The Herald of Cape May County*
2. *The Press of Atlantic City*

Unless specifically required otherwise, all ordinance, resolutions, or other public notices shall be published in *The Herald of Cape May County*.

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. 578-16

SUBJECT: A RESOLUTION AUTHORIZING ADOPTION OF THE 2016 TEMPORARY BUDGET

WHEREAS, N.J.S.A. 40A:4-19 authorizes, by resolution of the governing body prior to January 31 of the fiscal year, adoption of temporary appropriations of not more than TWENTY-SIX AND ONE-QUARTER PERCENT (26.25%) of the total appropriations made for all purposes in the budget for the preceding fiscal year excluding, in both instances, appropriations made for interest and debt redemption charges, capital improvement fund and public assistance; and

WHEREAS, the total temporary appropriations to be created by this resolution amount to \$5,715,000.00, said amount being inclusive of not more than TWENTY-SIX AND ONE-QUARTER PERCENT (26.25%) of the total of those appropriations as fully authorized hereinabove.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey, that the amount of \$5,715,000.00 be and the same shall hereby constitute the 2016 Temporary Appropriations:

**PUBLIC AFFAIRS & PUBLIC SAFETY DIRECTOR'S OFFICE**

SALARIES & WAGES.....	\$	6,000.00
OTHER EXPENSES.....		3,000.00

FIRE DEPARTMENT	
SALARIES & WAGES.....	1,000.00
OTHER EXPENSES.....	185,000.00
POLICE	
SALARIES & WAGES.....	745,700.00
OTHER EXPENSES.....	60,000.00
EMERGENCY MANAGEMENT	
OTHER EXPENSES.....	0
MUNICIPAL PROSECUTOR	
OTHER EXPENSES.....	6,000.00
PUBLIC DEFENDER	
SALARIES & WAGES.....	5,000.00
MUNICIPAL COURT	
SALARIES & WAGES.....	55,000.00
OTHER EXPENSES.....	6,500.00
LEGAL	
OTHER EXPENSES..... \$	90,000.00
SERVICE OF AMBULANCE	
SALARIES & WAGES.....	145,000.00
OTHER EXPENSES.....	5,000.00
COMMUNICATIONS	
OTHER EXPENSES.....	60,000.00
ANIMAL CONTROL	
OTHER EXPENSES.....	17,000.00
LIFEGUARDS	
SALARIES & WAGES.....	4,000.00
OTHER EXPENSES.....	45,000.00
FIRE OFFICIAL	
SALARIES & WAGES.....	36,000.00
OTHER EXPENSES.....	5,000.00
LOCAL CODE ENFORCEMENT	
SALARIES & WAGES.....	8,000.00
OTHER EXPENSES.....	1,000.00
LAND USE ADMINISTRATION	
SALARIES & WAGES.....	13,000.00
OTHER EXPENSES.....	50,000.00
TRAFFIC MAINTENANCE	
SALARIES & WAGES.....	28,000.00
OTHER EXPENSES.....	25,000.00
TOURISM	
SALARIES & WAGES.....	3,000.00

OTHER EXPENSES .....	38,000.00
ENVIRONMENTAL COMMISSION	
SALARIES & WAGES.....	800.00
OTHER EXPENSES .....	0
<b>REVENUE &amp; FINANCE DIRECTOR'S OFFICE</b>	
SALARIES & WAGES.....\$	6,500.00
OTHER EXPENSES .....	700.00
FINANCIAL ADMINISTRATION	
SALARIES & WAGES.....	75,000.00
OTHER EXPENSES .....	70,000.00
ASSESSMENT OF TAXES	
SALARIES & WAGES.....	20,000.00
OTHER EXPENSES .....	3,000.00
COLLECTION OF TAXES	
SALARIES & WAGES.....	55,000.00
OTHER EXPENSES .....	7,000.00
INSURANCE	
GROUP INSURANCE FOR EMPLOYEES .....	1,200,000.00
OTHER INSURANCE.....	275,000.00
BOROUGH ADMINISTRATION	
SALARIES & WAGES.....	55,000.00
OTHER EXPENSES .....	80,000.00
UTILITIES BILLING	
OTHER EXPENSES .....	6,000.00
CONSTRUCTION OFFICE	
SALARIES & WAGES.....	30,000.00
OTHER EXPENSES .....	3,000.00
<b>PUBLIC WORKS DIRECTOR'S OFFICE</b>	
SALARIES & WAGES.....	6,500.00
OTHER EXPENSES .....	500.00
PUBLIC WORKS	
SALARIES & WAGES.....	140,000.00
OTHER EXPENSES .....	35,000.00
UTILITIES	
NATURAL GAS.....\$	60,000.00
ELECTRIC.....	60,000.00
FUEL OIL .....	40,000.00
STREET LIGHTING .....	50,000.00
LANDFILL	
OTHER EXPENSES .....	39,800.00
WATER	
OTHER EXPENSES .....	10,000.00
HYDRANT SERVICE.....	15,000.00

ENGINEER		
OTHER EXPENSES .....		40,000.00
BEACH MAINTENANCE		
SALARIES & WAGES .....		5,000.00
OTHER EXPENSES .....		10,000.00
SANITATION		
SALARIES & WAGES .....		100,000.00
OTHER EXPENSES .....		10,000.00
RECREATION		
SALARIES & WAGES .....		100,000.00
OTHER EXPENSES .....		20,000.00
SEWERAGE		
SALARIES & WAGES .....		38,000.00
OTHER EXPENSES .....		9,000.00
PARKS AND BUILDINGS		
SALARIES & WAGES .....		65,000.00
OTHER EXPENSES .....		40,000.00
RECREATION BUILDINGS		
OTHER EXPENSES .....		65,000.00
FLEET MAINTENANCE		
SALARIES & WAGES .....	\$	48,000.00
OTHER EXPENSES .....		45,000.00
<b>STATUTORY EXPENSES</b>		
SOCIAL SECURITY .....		200,000.00
UNEMPLOYMENT INSURANCE .....		15,000.00
TOTAL APPROPRIATIONS EXCLUDING CAPITAL IMPROVEMENTS, INTEREST AND DEBT REDEMPTION CHARGES AND PUBLIC ASSISTANCE .....	\$	4,800,000.00
CAPITAL IMPROVEMENT		
EMERGENCY SEWER REPAIRS .....		100,000.00
CAPITAL IMPROVEMENT FUND .....		300,000.00
INTEREST AND DEBT REDEMPTION CHARGES		
INTEREST AND PRINCIPAL ON BONDS AND LOANS .....		515,000.00
TOTAL TEMPORARY APPROPRIATIONS (ALL PAGES) \$ .....		<u>5,715,000.00</u>

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. 579-16  
A RESOLUTION ADOPTING THE CASH MANAGEMENT  
PLAN OF THE BOROUGH OF WILDWOOD CREST

WHEREAS, pursuant to the provisions of N.J.S.A. 40A:5-14, the Borough of Wildwood Crest shall adopt a Cash Management Plan and shall deposit its funds in accordance with the provisions of said Plan; and

WHEREAS, the Cash Management Plan shall include the designation of a depository or depositories as provided in Section 4 of P.L. 1970, c.236; and

WHEREAS, the Cash Management Plan shall be designed to assure to the extent practicable the investment of local funds in interest bearing accounts and may be modified from time to time in order to reflect changes in federal or state law or regulations; and

WHEREAS, the Cash Management Plan shall be subject to the annual audit conducted pursuant to N.J.S.A. 40A:5-4.

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

1. The allegations of the preamble hereto are incorporated herein by reference as if fully set forth.
2. The Cash Management Plan for the Borough of Wildwood Crest be and is hereby adopted.
3. A copy of the Cash Management Plan be and is attached hereto and made a part hereof.

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. 580-16

WHEREAS, by direction of the Cape May County Board of Taxation, adopted pursuant to the terms and provisions of N.J.A.C. 18:12A-1.6(d), any and all tax appeals seeking either increases or decreases of Tax Assessment which shall be submitted to the Cape May County Board of Taxation by the various municipalities which are situated in the County of Cape May are required to, as a prerequisite to their filing, be authorized by a Resolution of the Tax District involved; and

WHEREAS, upon being appraised of said fact, the Tax Assessor of the Borough of Wildwood Crest requested that a Resolution authorizing the execution of such tax appeals by the Tax Assessor of the Borough of Wildwood Crest be authorized by the governing body of the Borough of Wildwood Crest so that disposition of the same may be made by the Cape May County Board of Taxation.

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. That Kevin Maloney, Tax Assessor of the Borough of Wildwood Crest, be and he hereby is authorized to both pursue and defend to completion Tax Appeals on behalf of the Borough of Wildwood Crest for either increase or decreases in Tax Assessments for the calendar year 2016, for disposition by the Cape May County Board of Taxation.
2. That Patricia A. Feketics, Borough Clerk of the Borough of Wildwood Crest, be and she hereby is instructed to direct certified copies of this Resolution to the following persons or agencies:
  - A. Kevin Maloney, Tax Assessor of the Borough of Wildwood Crest;
  - B. Lyndsey Herman, Tax Collector of the Borough of Wildwood Crest; and
  - C. Cape May County Board of Taxation.

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. 581-16  
**2016 TAX TITLE LIEN SALE**

**WHEREAS**, N.J.S.A. 54:5-19 requires the governing body by Resolution to empower the Tax Collector to conduct a tax sale in 2016 for properties with unpaid taxes, sewer and /or other municipal charges or charges in arrears from the prior fiscal year, as well as temporarily hold out of tax sale certain properties that comply with specifically defined conditions and circumstances; and

**WHEREAS**, there are properties with delinquent charges as noted above, as well as certain properties as designated on the 2016 tax sale list which comply with said conditions and circumstances to be temporarily withheld from the tax sale for 2015 taxes, sewer and other municipal charges.

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, State of New Jersey that the Tax Collector be empowered to conduct a tax sale in 2016 as referenced above, and temporarily hold out of the tax sale any such property which conforms to the specifically defined conditions and circumstances as promulgated in N.J.S.A. 54:5-19 and/or any other provision of New Jersey Statutory Law.

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. 582-16  
**ANNUAL SEWER RATE**

**WHEREAS**, Borough of Wildwood Crest Ordinance Numbers 947 and 1203 contain formulas for the calculation and establishment of annual sewerage rates, including the current year Variable Rate Fee; and

**WHEREAS**, the said calculations have been prepared and reviewed in accordance with the aforementioned Ordinances Numbered 947 and 1203; and

**WHEREAS**, it is promulgated in Ordinance No. 947 the Commissioner of Revenue and Finance shall submit the proposed sewerage rates and minimum charges to the Board of Commissioners for confirmation by resolution; and

**WHEREAS**, the rates as calculated, reviewed and submitted are as follows:

Fixed Rate Charge: \$4.00 per 1000 gallons of metered water consumption  
Variable Rate Charge: \$23.01 per 1000 gallons of metered water consumption  
Minimum Annual Charge: \$124.00

**WHEREAS**, the due date for the first quarter will be April 1, 2015 with a ten day grace period.

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Commissioners of the Borough of Wildwood Crest, in the County of Cape May and the State of New Jersey, that the sewerage rates and minimum charges as presented by the Commissioner of Revenue and Finance be confirmed for calendar year 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. 583-16  
CANCELLATION OF 2015 TAX AND/OR SEWER  
BALANCES OF \$5.00 OR LESS

**WHEREAS**, N.J.S.A. 40A:5-17 allows for the cancellation of property tax overpayments or delinquent amounts of five (5) dollars or less; and

**WHEREAS**, there also exists a need to apply the same provision as promulgated in N.J.S.A. 40A:5-17 to the cancellation of municipal sewer overpayments and delinquencies of five (5) dollars or less.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, State of New Jersey, that the Tax Collector is hereby authorized to cancel without any further action on the part of the Governing Body, any property tax and/or municipal sewer overpayments and/or delinquencies of \$5.00 or less.

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. 584-16  
**Resolution Designating Alicia A. Belansen, CFO; or Alexa Campilango, Account Clerk; as Custodians of the Petty Cash Fund for the Wildwood Crest Administrative Offices**

**WHEREAS**, it is necessary for the day-to-day operation of the Borough of Wildwood Crest administrative offices to have a petty cash fund readily available; and

**WHEREAS**, it is the desire of the Board of Commissioners of the Borough of Wildwood Crest to designate custodians of the petty cash fund for the Wildwood Crest Administrative Offices;

**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, that Alicia A. Belansen, CFO; or Alexa Campilango, Account Clerk; be and they are hereby designated as the custodians of the petty cash fund for the Wildwood Crest Administrative Offices, said fund not to exceed the sum of \$250.

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. 585-16  
**Resolution Designating Captain Joseph McGrath of the Wildwood Crest Police Department as Custodian of the Petty Cash Fund for the Wildwood Crest Police Department**

**WHEREAS**, it is necessary for the day-to-day operation of the Wildwood Crest Police Department to have a petty cash fund readily available; and

**WHEREAS**, it is the desire of the Board of Commissioners of the Borough of Wildwood Crest to designate a custodian of the petty cash fund for the Wildwood Crest Police Department;

**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, that Captain Joseph McGrath be and he is hereby designated as the Custodian of the Petty Cash Fund for the Wildwood Crest Police Department, said fund not to exceed the sum of \$200.

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. 586-16

WHEREAS, the Borough of Wildwood Crest adopted Resolution No. 176-14 on June 11, 2014, which authorized the sale of a Borough owned 2000 E-One Emergency Fire Truck, VIN 4EN3AAA84Y1000867, for the Wildwood Crest Volunteer Fire Company No. 1 and for the use of the proceeds from said sale toward the Wildwood Crest Volunteer Fire Company No. 1's purchase of a replacement vehicle; and

WHEREAS, the Wildwood Crest Volunteer Fire Company No. 1 is acquiring a 2016 Custom Heavy Duty Ferrara Mid Mount 100' Tower Ladder by way of a lease purchase agreement; and

WHEREAS, the Borough of Wildwood Crest is required to co-sign the lease agreement as a guarantor for the payments as due from the Wildwood Crest Volunteer Fire Company No. 1, and

WHEREAS, the governing body has determined that it is in the best interest of the Borough of Wildwood Crest to authorize the Mayor and Clerk to execute such documents as determined necessary for the Borough, as co-guarantor, for the Wildwood Crest Volunteer Fire Company No. 1 on said lease agreement; and

WHEREAS, the Wildwood Crest Volunteer Fire Company No. 1 shall maintain ownership and the title for said vehicle and, upon completion of all payments being satisfactorily made, ownership and title shall revert to 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 and State of New Jersey, as follows:

1. That the preamble hereto is repeated as if set forth in full.
2. That the Mayor and Borough Clerk be and are hereby authorized to execute any and all documents as may be required for the Borough of Wildwood Crest to be co-guarantor for the Wildwood Crest Volunteer Fire Company No. 1 for their acquisition of said vehicle.

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. 587-16

WHEREAS, it is the policy of the Borough of Wildwood Crest to treat employees and prospective employees in a manner consistent with all applicable employment laws and regulations, including but not limited to Title VII of the Civil Rights Act of 1964, as amended by the Equal Opportunity Act of 1972, the Age Discrimination in Employment Act, the Equal Pay for Equal Work Act, the Fair Labor Standards Act, the New Jersey Law Against Discrimination, the Americans With Disabilities Act, the Family and Medical Leave Act, the Conscientious Employee Protection Act, the Public Employee Occupational Safety and Health Act, the New Jersey Civil Service Act, the New Jersey Workers Compensation Act, the Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) and the Open Public Meeting Act; and

WHEREAS, the Board of Commissioners has determined that there is a need to amend the personnel Policies and Procedures Manual to implement certain changes made by statute and to otherwise ensure that employees and prospective employees are treated in a manner consistent with these laws and regulations.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, State of New Jersey that the Personnel Policies and Procedures Manual is hereby adopted effective January 1, 2016.

BE IT FURTHER RESOLVED that these personnel policies and procedures shall apply to all Borough officials, appointees, employees, volunteers and independent contractors. In the event there is a conflict between these rules and any collective bargaining agreement, personnel services contract or Federal or State law, the terms and conditions of that contract or law shall prevail. In all other cases, these policies and procedures shall prevail.

BE IT FURTHER RESOLVED that this manual is intended to provide guidelines covering public service by Borough employees and is not a contract. The provisions of this manual may be amended and supplemented from time to time without notice and at the sole discretion of the Board of Commissioners.

BE IT FURTHER RESOLVED that to the maximum extent permitted by law, employment practices for the Borough shall operate under the legal doctrine known as "employment at will."

BE IT FURTHER RESOLVED that the Borough Clerk/Board Designee and Chief Financial Officer and all managerial and supervisory personnel are responsible for these employment practices.

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. 588-16**

WHEREAS, there exists the need for the "Professional Services" of an attorney, to be retained by the Borough as a MUNICIPAL PROSECUTOR, for the performance of prosecutorial duties and related work in the Wildwood Crest Municipal Court; all as more specifically set forth in the attached Agreement which is made a part hereof by reference as if fully set forth; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:1-11, et. seq.) requires that the Resolution authorizing the award of contracts for "Professional Services" without competitive bids must be publicly advertised; and

WHEREAS, **RANDOLPH LAFFERTY, Esquire**, of the law firm of Cooper Levenson has completed and submitted a Business Entity Disclosure Certification which certifies that Randolph Lafferty, and Cooper Levenson Law Firm, will not make any reportable contributions pursuant to N.J.S.A. 19:44A-1 commencing January 1, 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, in the County of Cape May, New Jersey, as follows:

1. That the allegations of the preamble hereto are incorporated herein as if fully set forth.
2. That the Mayor and Borough Clerk be and they are hereby authorized, instructed, and empowered to execute the attached agreement with **RANDOLPH LAFFERTY, ESQUIRE**, of the law firm of Cooper Levenson, who shall be compensated by voucher on the basis of a "not to exceed amount of \$18,000 annually," contingent upon certification below from the Chief Financial Officer as to the availability of funds, as well as upon the governing body appropriating sufficient funds in the 2016 Municipal Budget, and whose rate/fee structure are contained in the aforesaid Agreement and said "Independent Contractor" shall be required to comply with this Resolution, and the attached Agreement. Said Municipal Prosecutor is further required to comply with all other conditions/provisions of law or regulation applicable to a "Professional Services Contractor," including but not limited to procuring/maintaining sufficient insurance coverages

necessary to fully protect the interests of the Borough in each and every instance relative to performance under this contract.

3. That the aforesaid contract is awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law because N.J.S.A. 40A:11-5 states that no local unit shall be required to advertise for bids for services rendered or performed by a person authorized by law to practice a recognized profession and whose practice is regulated by law, or to advertise for bids for services which are of such a qualitative nature as will not reasonably permit the drawing of specifications or the receipt of competitive bids, all of which classification the aforesaid contract falls within.
4. The Business Disclosure Entity Certification shall be placed on file with this Resolution.
5. That a copy of the specific items appertaining to the award of this contract shall be published in a Notice of Award in *The Herald of Cape May County* as required by law within ten (10) days of passage of the Resolution authorizing same.

ALICIA BELANSEN, CFO

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. 589-16

**Authorizing Retention Via Professional Services Agreement  
Of A Law Firm With Regard to Municipal Public Defender**

WHEREAS, the Borough of Wildwood Crest requires the professional services of a Law Firm to perform services on behalf of the municipality with regard to Public Defender duties; and

WHEREAS, it is desired to employ a professional, pursuant to law, who is duly trained, experienced and specialized in the area of Municipal Public Defender; 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 Andrew J. Cafiero, Esquire of the firm of Cafiero & Kaufmann, A Professional Association is qualified to perform the 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, Andrew J. Cafiero, Esquire, of the firm of Cafiero & Kaufmann, A Professional Association has completed and submitted a Business Entity Disclosure Certification which certifies that Andrew J. Cafiero, Esquire, of the firm of Cafiero & Kaufmann, A Professional Association will not make any reportable contributions pursuant to N.J.S.A. 19:44A-1 commencing January 1, 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. Andrew J. Cafiero, Esquire, of the firm of Cafiero & Kaufmann, A Professional Association is hereby retained as Municipal Public Defender to provide specialized professional services in the field of municipal public defender. 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 Andrew J. Cafiero, Esquire, of the firm of Cafiero & Kaufmann, A Professional Association for specialized professional services as Municipal Public Defender for a term commencing January 1, 2016 and terminating December 31, 2016, which contract shall provide for fees not to exceed \$13,000.00 annually, contingent upon certification below from the Chief Financial Officer as to the availability of funds.
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.

Alicia Belansen, CFO

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. 590-16**

BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey, that an agreement with POGUE SAFETY & HEALTH CONSORTIUM be and the same is hereby authorized and approved effective immediately and through December 31, 2016, for the express purpose of enabling said POGUE SAFETY & HEALTH CONSORTIUM to develop, schedule, and provide alcohol and drug testing services at a total cost of Fifty-Eight (\$58.00) Dollars per employee trained, for all CDL (Commercial Driver's License) operators employed by the Borough of Wildwood Crest; said compliance being required by the federally mandated CDL testing procedures which are made a part hereof by reference as if fully set forth.

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

ALICIA BELANSEN, CFO

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. 591-16**

**Authorizing Retention Via Professional Services Agreement  
Of A Law Firm As Special Counsel**

WHEREAS, the Borough of Wildwood Crest requires the professional services of a law firm for a current civil action case; and

WHEREAS, it is desired to employ a professional, pursuant to law, who is duly trained, experienced and specialized in the area of civil law; 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 Louis M. Barbone, Esquire, of the law firm of Jacobs & Barbone, P.A., of Atlantic City, New Jersey is qualified to perform the said work and it is desired to enter a professional contract with them for said services pursuant to law, and to provide for the advertising of a notice pursuant to law; and

WHEREAS, Louis M. Barbone, Esquire, of the law firm of Jacobs & Barbone, P.A., has completed and submitted a Business Entity Disclosure Certification which certifies that Louis M. Barbone, Esquire and Jacobs & Barbone, P.A., will not make any reportable contributions pursuant to N.J.S.A. 19:44A-1 commencing January 1, 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. Louis M. Barbone, Esquire of the law firm of Jacobs & Barbone, P.A., of Atlantic City, New Jersey is hereby retained as Special Counsel for the period January 6, 2016 through December 31, 2016. 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 Louis M. Barbone, Esquire, of the law firm of Jacobs & Barbone, P.A., for specialized professional services, for a term of the period indicated above, which contract shall provide for payment at the hourly rate of one hundred seventy five (\$175.00) dollars per hour at the not to exceed amount of five thousand (\$5,000) 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 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.

Alicia A. Belansen, CFO

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. 592-16**

WHEREAS, there exists the need for the “Professional Services” of **SPECIAL COUNSEL**, to be retained by the Borough to assist the Borough and its legal counsel in helping the Borough address its responsibilities with respect to its affordable-housing obligations in any proceeding involving (a) a New Jersey court of competent jurisdiction, and/or (b) the New Jersey Council on Affordable

Housing (“COAH”), and all as more specifically set forth in the attached Agreement which is made a part hereof by reference as if fully set forth; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:1-11, et. seq.) requires that the Resolution authorizing the award of contracts for “Professional Services” without competitive bids must be publicly advertised.

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 allegations of the preamble hereto are incorporated herein as if fully set forth.

2. That the Mayor and Borough Clerk be and they are hereby authorized, instructed, and empowered to execute the attached agreement with **Jeffrey R. Surenian and Associates, LLC** who shall be compensated by voucher at the agreed upon hourly rates, , not to exceed Five Thousand (\$5,000) contingent upon certification below from the Chief Financial Officer as to the availability of funds, and whose rate/fee structure are contained in the aforesaid Agreement and said “Independent Contractor” shall be required to comply with this Resolution. Said Special Counsel is further required to comply with all other conditions/provisions of law or regulation applicable to a “Professional Services Contractor,” including but not limited to procuring/maintaining sufficient insurance coverages necessary to fully protect the interests of the Borough in each and every instance relative to performance under this contract.

3. That the aforesaid contract is awarded without competitive bidding as a “Professional Service” under the provisions of the Local Public Contracts Law because N.J.S.A. 40A:11-5 states that no local unit shall be required to advertise for bids for services rendered or performed by a person authorized by law to practice a recognized profession and whose practice is regulated by law, or to advertise for bids for services which are of such a qualitative nature as will not reasonably permit the drawing of specifications or the receipt of competitive bids, all of which classification the aforesaid contact falls within.

4. That a copy of the specific items appertaining to the award of this contract shall be published in a Notice of Award in the Herald of Cape May County as required by law within ten (10) days of passage of the Resolution authorizing same.

ALICIA A. BELANSEN, CFO

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. 593-16

WHEREAS, there exists the need for the “Professional Services” of an ENGINEER, to be retained by the Borough for the performance of engineering work and related duties associated with **coastal engineering services** as directed by the authorized representatives of the Borough of Wildwood Crest, all as more specifically set forth in the attached Agreement which is made a part hereof by reference as if fully set forth; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:1-11, et. seq.) requires that the Resolution authorizing the award of contracts for “Professional Services” without competitive bids must be publicly advertised; and

WHEREAS, this contract was not awarded through a “fair and open process,” but does meet all of the criteria required by the provisions of N.J.S.A. 19:44A-20.4, et. seq. for said award;

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 allegations of the preamble hereto are incorporated herein as if fully set forth.

2. That the Commissioner of Revenue & Finance and Borough Clerk be and they are hereby authorized, instructed, and empowered to execute the attached agreement with **HATCH MOTT MacDONALD**, who shall be compensated by voucher at the agreed upon hourly rates, contingent upon certification below from the Chief Financial Officer as to the availability of funds at the not to exceed contract amount of Nine Thousand Five Hundred (\$9,500) Dollars, and whose rate/fee structure are contained in the aforesaid Agreement and said "Independent Contractor" shall be required to comply with this Resolution, and the attached Agreement. Said Engineering Firm is further required to comply with all other conditions/provisions of law or regulation applicable to a "Professional Services Contractor," including but not limited to procuring/maintaining sufficient insurance coverages necessary to fully protect the interests of the Borough in each and every instance relative to performance under this contract.

3. That the aforesaid contract is awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law because N.J.S.A. 40A:11-5 states that no local unit shall be required to advertise for bids for services rendered or performed by a person authorized by law to practice a recognized profession and whose practice is regulated by law, or to advertise for bids for services which are of such a qualitative nature as will not reasonably permit the drawing of specifications or the receipt of competitive bids, all of which classification the aforesaid contract falls within.

4. That a copy of the specific items appertaining to the award of this contract shall be published in a Notice of Award in the *Herald of Cape May County* as required by law within ten (10) days of passage of the Resolution authorizing same.

ALICIA A. BELANSEN, CFO

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. 594-16

WHEREAS, there exists the need for the "Professional Services" of an **ANIMAL CONTROL OFFICER** to be retained by the Borough for the performance of animal control, animal cruelty investigation, wildlife removal and road kill disposal services and related duties associated therewith, as well as the annual dog census, as directed by the authorized representatives of the Borough of Wildwood Crest, all as more specifically set forth in the attached Agreement which is made a part hereof by reference as if fully set forth; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:1-11, et. seq.) requires that the Resolution authorizing the award of contracts for "Professional Services" without competitive bids must be publicly advertised; and

WHEREAS, **SHORE ANIMAL CONTROL SERVICES, LLC** has completed and submitted a Business Entity Disclosure Certification which certifies that **SHORE ANIMAL CONTROL SERVICES, LLC** will not make any reportable contributions pursuant to N.J.S.A. 19:44A-1 commencing January 1, 2016 to any political committee or candidate through the term of this contract, December 31, 2016.

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 allegations of the preamble hereto are incorporated herein as if fully set forth.

2. That the Mayor and Borough Clerk be and they are hereby authorized, instructed, and empowered to execute the attached agreement with **SHORE ANIMAL CONTROL SERVICES, LLC**, who shall be compensated by voucher at the agreed upon rate (**not to exceed \$8,000, plus**



**\$3,000 for removal of wildlife, and \$2.50 per dog for dog census**), contingent upon certification below from the Chief Financial Officer as to the availability of funds, and whose rate/fee structure are contained in the aforesaid Agreement and said "Independent Contractor" shall be required to comply with this Resolution, and the attached Agreement. Said Animal Control Officer is further required to comply with all other conditions/provisions of law or regulation applicable to a "Professional Services Contractor," including but not limited to procuring/maintaining sufficient insurance coverage necessary to fully protect the interests of the Borough in each and every instance relative to performance under this contract.

3. That the aforesaid contract is awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law because N.J.S.A. 40A:11-5 states that no local unit shall be required to advertise for bids for services rendered or performed by a person authorized by law to practice a recognized profession and whose practice is regulated by law, or to advertise for bids for services which are of such a qualitative nature as will not reasonably permit the drawing of specifications or the receipt of competitive bids, all of which classification the aforesaid contact falls within.

4. The Business Disclosure Entity Certification shall be placed on file with this Resolution.

5. That a copy of the specific items appertaining to the award of this contract shall be published in a Notice of Award in *The Herald of Cape May County* as required by law within ten (10) days of passage of the Resolution authorizing same.

ALICIA BELANSEN, CFO

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. 595-16

WHEREAS, there exists the need for the "Professional Services" of a firm to be retained by the Borough for the performance of computer technology support services and related duties associated therewith as directed by the authorized representatives of the Borough of Wildwood Crest, all as more specifically set forth in the attached Agreement which is made a part hereof by reference as if fully set forth; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:1-11, et. seq.) requires that the Resolution authorizing the award of contracts for "Professional Services" without competitive bids must be publicly advertised; and

WHEREAS, **South Jersey Technology Partnership** has completed and submitted a Business Entity Disclosure Certification which certifies that **South Jersey Technology Partnership** will not make any reportable contributions pursuant to N.J.S.A. 19:44A-1 commencing January 6, 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, in the County of Cape May, New Jersey, as follows:

1. That the allegations of the preamble hereto are incorporated herein as if fully set forth.

2. That the Commissioner of Revenue & Finance and Borough Clerk be and they are hereby authorized, instructed, and empowered to execute the attached agreement with **South Jersey Technology Partnership**, who shall be compensated by voucher at the agreed upon rate of \$18,393.00 per year for comprehensive remote network monitoring and administration services for 2016, contingent upon certification below from the Chief Financial Officer as to the availability of funds as well as the governing body setting sufficient funds in the 2016 municipal budget, and whose rate/fee structure are contained in the aforesaid Agreement and said "Independent

Contractor” shall be required to comply with this Resolution, and the attached Agreement. Said **South Jersey Technology Partnership** is further required to comply with all other conditions/provisions of law or regulation applicable to a “Professional Services Contractor,” including but not limited to procuring/maintaining sufficient insurance coverages necessary to fully protect the interests of the Borough in each and every instance relative to performance under this contract.

3. That the aforesaid contract is awarded without competitive bidding as a “Professional Service” under the provisions of the Local Public Contracts Law because N.J.S.A. 40A:11-5 states that no local unit shall be required to advertise for bids for services rendered or performed by a person authorized by law to practice a recognized profession and whose practice is regulated by law, or to advertise for bids for services which are of such a qualitative nature as will not reasonably permit the drawing of specifications or the receipt of competitive bids, all of which classification the aforesaid contact falls within.

4. The Business Disclosure Entity Certification shall be placed on file with this Resolution.

5. That a copy of the specific items appertaining to the award of this contract shall be published in a Notice of Award in *The Herald of Cape May County* as required by law within ten (10) days of passage of the Resolution authorizing same.

ALICIA BELANSEN, CFO

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. 596-16

WHEREAS, there exists the need for the “Professional Services” of a HEARING OFFICER, to be retained by the Borough for all Department of Personnel (a/k/a Civil Service) disciplinary action hearings and related duties associated therewith as directed by the authorized representatives of the Borough of Wildwood Crest, all as more specifically set forth in the attached Agreement which is made a part hereof by reference as if fully set forth; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:1-11, et. seq.) requires that the Resolution authorizing the award of contracts for “Professional Services” without competitive bids must be publicly advertised; and

WHEREAS, Steven Secare, Esq. has completed and submitted a Business Entity Disclosure Certification which certifies that he will not make any reportable contributions pursuant to N.J.S.A. 19:44A-1 commencing January 1, 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, in the County of Cape May, New Jersey, as follows:

1. That the allegations of the preamble hereto are incorporated herein as if fully set forth.

2. That the Mayor and Borough Clerk be and they are hereby authorized, instructed, and empowered to execute the attached agreement with Steven Secare, Esq. who shall be compensated by voucher at the agreed upon rate of \$140.00 per hour, not to exceed \$9,500 contingent upon certification below from the Chief Financial Officer as to the availability of funds, and whose rate/fee structure are contained in the aforesaid Agreement and said “Independent Contractor” shall be required to comply with this Resolution, and the attached Agreement. Said Hearing Officer is further required to comply with all other conditions/provisions of law or regulation applicable to a “Professional Services Contractor,” including but not limited to procuring/maintaining sufficient insurance coverages necessary to fully protect the interests of the Borough in each and every instance relative to performance under this contract.

3. That the aforesaid contract is awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law because N.J.S.A. 40A:11-5 states that no local unit shall be required to advertise for bids for services rendered or performed by a person authorized by law to practice a recognized profession and whose practice is regulated by law, or to advertise for bids for services which are of such a qualitative nature as will not reasonably permit the drawing of specifications or the receipt of competitive bids, all of which classification the aforesaid contact falls within.

4. The Business Disclosure Entity Certification shall be placed on file with this Resolution

5. That a copy of the specific items appertaining to the award of this contract shall be published in a Notice of Award in *The Herald of Cape May County* as required by law within ten (10) days of passage of the Resolution authorizing same.

ALICIA A. BELANSEN, CFO

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. 597-16

**Authorizing Retention Via Professional Services Agreement  
Of A Law Firm Specializing In Labor Relations**

WHEREAS, the Borough of Wildwood Crest requires the professional services of a law firm specializing in labor relations in the field of collective bargaining negotiations, personnel administration, and employer-employee relations, and specifically excluding employment litigation for which the Borough reserves the right to retain outside counsel for representation of the Borough's interests; and

WHEREAS, it is desired to employ a professional, pursuant to law, who is duly trained, experienced and specialized in the area of labor relations, collective bargaining negotiations, personnel administration and employer-employee relations; 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 law firm of **Gruccio, Pepper, DeSanto & Ruth, P.A.**, of Vineland, New Jersey is qualified to perform the said work and it is desired to enter a professional contract with them for said services pursuant to law, and to provide for the advertising of a notice pursuant to law; and

WHEREAS, **Gruccio, Pepper, DeSanto & Ruth, P.A.**, has completed and submitted a Business Entity Disclosure Certification which certifies that **Gruccio, Pepper, DeSanto & Ruth, P.A.**, will not make any reportable contributions pursuant to N.J.S.A. 19:44A-1 commencing January 6, 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. **Gruccio, Pepper, DeSanto & Ruth, P.A.** of Vineland, New Jersey is hereby retained as a professional labor negotiator to provide specialized professional services in the field of collective bargaining negotiations, personnel administration, and employer-employee relations for the period January 1, 2016 through December 31, 2016. The said professional services to be received shall be "as directed" by the Borough of Wildwood Crest from time to time. Said services

shall specifically exclude employment litigation, for which the Borough reserves the right to retain outside counsel for representation of the Borough's interests.

2. The Mayor and Borough Clerk be and they are hereby authorized and directed to enter into a contract with **Gruccio, Pepper, DeSanto & Ruth, P.A.**, for specialized professional services in the field of collective bargaining negotiations, personnel, administration, and employer-employee relations, as aforesaid, for a term of the period indicated above, which contract shall provide for payment at the hourly rate of one hundred forty (\$140.00) dollars per hour. 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.

Alicia Belansen, CFO

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. 598-16  
**Authorizing Retention Via Professional Services Agreement  
Of A Law Firm As Special Counsel Specializing In Labor Relations**

WHEREAS, the Borough of Wildwood Crest requires the professional services of a law firm specializing in labor relations in the field of collective bargaining negotiations, personnel administration, and employer-employee relations in an employee administrative proceeding and litigation; and

WHEREAS, it is desired to employ a professional, pursuant to law, who is duly trained, experienced and specialized in the area of labor relations, collective bargaining negotiations, personnel administration and employer-employee relations and litigation; 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 **William G. Blaney, Esquire**, of the law firm of Blaney & Karavan, P.A., of Avalon, New Jersey is qualified to perform the said work and it is desired to enter a professional contract with them for said services pursuant to law, and to provide for the advertising of a notice pursuant to law; and

WHEREAS, **William G. Blaney, Esquire**, of the law firm of Blaney & Karavan, P.A., has completed and submitted a Business Entity Disclosure Certification which certifies that William G. Blaney, Esquire and Blaney & Karavan, P.A., will not make any reportable contributions pursuant to N.J.S.A. 19:44A-1 commencing January 1, 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. **William G. Blaney, Esquire** of the law firm of Blaney & Karavan, P.A., of Avalon, New Jersey is hereby retained as Special Counsel as a professional labor negotiator to provide specialized professional services in the field of collective bargaining negotiations, personnel administration, employee disciplinary actions, and employer-employee relations and litigation for the period January 1, 2016 through December 31, 2016. 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 **William G. Blaney, Esquire**, of the law firm of Blaney & Karavan, P.A., for specialized professional services in the field of collective bargaining negotiations, personnel administration, and employer-employee relations and litigation, as aforesaid, for a term of the period indicated above, which contract shall provide for payment at the hourly rate of **one hundred forty (\$140.00) dollars per hour**. 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.

Alicia A. Belansen, CFO

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. 599-16

**Authorizing Retention Via Professional Services Agreement  
Of A Law Firm With Regard Bond Counsel**

WHEREAS, the Borough of Wildwood Crest requires the professional services of a Law Firm to assist the municipality with the selling of bonds, or bond anticipation notes, for financing the cost of the capital improvement program and for the rendering of legal opinions related thereto; and

WHEREAS, it is desired to employ a professional, pursuant to law, who is duly trained, experienced and specialized in the area of municipal bonds; 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 of Hawkins, Delafield & Wood is qualified to perform the said work and it is desired to enter a professional contract with them for said services pursuant to law, and to provide for the advertising of a notice pursuant to law; and

WHEREAS, Hawkins, Delafield & Wood has completed and submitted a Business Entity Disclosure Certification which certifies that Hawkins, Delafield & Wood will not make any

reportable contributions pursuant to N.J.S.A. 19:44A-1 commencing January 1, 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. Hawkins, Delafield & Wood is hereby retained as Bond Counsel to provide specialized professional services in the field of municipal bond work. 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 Hawkins, Delafield & Wood for specialized professional services as Bond Counsel for a term of one (1) year, which contract shall provide for fees to be calculated as set forth in the letter of Hawkins, Delafield & Wood dated December 3, 2015 and attached hereto, contingent upon certification below from the Chief Financial Officer as to the availability of funds.
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.

Alicia Belansen, CFO

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. 600-16

WHEREAS, there exists the need for the "Professional Services" of a **BRANDING/MARKETING FIRM**, to be retained by the Borough for the performance of branding/marketing services and related duties associates therewith as directed by the authorized representatives of the Borough of Wildwood Crest, all as more specifically set forth in the attached Agreement which is made a part hereof by reference as if fully set forth; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:1-11, et. seq.) requires that the Resolution authorizing the award of contracts for "Professional Services" without competitive bids must be publicly advertised; and

WHEREAS, **FINCH BRANDS** has completed and submitted a Business Entity Disclosure Certification which certifies that **FINCH BRANDS** will not make any reportable contributions pursuant to N.J.S.A. 19:44A-1 commencing January 6, 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, in the County of Cape May, New Jersey, as follows:

1. That the allegations of the preamble hereto are incorporated herein as if fully set forth.

2. That the Mayor and Borough Clerk be and they are hereby authorized, instructed, and empowered to execute the attached agreement with **FINCH BRANDS** who shall be compensated by voucher at the **not to exceed sum of \$25,000 for Phase II Branding**, contingent upon certification below from the Chief Financial Officer as to the availability of funds, and whose rate/fee structure are contained in the aforesaid Agreement and said "Independent Contractor" shall be required to comply with this Resolution, and the attached Agreement. Said Branding/Marketing Firm is further required to comply with all other conditions/provisions of law or regulation applicable to a "Professional Services Contractor," including but not limited to procuring/maintaining sufficient insurance coverages necessary to fully protect the interests of the Borough in each and every instance relative to performance under this contract.

3. That the aforesaid contract is awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law because N.J.S.A. 40A:11-5 states that no local unit shall be required to advertise for bids for services rendered or performed by a person authorized by law to practice a recognized profession and whose practice is regulated by law, or to advertise for bids for services which are of such a qualitative nature as will not reasonably permit the drawing of specifications or the receipt of competitive bids, all of which classification the aforesaid contract falls within. Said contract is also awarded not in accordance with the open and fair process of the New Jersey Pay-to-Play Law, but all conditions required for the award, based upon the conditions set forth at N.J.S.A. 19:44A-1, et. seq., shall be met in order to permit said award.

4. The Business Disclosure Entity Certification shall be placed on file with this Resolution.

5. That a copy of the specific items appertaining to the award of this contract shall be published in a Notice of Award in *The Herald of Cape May County* as required by law within ten (10) days of passage of the Resolution authorizing same.

ALICIA BELANSEN, CFO

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. 601-16**

WHEREAS, there exists the need for the "Professional Services" of a firm to be retained by the Borough for the performance of Community Rating System (CRS) Consulting services and related duties associated therewith as directed by the authorized representatives of the Borough of Wildwood Crest, all as more specifically set forth in the attached Agreement which is made a part hereof by reference as if fully set forth; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:1-11, et. seq.) requires that the Resolution authorizing the award of contracts for "Professional Services" without competitive bids must be publicly advertised; and

WHEREAS, **SAL DeSIMONE** has completed and submitted a Business Entity Disclosure Certification which certifies that **SAL DeSIMONE** will not make any reportable contributions pursuant to N.J.S.A. 19:44A-1 commencing January 1, 2016 to any political committee or candidate through the term of this contract. Said term shall expire December 31, 2016.

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 allegations of the preamble hereto are incorporated herein as if fully set forth.

2. That the Mayor and Borough Clerk be and they are hereby authorized, instructed, and empowered to execute the attached agreement with **SAL DeSIMONE**, who shall be compensated by voucher at the agreed upon hourly rates, not to exceed \$4,000, contingent upon certification

below from the Chief Financial Officer as to the availability of funds, and said "Independent Contractor" shall be required to comply with this Resolution, and the attached Agreement. Said **SAL DeSIMONE** is further required to comply with all other conditions/provisions of law or regulation applicable to a "Professional Services Contractor," including but not limited to procuring/maintaining sufficient insurance coverages necessary to fully protect the interests of the Borough in each and every instance relative to performance under this contract.

3. That the aforesaid contract is awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law because N.J.S.A. 40A:11-5 states that no local unit shall be required to advertise for bids for services rendered or performed by a person authorized by law to practice a recognized profession and whose practice is regulated by law, or to advertise for bids for services which are of such a qualitative nature as will not reasonably permit the drawing of specifications or the receipt of competitive bids, all of which classification the aforesaid contact falls within.

4. The Business Disclosure Entity Certification shall be placed on file with this Resolution.

5. That a copy of the specific items appertaining to the award of this contract shall be published in a Notice of Award in *The Herald of Cape May County* as required by law within ten (10) days of passage of the Resolution authorizing same.

ALICIA A. BELANSEN, CFO

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. 602-16

WHEREAS, there exists the need for the "Professional Services" of a NETWORK SUPPORT / INFORMATION TECHNOLOGY SPECIALIST, to be retained by the Borough for all Police Department hardware and software systems for internal operation as directed by the authorized representatives of the Borough of Wildwood Crest, all as more specifically set forth in the attached Agreement which is made a part hereof by reference as if fully set forth; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:1-11, et. seq.) requires that the Resolution authorizing the award of contracts for "Professional Services" without competitive bids must be publicly advertised; and

WHEREAS, Richard Graver dba Media Passport has completed and submitted a Business Entity Disclosure Certification which certifies that he will not make any reportable contributions pursuant to N.J.S.A. 19:44A-1 commencing January 1, 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, in the County of Cape May, New Jersey, as follows:

1. That the allegations of the preamble hereto are incorporated herein as if fully set forth.

2. That the Mayor and Borough Clerk be and they are hereby authorized, instructed, and empowered to execute the attached agreement with Richard Graver dba Media Passport, who shall be compensated by voucher at the agreed upon rate of \$120.00 per hour, not to exceed \$5,500, contingent upon certification below from the Chief Financial Officer as to the availability of funds, and whose rate/fee structure are contained in the aforesaid Agreement and said "Independent Contractor" shall be required to comply with this Resolution, and the attached Agreement. Said Network Support / Information Technology Specialist is further required to comply with all other conditions/provisions of law or regulation applicable to a "Professional Services Contractor," including but not limited to procuring/maintaining sufficient insurance



coverages necessary to fully protect the interests of the Borough in each and every instance relative to performance under this contract.

3. That the aforesaid contract is awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law because N.J.S.A. 40A:11-5 states that no local unit shall be required to advertise for bids for services rendered or performed by a person authorized by law to practice a recognized profession and whose practice is regulated by law, or to advertise for bids for services which are of such a qualitative nature as will not reasonably permit the drawing of specifications or the receipt of competitive bids, all of which classification the aforesaid contact falls within.

4. The Business Disclosure Entity Certification shall be placed on file with this Resolution.

5. That a copy of the specific items appertaining to the award of this contract shall be published in a Notice of Award in *The Herald of Cape May County* as required by law within ten (10) days of passage of the Resolution authorizing same.

ALICIA A. BELANSEN, CFO

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. 603-16

WHEREAS, there exists the need for the "Professional Services" of an **SEC CONTINUING DISCLOSURE SPECIALIST**, to be retained by the Borough for the performance of SEC Continuing Disclosure work and related duties associates therewith as directed by the authorized representatives of the Borough of Wildwood Crest, all as more specifically set forth in the attached Agreement which is made a part hereof by reference as if fully set forth; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:1-11, et. seq.) requires that the Resolution authorizing the award of contracts for "Professional Services" without competitive bids must be publicly advertised; and

WHEREAS, this contract was not awarded through a "fair and open process," but does meet all of the criteria required by the provisions of N.J.S.A. 19:44A-20.4, et. seq. for said award; and

WHEREAS, all work required of **PHOENIX ADVISORS, LLC**, under contract dated June 9, 2015 has been completed; and

WHEREAS, **PHOENIX ADVISORS, LLC**, has completed and submitted a Business Entity Disclosure Certification which certifies that **Phoenix Advisors, LLC**, will not make any reportable contributions pursuant to N.J.S.A. 19:44A-1 commencing January 1, 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, in the County of Cape May, New Jersey, as follows:

1. That the allegations of the preamble hereto are incorporated herein as if fully set forth.
2. That the Mayor and Borough Clerk be and they are hereby authorized, instructed, and empowered to execute the attached agreement with **PHOENIX ADVISORS, LLC**, who shall be compensated by voucher at the agreed upon rates, contingent upon certification below from the Chief Financial Officer as to the availability of funds at a **not to exceed amount of \$3,000**, and whose rate/fee structure are contained in the aforesaid Agreement and said "Independent Contractor" shall be required to comply with this Resolution, and the attached Agreement. Said Auditor is further required to comply with all other conditions/provisions of law or regulation applicable to a "Professional Services Contractor," including but not limited to procuring/maintaining sufficient

insurance coverages necessary to fully protect the interests of the Borough in each and every instance relative to performance under this contract.

3. That the aforesaid contract is awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law because N.J.S.A. 40A:11-5 states that no local unit shall be required to advertise for bids for services rendered or performed by a person authorized by law to practice a recognized profession and whose practice is regulated by law, or to advertise for bids for services which are of such a qualitative nature as will not reasonably permit the drawing of specifications or the receipt of competitive bids, all of which classification the aforesaid contact falls within.
4. The Business Disclosure Entity Certification shall be placed on file with this Resolution.
5. That a copy of the specific items appertaining to the award of this contract shall be published in a Notice of Award in *The Herald of Cape May County* as required by law within ten (10) days of passage of the Resolution authorizing same.

ALICIA A. BELANSEN, CFO

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. 604-16

WHEREAS, there exists the need for the "Professional Services" of a COST REPORTING AND REIMBURSEMENT SPECIALIST, to be retained by the Borough for the performance of **preparation of fixed assets accounting and reporting system** and related duties associated therewith as directed by the authorized representatives of the Borough of Wildwood Crest, all as more specifically set forth in the attached Agreement which is made a part hereof by reference as if fully set forth; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:1-11, et. seq.) requires that the Resolution authorizing the award of contracts for "Professional Services" without competitive bids must be publicly advertised; and

WHEREAS, this contract was not awarded through a "fair and open process," but does meet all of the criteria required by the provisions of N.J.S.A. 19:44A-20.4, et. seq. for said award;

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 allegations of the preamble hereto are incorporated herein as if fully set forth.
2. That the Mayor and Borough Clerk be and they are hereby authorized, instructed, and empowered to execute the attached agreement with **TAG CONSULTING GROUP**, who shall be compensated by voucher at the agreed upon rates, **not to exceed \$1,200.00**, contingent upon certification below from the Chief Financial Officer as to the availability of funds, and whose rate/fee structure are contained in the aforesaid Agreement and said "Independent Contractor" shall be required to comply with this Resolution, and the attached Agreement. Said Engineer is further required to comply with all other conditions/provisions of law or regulation applicable to a "Professional Services Contractor," including but not limited to procuring/maintaining sufficient insurance coverages necessary to fully protect the interests of the Borough in each and every instance relative to performance under this contract.
3. That the aforesaid contract is awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law because N.J.S.A. 40A:11-5 states that no local unit shall be required to advertise for bids for services rendered or performed by a person authorized by law to practice a recognized profession and whose practice is regulated by

law, or to advertise for bids for services which are of such a qualitative nature as will not reasonably permit the drawing of specifications or the receipt of competitive bids, all of which classification the aforesaid contract falls within.

4. That a copy of the specific items appertaining to the award of this contract shall be published in a Notice of Award in the *Herald of Cape May County* as required by law within ten (10) days of passage of the Resolution authorizing same.

ALICIA A. BELANSEN, CFO

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. 605-16

WHEREAS, there exists the need for the “Professional Services” of a **BOROUGH AUDITOR**, to be retained by the Borough for the performance of auditing/accounting work and related duties associates therewith as directed by the authorized representatives of the Borough of Wildwood Crest, all as more specifically set forth in the attached Agreement which is made a part hereof by reference as if fully set forth; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:1-11, et. seq.) requires that the Resolution authorizing the award of contracts for “Professional Services” without competitive bids must be publicly advertised; and

WHEREAS, this contract was not awarded through a “fair and open process,” but does meet all of the criteria required by the provisions of N.J.S.A. 19:44A-20.4, et. seq. for said award; and

WHEREAS, **Michael S. Garcia, RMA, of the firm of Ford Scott Associates, LLC**, has completed and submitted a Business Entity Disclosure Certification which certifies that **Michael S. Garcia, RMA, and the firm of Ford Scott Associates, LLC**, will not make any reportable contributions pursuant to N.J.S.A. 19:44A-1 commencing January 1, 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, in the County of Cape May, New Jersey, as follows:

1. That the allegations of the preamble hereto are incorporated herein as if fully set forth.
2. That the Mayor and Borough Clerk be and they are hereby authorized, instructed, and empowered to execute the attached agreement with **MICHAEL S. GARCIA, RMA, of the firm of Ford Scott Associates, LLC**, who shall be compensated by voucher at the agreed upon hourly rates, contingent upon certification below from the Chief Financial Officer as to the availability of funds, as well as the governing body setting sufficient funds in the 2016 Municipal Budget, in accordance with the proposal dated, December 3 2015, attached hereto, at a not to exceed amount of **\$33,700**, and whose rate/fee structure are contained in the aforesaid Agreement and said “Independent Contractor” shall be required to comply with this Resolution, and the attached Agreement. Said Auditor is further required to comply with all other conditions/provisions of law or regulation applicable to a “Professional Services Contractor,” including but not limited to procuring/maintaining sufficient insurance coverages necessary to fully protect the interests of the Borough in each and every instance relative to performance under this contract.
3. That the aforesaid contract is awarded without competitive bidding as a “Professional Service” under the provisions of the Local Public Contracts Law because N.J.S.A. 40A:11-5 states that no local unit shall be required to advertise for bids for services rendered or performed by a person authorized by law to practice a recognized profession and whose practice is regulated by law, or to advertise for bids for services which are of such a qualitative nature as will not

reasonably permit the drawing of specifications or the receipt of competitive bids, all of which classification the aforesaid contact falls within.

4. The Business Disclosure Entity Certification shall be placed on file with this Resolution.

5. That a copy of the specific items appertaining to the award of this contract shall be published in a Notice of Award in *The Herald of Cape May County* as required by law within ten (10) days of passage of the Resolution authorizing same.

ALICIA A. BELANSEN, CFO

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. 606-16  
RISK MANAGEMENT CONSULTANT  
ATLANTIC COUNTY MUNICIPAL JOINT INSURANCE FUND

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey, has resolved to join Atlantic County Municipal Joint Insurance Fund, a self insurance pooling fund, following a detailed analysis; and

WHEREAS, the by-laws of said Fund require that each municipality appoint a RISK MANAGEMENT CONSULTANT to perform various professional services as detailed in the by-laws as well as other “insurance broker of record duties”, including but not limited to the authorized placement of independent statutory bonds, flood and health insurance policies; and

WHEREAS, the by-laws indicate a fee not to exceed six (6%) percent of the municipal assessment, which expenditure represents reasonable compensation for the services required and was included in the cost considered by the Board of Commissioners; and

WHEREAS, the judgmental nature of the RISK MANAGEMENT CONSULTANT’s duties renders comparative bidding impractical; and

WHEREAS, the Commissioner of Revenue and Finance has determined that J. BYRNE AGENCY is best qualified to provide the services specified herein; and

WHEREAS, said award of Professional Services Contract is in excess of \$17,500.00 and, on this basis, is subject to the provisions of N.J.S.A. 19:44A-20.4, et. seq. (a/k/a Local Unit Pay-To-Play Law);

WHEREAS, J. BYRNE AGENCY has completed and submitted a Business Entity Disclosure Certification which certifies that said firm has not made and will not make any reportable contributions pursuant to N.J.S.A. 19:44A-1, et. seq., that, pursuant to P.L. 2004, c. 19, would bar the award of this contract in the one year period preceding January 1, 2016 to any political committee or candidate of which any member of the governing body is otherwise affiliated.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey, that it does hereby appoint J. BYRNE AGENCY as its RISK MANAGEMENT CONSULTANT AND INSURANCE BROKER OF RECORD for the period commencing January 1, 2016 and terminating effective December 31, 2016 at the rate of compensation equal to FOUR AND ONE-HALF PERCENT (4½%) of the Borough’s annual assessment; all of which is contingent upon adequate budgetary provision being made by the governing body in fiscal year 2016, is in accordance with the full provisions of the Consultant’s Agreement, and the provisions of N.J.S.A. 40A:11-5.

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk be and they are hereby authorized and directed to execute the Consultant's Agreement annexed hereto, which agreement is made a part hereof by reference as if fully set forth, and to cause a notice of this decision to be published as required by N.J.S.A. 40A:11-5(1), (a), (i).

Alicia Belansen, CFO

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. 607-16

WHEREAS, there exists the need for the "Professional Services" of a firm to be retained by the Borough for the performance of Community and Economic Development Services and related duties associated therewith as directed by the authorized representatives of the Borough of Wildwood Crest, all as more specifically set forth in the attached Agreement which is made a part hereof by reference as if fully set forth; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:1-11, et. seq.) requires that the Resolution authorizing the award of contracts for "Professional Services" without competitive bids must be publicly advertised; and

WHEREAS, **TRIAD ASSOCIATES** has completed and submitted a Business Entity Disclosure Certification which certifies that **TRIAD ASSOCIATES** will not make any reportable contributions pursuant to N.J.S.A. 19:44A-1 commencing January 1, 2016 to any political committee or candidate through the term of this contract. Said term shall expire December 31, 2016.

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 allegations of the preamble hereto are incorporated herein as if fully set forth.
2. That the Mayor and Borough Clerk be and they are hereby authorized, instructed, and empowered to execute the attached agreement with **TRIAD ASSOCIATES**, who shall be compensated by voucher at the agreed upon hourly rates, **not to exceed \$5,000**, contingent upon certification below from the Chief Financial Officer as to the availability of funds, and whose rate/fee structure are contained in the aforesaid Agreement and said "Independent Contractor" shall be required to comply with this Resolution, and the attached Agreement. Said **TRIAD ASSOCIATES** is further required to comply with all other conditions/provisions of law or regulation applicable to a "Professional Services Contractor," including but not limited to procuring/maintaining sufficient insurance coverages necessary to fully protect the interests of the Borough in each and every instance relative to performance under this contract.
3. That the aforesaid contract is awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law because N.J.S.A. 40A:11-5 states that no local unit shall be required to advertise for bids for services rendered or performed by a person authorized by law to practice a recognized profession and whose practice is regulated by law, or to advertise for bids for services which are of such a qualitative nature as will not reasonably permit the drawing of specifications or the receipt of competitive bids, all of which classification the aforesaid contact falls within.

4. The Business Disclosure Entity Certification shall be placed on file with this Resolution.

5. That a copy of the specific items appertaining to the award of this contract shall be published in a Notice of Award in *The Herald of Cape May County* as required by law within ten (10) days of passage of the Resolution authorizing same.

ALICIA BELANSEN, CFO

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. 608-16

WHEREAS, the Borough of Wildwood Crest maintains an annual “Professional Services” Contract for the performance of Community and Economic Development Services with Triad Associates, and

WHEREAS, the Wildwood Crest Volunteer Fire Company #1 has authorized Triad Associates to prepare and submit a FEMA Assistance Grant Application for Firefighting Equipment, and

WHEREAS, the Wildwood Crest Volunteer Fire Company #1 shall provide compensation to Triad Associates at a reduced fee of \$3,150.00

NOW, THEREFORE, BE IT RESOLVED, the Board of Commissioners of the Borough of Wildwood Crest authorizes Triad Associates to assist the Wildwood Crest Volunteer Fire Company #1 with preparation and submission of a FEMA Assistance to Firefighters Grant Application.

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. 609-16

WHEREAS, the Borough of Wildwood Crest (hereinafter “Borough”), as a contracting unit, may, without advertising for bid, purchase any materials, supplies or equipment from State Contract Vendors which have contracted with the State of New Jersey, Department of Treasury, Division of Purchase and Property, pursuant to the provisions of N.J.S.A. 40A:11-12; and

WHEREAS, the contracts awarded under a State Cooperative Purchasing contract that are in excess of the contracting unit’s bid threshold shall be made by resolution of the governing body; and

WHEREAS, the Borough wishes to authorize purchases under the State Cooperative Purchasing contract subject to all the conditions applicable to the current State Contract.

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, that this Resolution shall constitute an authorization to purchase under the State Cooperative Purchasing contract, subject to all conditions applicable to the current State Contract.

BE IT FURTHER RESOLVED, pursuant to the rules of the Local Finance Board of the State of New Jersey, that no amount of these contracts shall be chargeable until such time as materials, supplies or equipment are ordered and a certification of availability of funds is made by the Chief Financial Officer.

BE IT FURTHER RESOLVED that the duration of this Agreement shall be until December 31, 2016 or upon expiration of a particular vendor's State Contract, whichever event first occurs.

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. 610-16

WHEREAS, Mayor Carl H. Groon has determined to re-appoint BRIAN MELCHIORRE, Assistant Code Enforcement Officer, as Class II Member of the Planning Board, TOM ALVARADO, as Class IV Member of the Planning Board and FRED METTLER as Alternate 1 Member of the Planning Board; and

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest wish to acknowledge the Planning Board re-appointments listed below by Mayor Groon;

1. BRIAN MELCHIORRE, Assistant Code Enforcement Officer as the Class II member, for a 1 year term.
2. TOM ALVARADO as the Class IV member, for a four year term.
3. FRED METTLER, as the Alternate 1 member, for a two year term.

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 with a term expiring December 31, 2016 is hereby confirmed and ratified effective immediately.
2. That the re-appointment of TOM ALVARADO, by Mayor Carl H. Groon as Class IV Member of the Planning Board with a term expiring December 31, 2019 is hereby confirmed and ratified effective immediately.
3. That the re-appointment of FRED METTLER, by Mayor Carl H. Groon as the Alternate 1 Member of the Planning Board with a term expiring December 31, 2017 is hereby confirmed and ratified effective immediately.

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. 611-16

WHEREAS, Mayor Carl H. Groon has determined to re-appoint WILLIAM J. CARR, Vice Chairman, as a Regular Member to Zoning Board, Alan Seijas, as a Regular Member of the Zoning Board and Greg Grasso, as a Regular Member of the Zoning Board; and

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest wish to acknowledge the Zoning Board re-appointments listed below by Mayor Groon;

1. WILLIAM J. CARR, Vice Chairman, as a Regular Member, member, for a four year term.

2. ALAN SEIJAS, as a Regular Member, for a four year term.
3. GREG GRASSO, as a Regular Member, for a four year term.

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 WILLIAM J. CARR, Vice Chairman, by Mayor Carl H. Groon as a Regular Member of the Zoning Board with a term expiring December 31, 2019 is hereby confirmed and ratified effective immediately.
2. That the re-appointment of ALAN SEIJAS, by Mayor Carl H. Groon as a Regular Member of the Zoning Board with a term expiring December 31, 2019 is hereby confirmed and ratified effective immediately.
3. That the re-appointment of GREG GRASSO, by Mayor Carl H. Groon as a Regular Member of the Zoning Board with a term expiring December 31, 2019 is hereby confirmed and ratified effective immediately.

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. 612-16

WHEREAS, Mayor Carl H. Groon has determined to re-appoint WILLIAM FORREST, as a Regular Member to Environmental Commission; and

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest wish to acknowledge the Environmental Commission re-appointment listed below by Mayor Groon;

1. WILLIAM FORREST, as a Regular Member, member, for a three year term.

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 WILLIAM FORREST, by Mayor Carl H. Groon as a Regular Member of the Environmental Commission with a term expiring December 31, 2018 is hereby confirmed and ratified effective immediately.

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. 613-16

WHEREAS, the term of LESTER KLAYMAN and DENNIS HALL as members of the TOURISM COMMISSION of the Borough of Wildwood Crest expires December 31, 2015; and

WHEREAS, it is the desire of the Board of Commissioners of the Borough of Wildwood Crest to re-appoint LESTER KLAYMAN and DENNIS HALL to said positions;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest that LESTER KLAYMAN and DENNIS HALL be and are hereby re-appointed as a members of the TOURISM COMMISSION of the Borough of Wildwood Crest for a two (2) year term, said term commencing January 1, 2016, and expiring December 31, 2017.



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

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:  
RESOLUTION NO. 614-16

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, that JEFF WALDEN be, and he is hereby appointed the business person representative of the Borough of Wildwood Crest to serve on the Urban Enterprise Zone Board of Directors, for a term of one (1) year commencing effective January 1, 2016, and terminating December 31, 2016.

Mrs. Gould inquired if the Urban Enterprise Zone Board had met recently and the Mayor indicated that new legislation had passed and that the board would be meeting.

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.

The Mayor opened the floor for public commentary. After hearing nothing from the public, the Mayor then indicated he had nothing new to add with regard to New Business or Old Business. The other Commissioners agreed.

Mrs. Gould then motioned, seconded by Mr. Cabrera that the meeting be adjourned. All were in favor. The time was 9:46 a.m.

Dated: January 20, 2016

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Patricia A. Feketics, Borough Clerk

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