

Note: Complete Meeting Appears  
on CD #11-16 on File in the  
Borough Clerk's Office

May 11, 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 7:00 P.m. On roll call the following answered to their names:

Gould – Cabrera – Groom – Yes

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

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

Mrs. Gould motioned, seconded by Mr. Cabrera, that Ordinance 1237 be placed on second and final passage by title only.

Vote: Gould - Cabrera – Groom – Yes

THE CLERK READ THE FOLLOWING ORDINANCE BY TITLE ONLY:

ORDINANCE NO. 1237

AN ORDINANCE AUGMENTING AND AMENDING CHAPTER 79 OF THE CODE OF THE BOROUGH OF WILDWOOD CREST, COUNTY OF CAPE MAY AND STATE OF NEW JERSEY, VEHICLE AND TRAFFIC, ARTICLE XII-SCHEDULES, SECTION 79-32, SCHEDULE I, NO PARKING, AND SECTION 79-32.1, SCHEDULE 1-A, PARKING RESTRICTED AT ALL TIMES, AND SECTION 79-33, SCHEDULE II, NO PARKING CERTAIN HOURS, SECTION 79-35, SCHEDULE IV, TIME LIMIT PARKING

Mrs. Gould motioned, seconded by Mr. Cabrera, that a public hearing now be held on Ordinance No. 1237.

Vote: Gould - Cabrera – Groom – Yes

After no comments from the public, Mrs. Gould motioned, seconded by Mr. Cabrera, that the public hearing on Ordinance No. 1237 now be closed.

Vote: Gould - Cabrera – Groom – Yes

Mrs. Gould motioned, seconded by Mr. Cabrera, that Ordinance No. 1237 be passed on second and final reading and advertised according to law.

Vote: Gould - Cabrera – Groom – Yes

Mrs. Gould motioned, seconded by Mr. Cabrera, that Ordinance 1238 be placed on second and final passage by title only.

Vote: Gould - Cabrera – Groom – Yes

THE CLERK READ THE FOLLOWING ORDINANCE BY TITLE ONLY:

ORDINANCE NO. 1238

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 47, PARKING METERS, SECTION 47-2, ZONES ESTABLISHED; DELETING SECTION 47-3, ADDITIONAL ZONES ESTABLISHED; AMENDING AND SUPPLEMENTING SECTION 47-8.1, PARKING METER CHARGE; AMENDING AND SUPPLEMENTING SECTION 47-13, VIOLATIONS AND PENALTIES; AND AMENDING AND SUPPLEMENTING CHAPTER 47, SECTION 47-1 THROUGH 47-8.1 TO RENUMBER SECTIONS OF CHAPTER 47 DUE TO THE ELIMINATION OF SECTION

47-3, OF THE CODE OF THE BOROUGH OF WILDWOOD CREST, AND AMENDING ORDINANCE NO. 232 ADOPTED JUNE 23, 1958; ORDINANCE NO. 704 ADOPTED AUGUST 9, 1989; ORDINANCE NO. 1048 ADOPTED NOVEMBER 26, 2007, ORDINANCE NO. 1059 ADOPTED MARCH 19, 2008, ORDINANCE NO. 1069 ADOPTED FEBRUARY 25, 2009, ORDINANCE NO. 1008 ADOPTED MAY 3, 2006, ORDINANCE NO. 1136 ADOPTED JANUARY 25, 2012, ORDINANCE NO. 1167 ADOPTED MAY 8, 2013, ORDINANCE NO. 1181 ADOPTED DECEMBER 11, 2013, AND ORDINANCE NO. 1224 ADOPTED OCTOBER 21, 2015

Mrs. Gould motioned, seconded by Mr. Cabrera, that a public hearing now be held on Ordinance No. 1238.

Vote: Gould - Cabrera – Groom – Yes

After no comments from the public, Mrs. Gould motioned, seconded by Mr. Cabrera, that the public hearing on Ordinance No. 1238 now be closed.

Vote: Gould - Cabrera – Groom – Yes

Mrs. Gould motioned, seconded by Mr. Cabrera, that Ordinance No. 1238 be passed on second and final reading and advertised according to law.

Vote: Gould - Cabrera – Groom – Yes

Mrs. Gould motioned, seconded by Mr. Cabrera, that Ordinance 1239 be placed on second and final passage by title only.

Vote: Gould - Cabrera – Groom – Yes

THE CLERK READ THE FOLLOWING ORDINANCE BY TITLE ONLY:  
ORDINANCE NO. 1239

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 46, OFFICERS AND EMPLOYEES, OF THE CODE OF THE BOROUGH OF WILDWOOD CREST, COUNTY OF CAPE MAY AND STATE OF NEW JERSEY, TO ADD ARTICLE IV, MUNICIPAL ADMINISTRATOR, AND REPEALING ORDINANCE NO. 1202 JANUARY 7, 2015

Mrs. Gould motioned, seconded by Mr. Cabrera, that a public hearing now be held on Ordinance No. 1239.

Vote: Gould - Cabrera – Groom – Yes

Dennis Travascio, 112 E. Louisville Avenue, inquired if this is a new ordinance and the Mayor indicated the ordinance was intended to update the job description of municipal administrator.

After no comments from the public, Mrs. Gould motioned, seconded by Mr. Cabrera, that the public hearing on Ordinance No. 1239 now be closed.

Vote: Gould - Cabrera – Groom – Yes

Mrs. Gould motioned, seconded by Mr. Cabrera, that Ordinance No. 1239 be passed on second and final reading and advertised according to law.

Vote: Gould - Cabrera – Groom – Yes

Mrs. Gould motioned, seconded by Mr. Cabrera, that Ordinance 1240 be placed on second and final passage by title only.

Vote: Gould - Cabrera – Groom – Yes

THE CLERK READ THE FOLLOWING ORDINANCE BY TITLE ONLY:  
ORDINANCE NO. 1240

AN ORDINANCE TO AMEND SECTION 59-3 OF THE CODE OF THE BOROUGH OF WILDWOOD CREST, KNOWN AS THE "SALARY ORDINANCE," FIXING AND DETERMINING SALARIES AND COMPENSATIONS OF THE BOROUGH OF WILDWOOD CREST, IN

THE COUNTY OF CAPE MAY, NEW JERSEY, PROVIDING FOR THE  
RAISING OF THE AMOUNTS THEREOF BY TAXATION AND FOR  
THE TIME AND METHOD OF PAYMENT

Mrs. Gould motioned, seconded by Mr. Cabrera, that a public hearing now be held on Ordinance No. 1240.

Vote: Gould - Cabrera – Groom – Yes

Dennis Travascio, 112 E. Louisville Avenue, inquired what was changing with the salary ordinance and the Mayor indicated the ordinance amount was increasing.

Anthony Nazzario, 9206 New Jersey Avenue, inquired about the difference between minimum and maximum amount and the Mayor indicated that the minimum has not changed and the salary of any potential administrator would be negotiable.

After no comments from the public, Mrs. Gould motioned, seconded by Mr. Cabrera, that the public hearing on Ordinance No. 1240 now be closed.

Vote: Gould - Cabrera – Groom – Yes

Mrs. Gould motioned, seconded by Mr. Cabrera, that Ordinance No. 1240 be passed on second and final reading and advertised according to law.

Vote: Gould - Cabrera – Groom – Yes

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 695-16

**A RESOLUTION AUTHORIZING THE COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST TO ENTER INTO A STATUTE OF LIMITATIONS TOLLING AGREEMENT WITH THE UNITED STATES DEPARTMENT OF LABOR**

**WHEREAS**, the United States Department of Labor has conducted an audit concerning the Fair Labor Standards Act and its applicability to those employees of the Borough who are EMTs; and

**WHEREAS**, during the audit process, the United States Department of Labor has submitted a Statute of Limitations Tolling Agreement between the Borough and the United States Department of Labor and has requested that the Borough execute said Agreement; and

**WHEREAS**, the Borough desires to enter into the Statute of Limitations Tolling Agreement with the United States Department of Labor.

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

1. The Borough hereby agrees to the terms contained within the Statute of Limitations Tolling Agreement between the Borough and the United States Department of Labor.

2. The Mayor, on behalf of all Commissioners, shall be and is hereby authorized execute the Statute of Limitations Tolling Agreement between the Borough of Wildwood Crest and the United States Department of Labor.

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. 696-16

**A RESOLUTION AUTHORIZING ACCEPTANCE OF SETTLEMENT AND INSURANCE CLAIM PAYMENT**

**WHEREAS**, on September 30, 2015, a fire occurred in the Wildwood Crest Public Works facility that resulted in a loss and submission by the Borough of Wildwood Crest of a claim for payment to insurance carriers for the cost of the loss, and

**WHEREAS**, in accordance with the Statement of Loss and Claim Summary as provided by O'Brien Adjustment Services LLC, dated April 27, 2016 and attached to this resolution.

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

1. The settlement of Claim as outlined by O'Brien Adjustment Services, LLC, Statement of Loss, and Claim Summary in the amount of \$184,694.28 for the insurance loss on September 30, 2105 at the Public Works facility shall be accepted by the Borough.
2. The Commissioner and Borough Clerk be and are hereby authorized to execute any and all documents as may be required to process the acceptance of insurance claim settlement.

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. 697-16

WHEREAS, the Wildwood Crest Beach Patrol is in need of two (2) four-wheel drive utility vehicles for use on the beach; and

WHEREAS, it is the desire of the governing body to rent/lease said utility vehicles;

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 Wildwood Crest Beach Patrol be authorized to rent/lease from Sunbelt Rentals, 223 Paulsboro Road, Swedesboro, NJ 08085, two (2) four-wheel drive, four seat gasoline utility vehicles for the period July 1, 2016 through September 9, 2016, for the total rental amount of \$4,748.70.
3. That the Mayor and Borough Clerk be and they are hereby authorized and instructed to execute any and all documents necessary to effectuate said rental/lease agreement.

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

Account Number(s)	Amount	Signature

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

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 698-16

**REQUESTING THAT GRANDFATHERING PROVISIONS BE INCLUDED IN NATIONAL FLOOD INSURANCE LAWS TO PROTECT HOMEOWNERS WHOSE HOMES ARE BUILT TO ELEVATIONS ACCEPTABLE AT THE TIME OF CONSTRUCTION OR RECONSTRUCTION**

**WHEREAS**, Super Storm Sandy struck the State of New Jersey, inflicting unprecedented damage throughout the State and causing catastrophic flooding and damage to communities across the State, including the Borough of Wildwood Crest; and

**WHEREAS**, as a result of the disaster, many homes were substantially damaged, requiring them to be rebuilt; and

**WHEREAS**, as a result of the disaster, the Federal Emergency Management Agency (“FEMA”) released Base Flood Elevations (BFE) to aid communities in rebuilding; and

**WHEREAS**, these BFEs have dictated how substantially damaged homes were rebuilt, requiring not only certain building materials and designs, but structural elevations as well through National Flood Insurance Laws; and

**WHEREAS**, Super Storm Sandy also impacted homes not substantially damaged, placing them in new zones following the adoption of FEMA’s maps, which now require them to be at higher elevations and built to a different code; and

**WHEREAS**, these homeowners, because their homes were not substantially damaged, do not qualify for State and Federal programs to raise their homes to the levels consistent with the BFEs or rebuild to current building standards; and

**WHEREAS**, by not including a grandfathering provision in the National Flood Insurance Laws, these homeowners are either forced to elevate and remodel, or pay increased flood insurance premiums or will lose value in their homes upon resale as their homes will be valued less by potential buyers who will be forced to elevate them; and

**WHEREAS**, this results in a reality that is unfair given the inability for these homeowners to qualify for programs to assist them in bringing their home into compliance; and

**WHEREAS**, the only way to ameliorate this injustice is to insert a grandfathering provision into National flood insurance laws to permit those homes not substantially damaged to be deemed compliant, provided they were appropriately constructed or reconstructed to standards at that time; and

**WHEREAS**, due to the projected thousands of individuals who will be affected unfairly by these provisions in flood insurance laws, the Mayor and the Board of Commissioners of the Borough of Wildwood Crest requests that grandfathering provision be included in applicable flood insurance laws to protect homeowners whose homes were not substantially impacted by Super Storm Sandy but will be substantially impacted by the requirements of these laws.

**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 Mayor and Board of Commissioners of the Borough of Wildwood Crest requests that a grandfathering provision be included in flood insurance laws to protect homes that were not substantially damaged from the building and elevation requirements of these laws.
2. That upon the adoption of this resolution the Borough Clerk is authorized and directed to forward a certified copy of said resolution to the Governor of the State of New Jersey, New Jersey Senate President, New Jersey Assembly Speaker, Commissioner of Department of Community Affairs, Cape May County Freeholders, New Jersey Mayors of coastal communities, and the 3<sup>rd</sup>, 9<sup>th</sup>, and 10<sup>th</sup> Legislative Districts.

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. 699-16**

WHEREAS, on May 19, 2016, JOSEPH P. CUMMINGS and DEBORAH JEAN MONACO, 254 Franklin Street, Elizabeth, NJ 07206, applied for a Special Events Permit for the purpose of a WEDDING to be held on JULY 11, 2016, from 11:00 A.M. to 1:00 P.M., at SUNRISE PARK; and

WHEREAS, JOSEPH P. CUMMINGS and DEBORAH JEAN MONACO, 254 Franklin Street, Elizabeth, NJ 07206, have supplied all documentation required under Ordinance No. 936, including the requisite Certificate of Insurance, and have further pledged to comply with all applicable rules and regulations pertaining to the conduct of said Special Event; and

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

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey that the Borough Clerk be and she is hereby authorized and directed to issue a Special Events Permit to JOSEPH P. CUMMINGS and DEBORAH JEAN MONACO, 254 Franklin Street, Elizabeth, NJ 07206 for the purpose of a WEDDING to be held on JULY 11, 2016, from 11:00 A.M. to 1:00 P.M., at SUNRISE PARK.

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

Vote: Gould - Cabrera – Groom – Yes

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

Vote: Gould - Cabrera – Groom – Yes

The Governing Body authorized approval of 3 taxi cab licenses to Checker Cab Co. for Calendar Year 2016 in accordance with the provisions of Chapter 73 of the Code of the Borough of Wildwood Crest

Vote: Gould - Cabrera – Groom – Yes

There were no correspondences for the Governing Body to issue a response.

The Mayor then opened the floor for public commentary.

Mr. Robert White, 459 Shunpike Road, inquired about the remaining taxi cab license and thanked the Governing Body for their efforts.

Ms. Carbone, 7903 New Jersey Avenue, voiced her opposition to the newly erected island and parking spaces located across from her home. She and several neighbors compiled a list of questions for the Governing Body. The Mayor indicated he would take the questions and a response would be sent shortly. He further indicated the Borough has complied with all regulations with the state and that the request for new assessment on her home has been sent to the Assessor.

Anthony Nazzario, 9206 New Jersey Avenue, inquired about Resolution No. 10 on the agenda and what it was concerning. The Mayor indicated it is a Resolution to go into Closed Session with regard to potential litigation with work done at Crest Pier.

John Grandizio, 9404 New Jersey Avenue, voiced his discontentment with the portable potty at the entrance to the playground at Washington Avenue. He felt it was an eyesore and that he has seen dogs in the playground and that the safety of the children is compromised. Commissioner Cabrera indicated that this was a temporary fix and that the children needed a place to go to the bathroom. He further stated that the portable potty had to be accessible to the truck that services it. Mayor Groon added that enforcing the usage of the portable potty is difficult and that staffing would have to be addressed and perhaps a sign should be put up.

John Keane, 9402 New Jersey Avenue, also voiced discontent with the portable potty at Washington Avenue near the playground. He also said the islands have not slowed down traffic at all. Lastly, he would like to see projects closed out. The Mayor indicated that there are issues with New Jersey Avenue that they will address after the summer; however, he considers New Jersey Avenue to be a huge success. The project enabled the Borough to replace two aging substations and it provided water and new lines to the entire southern end of the community without a tax increase.

John Grandizio, 9404 New Jersey Avenue, suggested a sign be put up at the park for trespassing after dark. Commissioner Cabrera indicated that all parks have problems and they would try to address.

After no further comments from the public, the Mayor opened the discussion with New Business and the Nesbitt Center. Commissioner Gould suggested that Tourism move to the Conservatory portion of the old library for the summer since the Nesbitt Center is in need of serious repairs. Commissioner Cabrera indicated it needed work and they should fix and keep tourism where it is. Mayor Groon indicated that if they keep the building, it needs a mission. He pointed out that he was reluctant to invest in it until they decide what the mission is and detailed three options: tear the building down, invest in it and use for storage, or fix it and lease out. The Administrator pointed out that funding for the Nesbitt Center was possible if the governing body came to a consensus. The Commissioners agreed to move the Tourism Department to the Solarium portion of the old library for the summer season.

The Mayor indicated that with regard to the Generator topic, they were hoping to alter a prior grant and to have further development in July. There were no developments with Sunset Lake or the Army Corps Beach plan. Lastly, Commissioner Cabrera indicated that the Dog Park meeting is on May 21, 2016 at 9:00 a.m.

The Mayor opened the floor once for commentary relating to “new” and “old” business. Jackie Blanda, 103 W. Newark Avenue, gave the commissioners a presentation packet. She indicated that she was strongly against having a dog park at the current proposed location near Public Works. Ms. Blanda indicated that the proposed area could be another park with trees and picnic tables and the close proximity to the playground. In fact, she pointed out that she was in possession of two petitions: one against the dogpark; the other for a tranquil park. She asked the Governing Body to read the entire packet of materials she presented and to reconsider. She cited the area was not big enough, it should have several gates, how to know if animals are vaccinated, and how to know if dogs are socialized among other points. Commissioner Cabrera indicated that nothing was set. The idea of a meeting was to gather and hear how people felt about it. He indicated that when people came to the Commission Meeting asking for one, and pointed out that

he had the responsibility to explore the option. The Mayor indicated that enforcement of the area would also be an issue. He also pointed out that the Governing Body tries to work together and support one another.

Anthony Nazzario, 9206 New Jersey Avenue, indicated the proposed area was less than 1/3 of an acre and the proposal does not have the physical capabilities. Commissioner Cabrera indicated the engineer laid out the plan.

John Grandizio, 9404 New Jersey Avenue, also wanted to know if dogs were using the soccer field, why it wasn't corrected. The Mayor again indicated that enforcing it has always been an issue. Mr. Grandizio cited several reasons why the dog park should be reconsidered.

After no further commentary from the public,

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 694-16

**Authorizing Executive/Closed Session in accordance with the provisions of the Open Public Meetings Act, specifically N.J.S.A. 10:4-12(b)**

WHEREAS, the Open Public Meetings Act (N.J.S.A. 10:4-6 et. seq.) requires all meetings of the Board of Commissioners of the Borough of Wildwood Crest to be held in public, except that N.J.S.A. 10:4-12(b) sets forth nine (9) types of matters that may lawfully be discussed in "Executive or Closed Session," i.e., without the public being permitted to attend; and

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest has determined that ONE (1) issue is permitted by N.J.S.A. 10:4-12(b) to be discussed without the public in attendance to be discussed during the Executive or Closed Session to be held on **Wednesday, May 11, 2016** at 9:30 a.m.; and

WHEREAS, the nine (9) exceptions to public meetings set forth in N.J.S.A. 10:4-12(b) are listed below, and next to each exception is a box within which the number of issues to be privately discussed that fall within that exception shall be written, and after each exception is a space where additional information that will disclose as much information about the discussion as possible without undermining the purpose of the exception shall be written:

\_\_\_\_\_ **"(1) Any matter which, by express provision of Federal law, State statute or rule of court shall be rendered confidential or excluded from public discussion."** The legal citation to the provision(s) at issue is: \_\_\_\_\_ and the nature of the matter, described as specifically as possible without undermining the need for confidentiality is \_\_\_\_\_

\_\_\_\_\_ **"(2) Any matter in which the release of information would impair a right to receive funds from the state or federal government."** The nature of the matter, described as specifically as possible without undermining the need for confidentiality is \_\_\_\_\_

\_\_\_\_\_ **"(3) Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly."** The nature of the matter, described as specifically as possible without undermining the need for confidentiality is \_\_\_\_\_

\_\_\_\_\_ **"(4) Any collective bargaining agreement, or the terms and conditions of which are proposed for inclusion in any collective bargaining agreement, including the negotiation of terms and conditions with employees or representatives of employees of the public body."** The collective bargaining contract(s) discussed are between the Borough and \_\_\_\_\_

\_\_\_\_\_ **"(5) Any matter involving the purchase, lease or acquisition of real property with public funds, the setting of bank rates or investment of public funds where it could adversely affect the public interest if discussion of such matters were disclosed."** The nature of the matter, described as specifically as possible without undermining the need for confidentiality is \_\_\_\_\_

\_\_\_\_\_  
“(6) Any tactics and techniques utilized in protecting the safety and property of the public provided that their disclosure could impair such protection. Any investigations of violations or possible violations of the law.” The nature of the matter, described as specifically as possible without undermining the need for confidentiality is \_\_\_\_\_

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“(7) Any pending or anticipated litigation or contract negotiation in which the public body is or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer.” The parties to and docket numbers of each item of litigation and/or the parties to each contract discussed are \_\_\_\_\_ and the nature of the discussion, described as specifically as possible without undermining the need for confidentiality is Potential Litigation for Crest Pier.

\_\_\_\_\_  
“(8) Any matter involving the employment, appointment, termination of employment, terms and conditions or employment, evaluation of the performance, promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all individual employees or appointees whose rights could be adversely affected request, in writing, that such matter or matters be discussed at a public meeting.” Subject to the balancing of the public’s interest and the employee’s privacy rights under *South Jersey Publishing Co. v. New Jersey Expressway Authority*, 124 N.J. 478, the employee(s) and nature of the discussion, described as specifically as possible without undermining the need for confidentiality are \_\_\_\_\_

\_\_\_\_\_  
“(9) Any deliberation of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party as a result of an act or omission for which the responding party bears responsibility.” The nature of the matter, described as specifically as possible without undermining the need for confidentiality is \_\_\_\_\_

WHEREAS, the Board of Commissioners shall reconvene the public meeting at the conclusion of the authorized closed or executive session, which may or may not include formal action as a result of the discussion(s) held.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, assembled in public session on the date of the meeting of the governing body set forth herein above, that a closed session shall be held for the discussion of matters relating to the specific items designated above involving the Borough of Wildwood Crest. The governing body shall convene a closed session discussion immediately upon passage of this resolution and it is anticipated that the deliberations conducted in closed session shall be disclosed to the public upon conclusion of the matter and/or after determination of the Board of Commissioners that the public interest will no longer be served by such confidentiality and that the meeting will return to open session at the conclusion of the discussion and formal action may be taken if/as authorized.

BE IT FURTHER RESOLVED that the Municipal Clerk, at the present public meeting, shall read aloud enough of this resolution so that members of the public in attendance can understand, as precisely as possible, the nature of the matters that will be privately discussed.

BE IT FURTHER RESOLVED that the Municipal Clerk, on the next business day following this meeting, shall furnish a cop of this resolution to any member of the public who requests one at the fees authorized by N.J.S.A. 47:1A-1, et. seq.

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

Vote: Gould - Cabrera – Groon – Yes

After returning from Closed Session, the floor was open. Hearing nothing from the public, Mrs. Gould motioned, seconded by Mr. Cabrera that the meeting be adjourned. All were in favor. The time was 12:05 p.m.

Dated: May 25, 2016

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Patricia A. Feketics, Borough Clerk