

Note: Complete Meeting Appears
on 13-16 on file in
Borough Clerk's Office

June 22, 2016
Wildwood Crest, NJ

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

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

Gould – Cabrera – Groom – Yes

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

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

Mrs. Gould motioned, seconded by Mr. Cabrera, that Ordinance 1241 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. 1241
AN ORDINANCE ADOPTING A CODE OF ORDINANCES
OF THE BOROUGH OF WILDWOOD CREST
IN THE COUNTY OF CAPE MAY, NEW JERSEY

Mrs. Gould motioned, seconded by Mr. Cabrera, that a public hearing now be held on Ordinance No. 1241.

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. 1241 now be closed.

Vote: Gould - Cabrera – Groom – Yes

Mrs. Gould motioned, seconded by Mr. Cabrera, that Ordinance No. 1241 be passed on second and final reading and advertised according to law.

Vote: Gould - Cabrera – Groom – Yes

THE CLERK READS THE FOLLOWING ORDINANCE BY TITLE ONLY:

ORDINANCE NO. 1242
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 motions, Mr. Cabrera seconds that Ordinance No. 1242 be passed on first reading, advertised according to law, be brought up for second and final reading and public hearing on July 13, 2016 at 9:30 a.m.

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 703-16

**Authorizing Retention Via Professional Services Agreement
Of An Engineer Specializing In Street Design Services**

WHEREAS, the Borough of Wildwood Crest requires the professional services of an Engineering firm specializing in Street Design Services; and

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

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

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

WHEREAS, the firm Mott MacDonald , has completed and submitted a Business Entity Disclosure Certification which certifies that Hatch Mott MacDonald, will not make any reportable contributions pursuant to N.J.S.A. 19:44A-1 commencing June 22, 2016 to any political committee or candidate through the term of this contract;

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

1. **The firm Mott MacDonald**, of Cape May Court House, New Jersey is hereby retained as Engineer to provide specialized professional services for coordination of estimates for designing Pacific Avenue, Phase II, North; Trenton/Newark Road Project for the period not to exceed one year and commencing June 22, 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 the firm Mott MacDonald of Cape May Court House, New Jersey for specialized professional services for coordination of estimates for designing Pacific Avenue, Phase II, North; Trenton/Newark Road Project for the period indicated above, which contract shall provide for payment at the not to exceed amount of **nine thousand**

five hundred (\$9,500.00) 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.

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

Account Number(s)	Amount	Signature
_____	_____	_____

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

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 704-16
Authorizing Retention Via Professional Services Agreement
Of An Administrative Consultant Specializing In Departmental Operations and
Administrative Services

WHEREAS, the Borough of Wildwood Crest requires the professional services of an Administrative Consultant specializing in Departmental Operations and Administrative Services; and

WHEREAS, it is desired to employ a professional, pursuant to law, who is duly trained, experienced and specialized in the area of administrative consultation; 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 GRR Consulting Services, LLC, Edmund Grant, Principal, of Cape May, New Jersey is qualified to perform said work and it is desired to enter a professional contract with GRR Consulting Services, LLC, Edmund Grant, Principal for said services pursuant to law, and to provide for the advertising of a notice pursuant to law; and

WHEREAS, GRR Consulting Services, LLC, Edmund Grant, Principal, has completed and submitted a Business Entity Disclosure Certification which certifies that GRR Consulting Services, LLC, Edmund Grant, Principal, will not make any reportable contributions pursuant to N.J.S.A. 19:44A-1 commencing June 22, 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. **GRR Consulting Services, LLC, Edmund Grant, Principal**, of Cape May, New Jersey is hereby retained as Administrative Consultat to provide specialized professional services in the field of Administrative Consulting for the period July 1, 2016 through September 30, 2016. The said professional services to be received shall be “as directed” by the Borough of Wildwood Crest from time to time.
2. The Mayor and Borough Clerk be and they are hereby authorized and directed to enter into a contract with GRR Consulting Services, LLC, Edmund Grant, Principal, of Cape May, New Jersey for specialized professional services in the field of administrative consulting for a term of the period indicated above, which contract shall provide for payment at the not to exceed amount of **ninety (\$90.00) dollars per hour**, not to exceed 25 hours per week. Said award is further contingent upon the certification of availability of funds below by the CFO.
3. This contract is awarded without competitive bidding as a professional service in accordance with the provisions of the Local Public Contracts Law aforesaid, and in accordance with the provisions of N.J.S.A. 19:44A-1, and shall be in a form approved by the Borough.

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

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

Account Number(s)	Amount	Signature

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

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

**RESOLUTION NO. 705-16
 Authorizing Retention of “Can You Dig It Sand Tools/Matt Long dba Days At the Beach”
 For an Amateur Sand Sculpting Contest**

WHEREAS, the Borough of Wildwood Crest requires the services of a sand sculpting contest professional to assist the municipality with an amateur sand sculpting contest to be held on Saturday, July 9, 2016 on the beach in Wildwood Crest; and

WHEREAS, obtaining quotes for said services would be impractical and not possible due to the limited vendors providing services of this nature; and

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

WHEREAS, the Borough has determined that **Can You Dig It Sand Tools/Matt Long dba Days at the Beach** is qualified to perform the said work and it is desired to enter a contract with them for said services pursuant to law, and to provide for the advertising of a notice pursuant to law; and

WHEREAS, **Can You Dig It Sand Tools/Matt Long dba Days at the Beach** has completed and submitted a Business Entity Disclosure Certification which certifies that **Can You Dig It Sand Tools/Matt Long dba Days at the Beach** will not make any reportable contributions pursuant to N.J.S.A. 19:44A-1 commencing June 22, 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. **Can You Dig It Sand Tools/Matt Long dba Days at the Beach** is hereby retained to assist with an amateur sand sculpting contest to be held on Saturday, July 9, 2016 on the beach in Wildwood Crest as an extraordinary unspecified service. The said services to be received shall be “as directed” by the Borough of Wildwood Crest.
2. The Commissioner of Public Works and Borough Clerk be and they are hereby authorized and directed to enter into a contract with **Can You Dig It Sand Tools/Matt Long dba Days at the Beach** for specialized services, which contract shall provide for fees not to exceed **\$6,800**, contingent upon certification below from the Chief Financial Officer as to the availability of funds.
3. This contract is awarded without competitive bidding as an extraordinary unspecified service in accordance with the provisions of the Local Public Contracts Law aforesaid, and in accordance with the provisions of N.J.S.A. 19:44A-1, and shall be in a form approved by the Borough.
4. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this Resolution.
5. This Resolution and a copy of the contract for professional services shall be maintained on filed in the offices of the Borough Clerk for public inspection.
6. A copy of this Resolution shall be published in the legal newspaper designated by the Borough as required by law, within ten (10) days of its passage.

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

Account Number(s)	Amount	Signature
_____	_____	_____

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

Vote: Gould - Cabrera – Groom Yes

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 706-16

**A RESOLUTION ESTABLISHING A SHARED SERVICES AGREEMENT
BETWEEN THE CITY OF WILDWOOD AND THE
BOROUGH OF WILDWOOD CREST FOR EXCHANGE AND SHARING OF SERVICES**

WHEREAS, pursuant to the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, et. seq. any local government unit may enter into a contract with any other local government to provide and receive any service that each unit is empowered to provide or receive within its own jurisdiction; and

WHEREAS, each respective municipality has determined the urgency of the need of additional law enforcement, public safety equipment and services to maintain the health, safety and welfare of the residents and visitors of the City of Wildwood for a music concert held on the beach on July 4, 2016; and

WHEREAS, the City of Wildwood and the Borough of Wildwood Crest deem it appropriate to temporarily assign police officers from Wildwood Crest to assist Wildwood in meeting its law enforcement needs as well as employ additional equipment not in the possession of the Wildwood Police Department, and

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, State of New Jersey, hereby authorize the Mayor and Borough Clerk to execute a Shared Services Agreement with the City of Wildwood for said services.

BE IT FURTHER RESOLVED, that this Contract shall commence on July 4, 2016; and

BE IT FURTHER RESOLVED, that an executed copy of the Shared Services Agreement shall be attached to this resolution.

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. 707-16

WHEREAS the Borough of Wildwood Crest, NJ, has experienced natural hazards that result in public safety hazards and damage to private and public property;

WHEREAS the hazard mitigation planning process set forth by the State of New Jersey and the Federal Emergency Management Agency offers the opportunity to consider natural hazards and risks, and to identify mitigation actions to reduce future risk;

WHEREAS the New Jersey Office of Emergency Management is providing federal mitigation funds to support development of the mitigation plan;

WHEREAS a *Hazard Mitigation Plan* has been developed by the Mitigation Planning Committee;

WHEREAS the *Cape May County Multi-Jurisdictional All Hazards Mitigation Plan Update (May 2016)* includes a prioritized list of mitigation actions including activities that, over time, will help minimize and reduce safety threats and damage to private and public property, and

WHEREAS the draft plan was provided to each participating jurisdiction and was posted on the County Hazard Mitigation Plan Update website so as to introduce the planning concept and to solicit questions and comments; and to present the Plan and request comments, as required by law, and

NOW THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest:

1. The *Cape May County Multi-Jurisdictional All Hazards Mitigation Plan Update (May 2016)*, as submitted to the New Jersey Office of Emergency Management and the Federal Emergency

Management Agency on May 24, 2016 by Cape May County is hereby adopted as an official plan of the Borough of Wildwood Crest; minor revisions recommended by the Federal Emergency Management Agency and/or the New Jersey Office of Emergency Management may be incorporated without further action.

2. The departments identified in the Plan are hereby directed to pursue implementation of the recommended high priority activities that are assigned to their departments.
3. Any action proposed by the Plan shall be subject to and contingent upon budget approval, if required, which shall be at the discretion of the Board of Commissioners of the Borough of Wildwood Crest, and this resolution shall not be interpreted so as to mandate any such appropriations.
4. The Emergency Management Coordinator is designated to coordinate with other offices and shall periodically report on the activities, accomplishments, and progress, and shall prepare an annual progress report to be submitted to the Cape May County Office of Emergency Management. The status reports shall be submitted on a yearly basis by a predetermined date as agreed upon by all stakeholders.

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. 708-16
Resolution Rescinding Petty Cash Fund**

WHEREAS, it is the desire of the Borough of Wildwood Crest in the County of Cape May that the petty cash fund for the Municipal Court be rescinded.

NOW, THEREFORE, BE IT RESOLVED the Borough Commissioners of the Borough of Wildwood Crest, County of Cape May and State of New Jersey hereby authorize such action and the filing of two copies of this resolution with the Division of Local Government Services, New Jersey Department of Community Affairs for approval.

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. 709-16
REFUND OVERPAYMENT ON
PROPERTY TAXES OR UTILITY PAYMENTS**

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

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

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

134.02-1.02-C0221	Joseph & Donna Flanagan	Amount
2016 Tax	8401 Atlantic Ave.	\$581.82
	Title Company & Mortgage Company	
	both paid 2016 2 nd quarter taxes.	
	Refund overpayment to Corelogic	

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Commissioners of the Borough of Wildwood Crest, County of Cape May, State of New Jersey, the Chief Financial Officer is hereby authorized to execute said refund as soon as practicable and the Tax Collector should mark the records accordingly to reflect said refund as per the meeting on June 22, 2016.

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

Vote: Gould - Cabrera – Groom Yes

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

**RESOLUTION NO. 710-16
CANCELING ERRONEOUS 2016 SEWER RENTS**

WHEREAS, it has been determined by the Tax Collector of the Borough of Wildwood Crest, that a sewer account has been billed erroneous sewer rents for 2016.

WHEREAS, sewer account 1114-0, at 6711 Pacific did not have a water meter installed for the year 2015, the sewer rents levied in 2016 should be canceled.

WHEREAS, the Tax Collector of the Borough of Wildwood Crest has determined the said erroneous sewer rents should be canceled accordingly as indicated below.

Block /Lot Sewer ID#	Name	Amount
56.01/11	424 Green Street, LLC	
858-1	6711 Pacific Avenue 2016 Sewer Rents	\$124.00

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, State of New Jersey, hereby authorize the Tax Collector of the Borough of Wildwood Crest to cancel said sewer amounts for 2016.

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

Vote: Gould - Cabrera – Groom Yes

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 711-16

WHEREAS, the Greater Wildwood Yacht Club will be holding their annual Regatta on Sunset Lake in the Borough of Wildwood Crest to support the community and local tourism in the Wildwoods on July 28, 2016 from 7 a.m. to 3 p.m. at 6510 Park Boulevard, and

WHEREAS, said organization has applied to the Borough of Wildwood Crest for the use of off duty Police Officers for the public's security during this event, and

WHEREAS, the Commissioners of the Borough of Wildwood Crest and the Wildwood Crest Police Department have reviewed the request for the use of off-duty Police for their upcoming regatta, and

WHEREAS, in the spirit of supporting tourism for the Wildwoods and the Wildwood Crest Community, the Commissioners have agreed to waive the fee for the services requested.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey, that the fee required by application of the Greater Wildwood Yacht Club for the use of Off-Duty Police Officers for the regatta being held on July 28, 2016 from 7 a.m. to 3 p.m. be and is hereby waived.

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. 712-16

WHEREAS, on April 6, 2016, JOHN & DIANE DiMARTINO, 190 Cayuse Trail, Medford Lakes, NJ 08055, paid the 2016 mercantile license fee of FOUR HUNDRED TWENTY DOLLARS (\$420) for the rental of 210 E. BUTTERCUP RD; and

WHEREAS, on June 7, 2016, JOHN & DIANE DiMARTINO, 190 Cayuse Trail, Medford Lakes, NJ 08055, requested a full refund of the mercantile fee due to sale of property on June 2, 2016 prior to any rentals; and

WHEREAS, the Board of Commissioners has determined that a refund request in the instant matter is proper as presented;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey that the Chief Financial Officer of the Borough of Wildwood Crest be and she is hereby authorized and directed to cause a refund in the amount of FOUR HUNDRED TWENTY DOLLARS (\$420) to be made to JOHN & DIANE DiMARTINO, 190 Cayuse Trail, Medford Lakes, NJ 08055 for the reason set forth hereinabove.

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. 713-16

WHEREAS, on March 30, 2016, NANCY & THOMAS FORTE, 1600 2ND ST, VOORHEES, NJ 08043, paid the 2016 mercantile license fee of TWO HUNDERED TEN (\$210) for the rental of one apartment at 210 W Lavender Rd; and

WHEREAS, on June 16, 2016, JOHN & DIANE DiMARTINO, 190 Cayuse Trail, Medford Lakes, NJ 08055, requested a full refund of the mercantile fee due to delayed construction on the property preventing rental for 2016; and

WHEREAS, the Board of Commissioners has determined that a refund request in the instant matter is proper as presented;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey that the Chief Financial Officer of the Borough of Wildwood Crest be and she is hereby authorized and directed to cause a refund in the amount of FOUR HUNDRED TWENTY DOLLARS (\$210) to be made to JOHN & DIANE DiMARTINO, 190 Cayuse Trail, Medford Lakes, NJ 08055 for the reason set forth hereinabove.

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. 714-16

OPPOSING LICENSED CASINOS OUTSIDE OF ATLANTIC CITY, NEW JERSEY

WHEREAS, the New Jersey State Legislature has voted in support of a constitutional amendment to permit casinos to operate in jurisdictions in Northern New Jersey, outside of Atlantic City; and

WHEREAS, this initiative will increase the tax burden on Southern New Jersey residents; and

WHEREAS, this initiative will negatively impact the livelihoods of Southern New Jersey residents, whose jobs and businesses depend on the Atlantic City casino industry; and

WHEREAS, this initiative will create downward pressure on the Southern New Jersey population growth and housing values as residents are forced to seek opportunities elsewhere; and

WHEREAS, any legislator representing any portion of Atlantic County who voted to support this constitutional amendment acted against the best interests of his or her constituents.

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 it is opposed to the above-described constitutional amendment in any form; and

BE IT FURTHER RESOLVED that all governing bodies in Southern New Jersey are invited to join the Borough of Wildwood Crest in recognizing the negative impact Northern New Jersey casinos will have on our regional economy; and

BE IT FURTHER RESOLVED that a copy of this Resolution be distributed to all governing bodies in the County of Cape May, together with copies to all state legislatures representing Cape May County; and

BE IT FURTHER RESOLVED that a copy of this Resolution be sent to Senator Dawn-Marie Addiego, with the hope that she will reconsider her previous vote in support of Northern New Jersey casinos and join her Southern New Jersey colleagues in the legislature in opposing what constitutes bad policy for the entire State and particularly her own legislative district.

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. 715-16

WHEREAS, on June 8, 2016, VIETNAM VETERANS OF AMERICA CHAPTER 955, 4200 Atlantic Ave., Wildwood, NJ 08260, applied for a Special Events Permit for the purpose of a 5K RACE to be held on July 4, 2016, from 8:00 a.m. to 10:30 a.m., on the BEACH from CRESSE AVE TO STOCKTON RD; and

WHEREAS, JOHN & DIANE DiMARTINO, 190 Cayuse Trail, Medford Lakes, NJ 08055, 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 JOHN & DIANE DiMARTINO, 190 Cayuse Trail, Medford Lakes, NJ 08055 for the purpose of a 5K RACE to be held on July 4, 2016, the rental of 210 E. BUTTERCUP RD.

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. 716-16

WHEREAS, the WILDWOOD CREST VOLUNTEER FIRE CO. #1 made application on June 14, 2016 for a Raffles License under Application No. RA-107; and

WHEREAS, it is the desire of the Board of Commissioners of the Borough of Wildwood Crest to issue a Certificate of Approval under Application No. RA-107 to WILDWOOD CREST VOLUNTEER FIRE CO. #1 for holding of said Raffle;

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

1. That the Board issue to the WILDWOOD CREST VOLUNTEER FIRE CO. #1 a Certificate of Findings and Determination to be signed by the proper officer of said Board of Commissioners under Application No. RA-107 made by said WILDWOOD CREST VOLUNTEER FIRE CO. #1; and

2. That the Municipal Clerk of the Borough of Wildwood Crest be, and she is hereby authorized, empowered and directed to cause the proper Raffle License to be issued to the WILDWOOD CREST VOLUNTEER FIRE CO. #1 in accordance with the application made therefor.

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

Mrs. Gould motioned, seconded by Mr. Cabrera, that all reports submitted by the CFO, Court Administrator, Tax Collector, and the Wildwood Crest Police Department for the month ending May 31, 2016 be approved as presented.

Vote: Gould - Cabrera – Groom Yes

Mrs. Gould motioned, seconded by Mr. Cabrera, that all minutes from regularly scheduled meetings for May 25th, June 4th and June 8, 2016 be approved as presented.

Vote: Gould - Cabrera – Groom Yes

There were no correspondences to address.

Mrs. Gould motioned, seconded by Mr. Cabrera to authorize the advertisement of public hearing to take place on July 12, 2016 for NJ DCA Small Cities Grant.

The Mayor then opened the floor for public commentary. Mariellen Lopizzo, 7103 New Jersey Avenue, indicated the flooding recently at the intersection of Rambler Road and New Jersey Avenue has gotten increasingly worse. The Mayor agreed that he has witnessed it and that they would follow up with the engineer and get back to Ms. Lopizzo.

Anne Carbone, 7903 New Jersey Avenue, indicated that she had additional questions regarding the parking on New Jersey Avenue near her home. The Mayor asked Ms. Carbone to give the list of questions to the Borough Clerk so we could answer them and suggested having a meeting. Ms. Carbone asked if the signage for overnight parking was forthcoming and the Mayor indicated it was ordered.

The Mayor then opened the New Business portion of County Signage. Commissioner Cabrera indicated the county is spear heading a new Gateway into and out Wildwood and that he would like it to be an island wide project. He suggested that perhaps Wildwood Crest should play a role in this and the idea has merit. The Mayor indicated that this has been talked about for years. Commissioner Cabrera indicated that signage was needed for both access points from the parkway. The Mayor asked the Administrator to send a letter to both the County Engineer and Freeholder Morey for signage.

The second topic for New Business was the Jumbo-tron for an event. Commissioner Gould indicated that on August 18th, hometown native Joe Maloy would be competing live in the Olympics from Rio de Janeiro. She would like to rent two large jumbotrons to broadcast this live and to possibly get food trucks. Commissioner Cabrera indicated that he supported the idea and would see if there were tourism funds available to help. They all agreed that details were needed to proceed.

There were no updates for old business.

After no further commentary from the public, the Mayor stated that our Public Works Department and Police Department did a great job and he also commended Atlantic City Electric for getting the motel district up and running promptly.

After no further commentary, Mrs. Gould motioned, seconded by Mr. Cabrera, that we move into Closed Session.

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 717-16

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 TWO (2) issues are permitted by N.J.S.A. 10:4-12(b) to be discussed without the public in attendance to be discussed during the Executive or Closed Session to be held on **Wednesday, June 22, 2016** at 5:30 p.m.; and

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

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

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

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

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

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

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

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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 are: Potential Contract Negotiations for Administration; and secondly, Potential Litigation for Recreation Facility.

“(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. Cabrera, that the foregoing Resolution be adopted.
Vote: Gould - Cabrera – Groom Yes

After returning from Closed Session and no further commentary from the public, Mrs. Gould motioned, seconded by Mr. Cabrera that the meeting be adjourned. All were in favor. The time was 6:46 p.m.

Dated: July 27, 2016

Patricia A. Feketics, Borough Clerk
