

Note: Complete Meeting Appears
on 14-16 on file in
Borough Clerk's Office

July 13, 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.

Mrs. Gould motioned, seconded by Mr. Cabrera, that Ordinance 1242 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. 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 motioned, seconded by Mr. Cabrera, that a public hearing now be held on Ordinance No. 1242.

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. 1242 now be closed.

Vote: Gould - Cabrera – Groom – Yes

Mrs. Gould motioned, seconded by Mr. Cabrera, that Ordinance No. 1242 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. 718-16

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts, and financial transactions; and

WHEREAS, the Annual Report of Audit for the year 2015 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34; and

WHEREAS, the Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled:

GENERAL COMMENTS

RECOMMENDATIONS

and

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

GENERAL COMMENTS

RECOMMENDATIONS

as evidenced by the group affidavit form of the governing body; and

WHEREAS, such resolution of certification shall be adopted by the governing body no later than forty-five (45) days after the receipt of the annual audit, as per the regulations of the Local Finance Board; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52 – “A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand (\$1,000.00) dollars or imprisoned for not more than one year, or both, in addition shall forfeit his office.”

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey, hereby states that it has complied with the promulgations of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to demonstrate evidence of said compliance.

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. 719-16
**Authorizing Retention Via Professional Services Agreement
Of An Engineer Specializing In Facility Design Services for the Nesbitt Center and
Lifeguard Headquarters**

WHEREAS, the Borough of Wildwood Crest requires the professional services of an Engineering firm specializing in Facility 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 facility 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 July 13, 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 design phase for Borough Facilities of the Nesbitt Center and Lifeguard Headquarters for the period not to exceed one year and commencing July 13, 2016. The said professional services to be received shall be “as directed” by the Borough of Wildwood Crest from time to time.
2. The Commissioner of Public Works 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 design phase for Borough Facilities of the Nesbitt Center and Lifeguard Headquarters for the period indicated above, which contract shall provide for payment at the not to exceed amount of **twenty four thousand (\$24,000.00) 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. 720-16
**Authorizing Retention Via Professional Services Agreement
 Of An Engineer Specializing In Facility Design Services for the Old Library Building**

WHEREAS, the Borough of Wildwood Crest requires the professional services of an Engineering firm specializing in Facility 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 facility 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 July 13, 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 design phase for Borough Facilities of the Old Library Building for the period not to exceed one year and commencing July 13, 2016. The said professional services to be received shall be “as directed” by the Borough of Wildwood Crest from time to time.
2. The Commissioner of Public Works 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 design phase for Borough Facilities of the Old Library Building for the period indicated above, which contract shall provide for payment at the not to exceed amount of **sixteen thousand**

Eight hundred (\$16,800.00) 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. 721-16
Authorizing Retention Via Professional Services Agreement
Of An Engineer**

WHEREAS, there exists the need for “Professional Services” of a BOROUGH ENGINEER, to be retained by the Borough for the performance of engineering work 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;

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 August 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. That the allegations of the preamble hereto are incorporated herein as if fully set forth.
2. The Mayor and Borough Clerk be and they are hereby authorized, instructed, and empowered to execute the attached agreement with **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, 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. 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.

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. 722-16**

WHEREAS, the Borough of Wildwood Crest adopted Resolution 592-16 on January 6, 2016, authorizing a Professional Services Contract with Jeffery R. Surenian and Associates for COAH services; and

WHEREAS, the Borough of Wildwood Crest adopted Resolution 647-16 on March 9, 2016, authorizing Professional Services Contract with Econsult Solutions for COAH related services; and

WHEREAS, the Borough of Wildwood Crest adopted Resolution 648-16 on March 9, 2016 authorizing approval to enter into a Local Municipal Group Agreement; and

WHEREAS, the Borough of Wildwood Crest adopted Resolution 649-16 on March 9, 2016 authorizing approval to enter into an Agreement with Econsult Individually; and

WHEREAS, every municipality that joined in the Local Municipal Group Consortium has been asked to send an additional \$2,000 to ensure the group has financial strength to fend off the continuous and vigorous attacks of Fair Share Housing Center and New Jersey Builder’s Association.

NOW, THEREFORE, BE IT RESOLVED the Borough Commissioners of the Borough of Wildwood Crest authorize payment in the amount of Two Thousand Dollars (\$2,000) be made to Jeffrey R. Surenian and Associates, LLC, Attorney Trust Account.

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. 723-16**

Authorizing Retention Via Professional Services Agreement Of A Community Development Consultant

WHEREAS, the Borough of Wildwood Crest requires the professional services of a Community Development Consultant for the performance of duties associated therewith, and more specifically for the administration of a Department of Community Affairs Small Cities Fiscal Year 2017 grant, if so awarded; and

WHEREAS, on July 13, 2016, the Board of Commissioners of the Borough of Wildwood Crest did authorize Blauer Associates to make application to the State of New Jersey Department of Community Affairs, Small Cities Community Development Block Grant Program, removal of mobility barriers at various locations in order to comply with the Americans with Disabilities Act (ADA) in the not to exceed amount of \$400,000; and

WHEREAS, it is desired to employ a professional, pursuant to law, who is duly trained, experienced and specialized in the area of community development; 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 Mark Blauer of Blauer Associates, Inc. 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, Mark Blauer of Blauer Associates, Inc., has completed and submitted a Business Entity Disclosure Certification which certifies that Mark Blauer and Blauer Associates, Inc. will not make any reportable contributions pursuant to N.J.S.A. 19:44A-1 commencing July 13, 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. Mark Blauer of Blauer Associates, Inc., is hereby retained as Community Development Consultant to provide specialized professional services in the field of community development 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 Mark Blauer of Blauer Associates, Inc., for specialized professional services as Community Development Consultant for a term of one (1) year, which contract shall provide for a fee of \$1,800.00 for the submission of any authorized grant application and administrative fees to be paid from the proceeds of any grant funds realized; all of which is more fully described in the attached agreement which is made a part hereof by reference as if fully set forth, all of which is more fully conditioned upon certification of availability of funds below by the Chief Financial Officer in conjunction with commitment by the governing body to fund said costs and fees in the CY 2017 Municipal Budget.
3. This contract is awarded without competitive bidding as a professional service in accordance with the provisions of the Local Public Contracts Law aforesaid, and in accordance with the provisions of N.J.S.A. 19:44A-1, and shall be in a form approved by the Borough.
4. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this Resolution.
5. This Resolution and a copy of the contract for professional services shall be maintained on filed in the offices of the Borough Clerk for public inspection.
6. A copy of this Resolution shall be published in the legal newspaper designated by the Borough as required by law, within ten (10) days of its passage.

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

Account Number(s)	Amount	Signature
_____	_____	_____

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

Vote: Gould - Cabrera – Groon Yes

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 724-16

Whereas, the Borough of Wildwood Crest desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for an amount not to exceed \$400,000 for removal of mobility barriers at various locations in order to comply with the Americans with Disabilities Act (ADA) and will enter into a grant agreement for said grant if approved;

Be it therefore RESOLVED,

- 1) that the Borough of Wildwood Crest does hereby authorize the application for such a grant, and,
- 2) recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between the Borough of Wildwood Crest and the New Jersey Department of Community Affairs.

Be it further RESOLVED, that the persons whose names, titles, and signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement to sign the agreement, and any other documents necessary in connection

therewith:

Carl H. Groom, Mayor

Patricia A. Feketics, Borough Clerk

CERTIFICATION:

I, Patricia Feketics, the Municipal Clerk of the Borough of Wildwood Crest hereby certify that at a meeting of the Borough Commissioners held on _____ the above RESOLUTION was duly adopted.

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. 725-16

Approving Public Facilities Grant Management Plan

WHEREAS, the Borough of Wildwood Crest will apply for \$400,000 in Fiscal Year 2017 CDBG funds for removal of mobility barriers at various intersections in order to comply with the Americans with Disabilities Act (ADA);

WHEREAS, the NJ Department of Community Affairs requires Wildwood Crest Borough to prepare a Grant Management Plan to define project staffing and project activities;

WHEREAS, the NJ Department of Community Affairs requires Wildwood Crest Borough to officially adopt its Grant Management Plan;

WHEREAS, the Borough has prepared a Grant Management Plan for its Fiscal Year 2017 Public Facilities project;

NOW, THEREFORE BE IT RESOLVED, that the Borough Commissioners of the Borough of Wildwood Crest adopts the Grant Management Plan prepared by Blauer Associates for the Fiscal Year 2017 Public Facilities project.

CERTIFICATION

I hereby certify that the foregoing is a true copy of a resolution adopted by the Borough of Wildwood Crest, in the County of Cape May, at a meeting thereof held _____.

Patricia A. Feketics, Borough Clerk

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. 726-16

Adoption of State Model Citizen Participation Plan for DCA Small Cities Program

Whereas, the Borough of Wildwood Crest is an applicant for a Department of Community Affairs Fiscal Year 2017 Small Cities Community Development Project for an amount not to exceed \$400,000 for removal of mobility barriers at various locations in order to comply with the Americans with Disabilities Act (ADA) and will enter into a grant agreement for said grant if approved;

Whereas, that grant agreement will require the Borough of Wildwood Crest to comply with all federal regulations with respect to citizen participation; and

Whereas, the Borough of Wildwood Crest has reviewed the State Model Citizen Participation Plan prepared for Small Cities CDBG grantees;

Now, Therefore Be It Resolved that the Mayor and the Borough Commissioners of the Borough of Wildwood Crest, County of Cape May and State of New Jersey, that;

The State Model Citizen Participation Plan developed by the New Jersey Department of Community Affairs, Small Cities CDBG is adopted by the Borough of Wildwood Crest; and

The Borough of Wildwood Crest will follow all regulations set forth in that document throughout the term of the grant agreement cited above.

CERTIFICATION

I hereby certify that the foregoing is a true copy of a resolution adopted by the Borough of Wildwood Crest, in the County of Cape May, at a meeting thereof held _____.

Patricia A. Feketics, Borough Clerk

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. 727-16

Identifying Small Cities Fair Housing Officer

Whereas, the Borough of Wildwood Crest is applying for a Fiscal Year 2017 Small Cities Community Development Block Grant in an amount not to exceed \$400,000 from the New Jersey Department of Community Affairs for financial assistance for removal of mobility barriers at various locations in order to comply with the Americans with Disabilities Act (ADA) ; and

Whereas, the Borough of Wildwood Crest must make efforts to affirmatively further fair housing; and

Whereas, the Borough of Wildwood Crest has reviewed various actions that would be acceptable to the New Jersey State Department of Community Affairs and the U.S. Department of Housing and Urban Development; and

Whereas, the Borough of Wildwood Crest has made assurances in the grant agreement that;

1. It will comply with the Housing and Community Development Act of 1974, as amended, and regulations issues thereto; and
2. It will comply with the Civil Rights Act of 1964, and the regulations issued thereto it; and
3. It will comply with the Fair Housing Act of 1968 and will affirmatively further fair housing; and
4. It will comply with the Age Discrimination Act of 1975 and with the Rehabilitation Act of 1973.

Now, Therefore, Be It Resolved that the Municipal Clerk shall be designated as the Small Cities Program Fair Housing Compliance Officer for the Borough of Wildwood Crest; and

Be It Further Resolved that the Fair Housing Officer shall contact the US HUD Regional Office of Housing and Equal Opportunity and the NJ Division on Civil Rights, inform those agencies of his/her appointment as Fair Housing Officer and request Fair Housing Information; and

Be It Further Resolved, that the Fair Housing Officer shall provide fair housing advisory services and assistance and referral advice to persons requesting such assistance from the Borough of Wildwood Crest; and

Be It Further Resolved, that the Borough of Wildwood Crest will publish in the local newspaper of record and post at the Borough Municipal Building a public notice announcing the appointment of the Fair Housing Officer and the availability of local fair housing advisory services.

CERTIFICATION

I hereby certify that the foregoing is a true copy of a resolution adopted by the Borough of Wildwood Crest, in the County of Cape May, at a meeting thereof held _____.

Patricia A. Feketics, Borough Clerk

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. 728-16

SUBJECT: A RESOLUTION AUTHORIZING APPROVAL OF CHANGE ORDER NUMBER 2-FINAL AND ESTIMATE CERTIFICATE NUMBER 3-FINAL.

ATLANTIC AVENUE LIBRARY PARKING LOT

WHEREAS, Charles Marandino, LLC of Milmay, New Jersey has satisfactorily completed the contract for the project known as Atlantic Avenue Library Parking Lot; and

WHEREAS, during the course of completing the project, certain additions and reductions were required as indicated on Change Order Number 2 – FINAL, decreasing the contract amount by \$22,175.62 to \$121,313.38; and

WHEREAS, the Contractor has now submitted the final Payment Request Number 3 – FINAL on the project; and

WHEREAS, the Borough Engineer, Ralph Petrella Jr. of Van Note – Harvey Associates has recommended acceptance of the project as complete.

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 said Change Order Number 2 – FINAL, decreasing the total contract amount to \$121,313.38 and Estimate Certificate Number 3 – FINAL be and the same are hereby approved.

AND BE IT FURTHER RESOLVED that the contract for said work be, and the same is hereby accepted, and that all payments to Charles Marandino, LLC be made thereon.

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. 729-16

SUBJECT: A RESOLUTION AUTHORIZING APPROVAL OF CHANGE ORDER NUMBER 1-FINAL AND ESTIMATE CERTIFICATE NUMBER 3-FINAL.

BIKE PATH CONCRETE IMPROVEMENTS

WHEREAS, S. Batata Construction, Inc. of Parlin, New Jersey has satisfactorily completed the contract for the project known as Bike Path Concrete Improvements; and

WHEREAS, during the course of completing the project, certain additions and reductions were required as indicated on Change Order Number 1 – FINAL, increasing the contract amount by \$3,966.93 to \$200,768.93; and

WHEREAS, the Contractor has now submitted the final Payment Request Number 3 – FINAL on the project; and

WHEREAS, the Borough Engineer, Ralph Petrella Jr. of Van Note – Harvey Associates has recommended acceptance of the project as complete.

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 said Change Order Number 1 – FINAL, increasing the total contract amount to \$200,768.93 and Estimate Certificate Number 3 – FINAL be and the same are hereby approved.

AND BE IT FURTHER RESOLVED that the contract for said work be, and the same is hereby accepted, and that all payments to S. Batata Construction, Inc. be made thereon.

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. 730-16

WHEREAS, the Wildwood Crest Tourism Commission and the Wildwood Crest Recreation Commission at their respective meetings of February 17, 2016 voted to support executing a contract with Carli Lloyd, native of Delran, New Jersey and the 2015 World Cup Champion, 2015 FIFA Player of the Year and two time Olympic Gold Metal winner to attend the Cape Express Soccer weekend on October 8, 2016, and

WHEREAS, the February 17, 2016 minutes of the Borough Tourism Commission and Recreation Commission each reflect approval of a reimbursement for their share of up to Ten Thousand Dollars (\$10,000) to the Recreation Commission of the Borough of Wildwood Crest towards executing the contract with Carli Lloyd to attend Cape Express Soccer weekend on Saturday, October 8, 2016, and

WHEREAS, the GWTIDA, by letter dated February 19, 2016, has also agreed to a reimbursement for their share of Ten Thousand Dollars (\$10,000) to the Recreation Commission of the Borough of Wildwood Crest towards the contract with Carli Lloyd for her appearance on October 8, 2016, and

WHEREAS, the Cape Express Soccer League has also authorized a reimbursement for their share of Three Thousand Dollars (\$3,000) to the Recreation Commission of the Borough of Wildwood Crest by email dated June 19, 2016 to support executing the contract with Carli Lloyd, and

WHEREAS, the Solicitor has reviewed and approved the contract to be signed with Carli Lloyd and the Borough Commissioners have reviewed the supporting documentation presented and are in agreement with Recreation Commission executing a contract with Carli Lloyd.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Borough of Wildwood Crest that the Recreation Commission is hereby authorized to execute a contract with Carli Lloyd for her attendance at the Cape Express Soccer Tournament on Saturday, October 8, 2016.

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

Account Number(s)	Amount	Signature
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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. 731-16

WHEREAS, on July 5, 2016, CATHERINE SHERRY, 203 W. Charleston Ave, Wildwood Crest, NJ 08260, applied for a Special Events Permit for the purpose of a BLOCK PARTY to be held on JULY 23, 2016, from 4:00 p.m. to 8:00 p.m., on the WEST BLOCK OF CHARLESTON AVE; and

WHEREAS, CATHERINE SHERRY, 203 W. Charleston Ave, Wildwood Crest, NJ 08260, has supplied all documentation required under Ordinance No. 936, including the requisite Certificate of Insurance, and has further pledged to comply with all applicable rules and regulations pertaining to the conduct of said Special Event; and

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

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey that the Borough Clerk be and she is hereby authorized and directed to issue a Special Events Permit to CATHERINE SHERRY, 203 W. Charleston Ave, Wildwood Crest, NJ 08260 for the purpose of a BLOCK PARTY to be held on JULY 23, 2016, from 4:00 p.m. to 8:00 p.m., on the WEST BLOCK OF CHARLESTON AVE.

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. 732-16

WHEREAS, on May 31, 2016, the GREATER WILDWOOD YACHT CLUB, 6510 Park Blvd., Wildwood Crest, NJ 08260, applied for a Special Events Permit for the purpose of a YOUTH REGATTA to be held on JULY 28, 2016, from 7:00 a.m. to 3:00 p.m., on SUNSET LAKE AND PARK BLVD. BETWEEN ROSEMARY RD. AND FORGET-ME-NOT RD.; and

WHEREAS, CATHERINE SHERRY, 203 W. Charleston Ave, Wildwood Crest, NJ 08260 has supplied all documentation required under Ordinance No. 936, including the requisite Certificate of Insurance, and has further pledged to comply with all applicable rules and regulations pertaining to the conduct of said Special Event; and

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

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey that the Borough Clerk be and he is hereby authorized and directed to issue a Special Events Permit to CATHERINE SHERRY, 203 W.

Charleston Ave, Wildwood Crest, NJ 08260 for the purpose of a BLOCK PARTY to be held on JULY 23, 2016, from 4:00 p.m. to 8:00 p.m., on THE WEST BLOCK OF CHARLESTON AVE

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. 733-16

WHEREAS, on June 21, 2016, LISA TRAVASCIO, 112 E. Louisville Ave., Wildwood Crest, NJ 08260, applied for a Special Events Permit for the purpose of a BLOCK PARTY to be held on JULY 23, 2016, from 4:00 p.m. to 8:00 p.m., on the 100 EAST BLOCK OF LOUISVILLE AVE; and

WHEREAS, CATHERINE SHERRY, 203 W. Charleston Ave, Wildwood Crest, NJ 08260, has supplied all documentation required under Ordinance No. 936, including the requisite Certificate of Insurance, and has further pledged to comply with all applicable rules and regulations pertaining to the conduct of said Special Event; and

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

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey that the Borough Clerk be and she is hereby authorized and directed to issue a Special Events Permit to CATHERINE SHERRY, 203 W. Charleston Ave, Wildwood Crest, NJ 08260 for the purpose of a BLOCK PARTY to be held on JULY 23, 2016, from 4:00 p.m. to 8:00 p.m., on the WEST BLOCK OF CHARLESTON AVE.

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. 734-16

WHEREAS, on June 6, 2016, the WILDWOOD CREST DOLPHIN SWIM TEAM INC, 121 W. Wisteria Rd, Wildwood Crest, NJ 08260, applied for a Special Events Permit for the purpose of a SWIM EVENT to be held on SEPTEMBER 24, 2016, from 8:00 a.m. to 1:00 p.m., at SUNSET LAKE; and

WHEREAS, CATHERINE SHERRY, 203 W. Charleston Ave, Wildwood Crest, NJ 08260, has supplied all documentation required under Ordinance No. 936, including the requisite Certificate of Insurance, and has further pledged to comply with all applicable rules and regulations pertaining to the conduct of said Special Event; and

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

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey that the Borough Clerk be and she is hereby authorized and directed to issue a Special Events Permit to CATHERINE SHERRY, 203 W. Charleston Ave, Wildwood Crest, NJ 08260 for the purpose of a BLOCK PARTY to be held on JULY 23, 2016, from 4:00 p.m. to 8:00 p.m., on the WEST BLOCK OF CHARLESTON AVE.

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

There were no correspondences to address.

The Mayor then opened the floor for public commentary. Nancy Pietropaoli, 6002 Seaview, inquired about handicapped parking at the New Library and why the west side of Atlantic Avenue can't be utilized. The Mayor indicated that we could look at that and asked Capt. McGrath if we can check on two spots on both Columbine and Wisteria Roads. The Mayor further indicated that we may have to amend the Ordinance.

James Kopaz, 304 E. Charleston Avenue, also asked the Board to consider straight lines across from the parking lot toward entrance and also to have an easier access from the sidewalk into the building. The Mayor indicated that we would need to talk to the County to ask them to make any changes. Commissioner Cabrera added that he has a scheduled meeting with the Director and will address landscaping.

Jim Kiesel, 6605 Park Blvd., pointed out that the trucks on Park Blvd. travel too fast and they are not following the truck route. He also noted that his house tends to shake when the trucks travel at fast speeds. The Mayor pointed out that we live on an island and that there will be ground instability. He also noted that enforcement of trucks on the truck route would be the best way to go. The Mayor asked Capt. McGrath to contact Wildwood Police Department as well so we can go after the trucks. Capt. McGrath added that over 35 pedestrian signs were ordered and were in the process of being installed and the sign board has been in use at Park Blvd. entrance to enforce the truck route and that numerous traffic details have been assigned.

William Carr, 120 E. Primrose Road, referenced Ordinance No. 1235 that was recently adopted on Rental Properties. He thanked the Governing Body for passing the ordinance and then pointed out that three different properties on Primrose Road have had excessive police calls for service. He wanted to know what could be done. The Mayor indicated that the ordinance went into effect at the end of March. He advised Mr. Carr to follow up with Capt. McGrath for concerns. The Mayor pointed out that the Governing Body was not privy to activity at the specific properties and could not comment. Mr. Carr inquired about rescinding mercantile licenses or the possibility of fining the landlords. The Mayor indicated he would have to have the Administrator and Solicitor review the ordinance.

Tim Bennett, 217 W. Charleston Avenue, indicated that the date on Resolution No. 14 should be July 23, 2016 and not July 28, 2016. The Clerk indicated it was a typo and the correct date is on the Resolution.

Dennis Travascio, 112 E. Louisville Avenue, asked if the fourth Resolution for an Engineer was replacing the engineer the Borough currently has and the Mayor indicated that it was. Mr. Travascio then asked about the Change Order for Atlantic Avenue parking lot and the Mayor indicated that the change order decreased the amount the Borough owed.

Tony Mirabella, 7210 Pacific Avenue, noted that the speed on Pacific Avenue is way too fast. The Mayor pointed out that speed is a difficult issue and pedestrian signs cannot be on every block and that they are used at choke points (i.e. Businesses and parks). The Mayor also shared that the Borough has petitioned the County for a traffic study on Pacific Avenue.

The Mayor noted for the record that if anyone has anything they would like the Commissioners to know that they can always come to Borough Hall and see the Clerk or the Commissioners and that they didn't have to wait for a scheduled meeting.

Ginger Young, 102 E. Primrose Road, addressed two points of concern. The first was the problem on Primrose Road with the absentee landlords and their tenants. The Mayor again noted that he could not comment on specific properties and that the Police need to build a case. The second point was the status of signage at Sunset Lake. The Mayor stated he would have to get back to Mrs. Young.

Capt. McGrath noted for the record that he would stay after the meeting to meet with any citizens over any and all issues.

After no further commentary from the public, the Mayor pointed out the Borough has a scheduled meeting for Saturday, August 6th at 9:30 a.m. as well in case there are any issues the public would like to address. The Mayor asked the Clerk to add the following to the agenda:

- no smoking on beaches
- beach boxes
- bike racks
- street signs for beach

For old business, there were no updates for the generators. The Mayor indicated there was a planned meeting on July 13th that they were trying to resolve for the mitigation/storm damage at

Sunset Lake. There were no updates for the Army Corps Beach Plan. With regard to the County Signage, Commissioner Cabrera pointed out that perhaps the Borough needs a study of the signage that we have and that maybe signage was needed at the street ends and the bike path. The last item was the Jumbotron and Commissioner Gould indicated that with the cost of the rental and not being able to guarantee that NBC would broadcast Joe Maloy in entirety, suggested that we do something as a community after the Olympics for our hometown Olympian. The Recreation Assistant added that people could watch online at www.nbcolympics.com.

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. 735-16

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, July 13, 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

1 “(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 a Professional Services Contract.

“(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 11:23 a.m.

Dated: July 27, 2016

Patricia A. Feketics, Borough Clerk

