

Note: Complete Meeting Appears  
on 15-17 on file in  
Borough Clerk's Office

June 21, 2017  
Wildwood Crest, NJ

Prior to the opening of the meeting, Mr. Groon 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 – Groon - YES

Mr. Groon 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 e-mailing and same to the Gazette-Leader, Herald of Cape May County and The Press on December 1, 2016.

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

THE CLERK READS THE FOLLOWING ORDINANCE BY TITLE:  
ORDINANCE NO. 1257

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER  
66 – STORMWATER CONTROL – OF THE CODE OF THE  
BOROUGH OF WILDWOOD CREST ADOPTED AS ORDINANCE  
NO. 975 ON APRIL 6, 2005 AND AMENDING SECTION 11 -  
PENALTIES ADOPTED AS ORDINANCE NO. 1024 ADOPTED ON  
JANUARY 24, 2007 AND AMENDING SECTION 10-B-2 AND  
SUPPLEMENTING 10-B-2.1 - EXCEPTIONS TO PROHIBITIONS

Mrs. Gould motions, Mr. Cabrera seconds that Ordinance No. 1257 be passed on first reading, advertised according to law, be brought up for second and final reading and public hearing on July 5, 2017 at 9:30 a.m.

Vote: Gould - Cabrera - Groon – Yes

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:  
RESOLUTION NO. 987-17

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 2016 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 N.J.A.C. 5:30-6.5, 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 attached hereto; 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, pursuant to N.J.A.C. 5:30-6.5, 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 N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to demonstrate evidence of said compliance.

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF THE RESOLUTION PASSED AT A MEETING HELD ON JUNE 21, 2017.

Patricia A. Feketics, Clerk

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. 988-17

**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 8, 2017 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 21, 2017 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 8, 2017 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 **\$7,140**, 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 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 - Groon – Yes

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

**RESOLUTION NO. 989-17**

**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 2018 grant, if so awarded; and

WHEREAS, on June 21, 2017, 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 the Borough beachfront 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 June 21, 2017 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 2018 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 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 - Groon – Yes

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

**RESOLUTION NO. 990-17**

WHEREAS, on May 11, 2017, Daniel Bradley of D R Bradley Bikes (Concession 8A) with mailing address of 5712 Park Boulevard, Wildwood Crest, NJ 08260, requested to be reimbursed for 6 replacement seat covers for damaged bicycle seats; and

WHEREAS, on May 22, 2017, Daniel Bradley of D R Bradley Bikes (Concession 8A) with mailing address of 5712 Park Boulevard Wildwood Crest, NJ 08260, submitted an invoice for 6 Baby Seat Replacement cushions totaling \$104.94; 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, State of 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 \$104.94 to be made to Daniel Bradley of D R Bradley Bikes (Concession 8A) Wildwood Crest, NJ 08260, 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. 991-17**

WHEREAS, Atlantic City Electric, 5100 Harding Highway, Mays Landing, NJ 08330, made an escrow payment of \$1,400.00 to the Borough of Wildwood Crest on February 7, 2017 for street opening permit #SO17-0402 for property located at 200 East Sweetbriar Road, Wildwood Crest, New Jersey; and

WHEREAS, the escrow used totaled \$180.00 and the Chief Financial Officer has requested the return of the unused escrow fee of \$1,220.00; and

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 of escrow fee in the amount of \$1,220.00 to be made payable to Atlantic City Electric, 5100 Harding Highway, Mays Landing, NJ 08330, for the reasons set forth above.

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. 992-17**

WHEREAS, Atlantic City Electric, 5100 Harding Highway, Mays Landing, NJ 08330, made an escrow payment of \$1,400.00 to the Borough of Wildwood Crest on November 16, 2016 for street opening permit #SO16-1101 for property located at 121 West Buttercup Road, Wildwood Crest, New Jersey; and

WHEREAS, the escrow used totaled \$180.00 and the Chief Financial Officer has requested the return of the unused escrow fee of \$1,220.00; and

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 of

escrow fee in the amount of \$1,220.00 to be made payable to Atlantic City Electric, 5100 Harding Highway, Mays Landing, NJ 08330, for the reasons set forth above.

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. 993-17

WHEREAS, Atlantic City Electric, 5100 Harding Highway, Mays Landing, NJ 08330, made an escrow payment of \$1,000.00 to the Borough of Wildwood Crest on March 23, 2017 for street opening permit #SO17-0306 for property located at 138 West Heather Road, Wildwood Crest, New Jersey; and

WHEREAS, the escrow used totaled \$180.00 and the Chief Financial Officer has requested the return of the unused escrow fee of \$820.00; and

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 of escrow fee in the amount of \$820.00 to be made payable to Atlantic City Electric, 5100 Harding Highway, Mays Landing, NJ 08330, for the reasons set forth above.

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. 994-17

WHEREAS, Regular Member Herbert Hornsby of the Zoning Board has submitted his resignation, and

WHEREAS, Mayor Carl H. Groon has determined that Fred Mettler, should fill the vacancy of Herbert Hornsby for the unexpired term ending December 31, 2018, and

WHEREAS, Fred Mettler, currently serves as a Regular Member of the Planning Board, and Mayor Carl H. Groon has recommended that Fred Mettler serve as a Liaison to both Planning and Zoning Boards; and

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

1. FRED METTLER serve as a Regular Member of the Zoning Board for the unexpired term of Herbert Hornsby ending December 31, 2018
2. FRED METTLER serve as Liaison to both Planning and Zoning Boards through December 31, 2018

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. FRED METTLER serve as a Regular Member of the Zoning Board for the unexpired term of Herbert Hornsby ending December 31, 2018
2. FRED METTLER serve as Liaison to both Planning and Zoning Boards through December 31, 2018

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

Vote: Gould - Cabrera - Groon – Yes

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

Vote: Gould - Cabrera - Groon – Yes

Mrs. Gould motioned, seconded by Mr. Cabrera, that all reports received from the Chief Financial Officer, Tax Collector, Court Administrator, and the Chief of Police for the month ending May 31, 2017 be approved as presented.

Vote: Gould - Cabrera - Groon – Yes

Mrs. Gould motioned, seconded by Mr. Cabrera, that all minutes from Commission Meetings dated May 24<sup>th</sup>, June 7<sup>th</sup>, and June 17<sup>th</sup>, 2017 be approved as presented.

Vote: Gould - Cabrera - Groon – Yes

The Mayor asked the Clerk to add a section before Public Commentary for a report by the Administrator. The Clerk indicated it would be done moving forward.

**Public Commentary:**

The Mayor opened the floor for public commentary. Hearing nothing from the public, the Mayor opened New Business.

Hearing nothing further from the public, the Mayor opened New Business.

**New Business:**

There was no New Business to discuss.

**Old Business:**

With regard to Old Business, the Mayor indicated that the school as a potential location for emergencies and implementing a generator was too costly. The Board was advised to look at other alternatives.

The Army Corp Beach Plan was the next topic and the Administrator indicated that she spoke with the Engineer as well as the DEP and there is forward momentum and she received positive feedback with shifting the dune.

Sunset Lake / Kayak Launch was the next topic and the Administrator indicated the Borough received an updated plan and would share with the Board to discuss.

Commissioner Cabrera went back to the Emergency Generator topic. He asked what other facilities had kitchen facilities besides the school, Crest Pier and the Wildwood Crest Volunteer Fire Company. The Mayor indicated that the Fire Company has a generator. The Administrator indicated that an agreement would need to be entered into in order to use the facility. She further added that FEMA would give \$75,000 and to properly incorporate a 500 kw generator and have infrastructure enabled would be extremely costly. Discussions ensued about warming stations and that it is not desirable to keep people overnight. In cases where there is a major storm, it is advisable to get off of the island. Also several factors included the number of people that it could service and staffing the facility. The Administrator added that the County sends people to the Woodbine Development Center and that it is not a requirement to have one. The Mayor then added that it was advisable to look elsewhere.

The floor was opened once again for public commentary. Hearing nothing further from the public regarding the Public Commentary portion, Mrs. Gould motioned, seconded by Mr. Groon that the meeting be adjourned. Both commissioners were in favor. All were in favor. The time was 5:48 p.m.

Dated: July 19, 2017

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Patricia A. Feketics, Borough Clerk

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