

Note: Complete Meeting Appears
on 13-17 on file in
Borough Clerk's Office

June 7, 2017
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 e-mailing and same to the Gazette-Leader, Herald of Cape May County and The Press on December 1, 2016.

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 1256 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. 1256

AN ORDINANCE AUGMENTING AND AMENDING CHAPTER 21 –
CLAIMS PROCEDURE - OF THE CODE OF THE BOROUGH OF
WILDWOOD CREST, COUNTY OF CAPE MAY AND STATE OF NEW
JERSEY, AND AMENDING ORDINANCE NO. 965 ADOPTED SEPTEMBER
13, 2004

Mrs. Gould motioned, seconded by Mr. Cabrera, that a public hearing now be held on Ordinance No. 1256.

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. 1256 now be closed.

Vote: Gould - Cabrera - Groom – Yes

Mrs. Gould motioned, seconded by Mr. Cabrera, that Ordinance No. 1256 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. 979-17

**SUBJECT: A RESOLUTION AUTHORIZING APPROVAL OF CHANGE ORDER NUMBER 1 –
PACIFIC & EAST ASTER SEWER REPAIR**

RECONSTRUCTION OF PACIFIC AVENUE CONTRACT NO. M-1

WHEREAS, Landberg Construction, LLC, of Mays Landing, New Jersey was awarded the contract known as Reconstruction of Pacific Avenue Contract No. M-1 via Resolution No. 927-17 on March 13, 2017; and

WHEREAS, due to the condition of the 8” sewer main at the intersection of Aster Road and Pacific Avenue, the Engineer, Jeremy Edinger, P.E. of Mott MacDonald has recommended that the remaining sewer main that extends from the centerline of Pacific Avenue to the east for approximately 24 feet to the nearest manhole be replaced to avoid future emergencies; and

WHEREAS, Jeremy Edinger, P.E. of Mott MacDonald has reviewed the proposal for various items and approves Change Order Number 1- Pacific & East Aster Sewer Repair in the net addition in the Contract Price of \$16,330.00 and revising the Contract Price to \$1,296,242.75

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- Pacific and East Aster Sewer Repair- increasing the total contract amount by \$16,330.00 and revising the contract price to \$1,296,242.75 be and the same is hereby approved.

AND BE IT FURTHER RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May and State of New Jersey, as follows:

1. That the allegations of the preamble hereto are incorporated hereby in reference as if fully set forth.
2. That the Mayor and Borough Clerk of the Borough of Wildwood Crest be and they are hereby authorized and directed to execute and attest said change order documents on behalf of the Borough of Wildwood Crest.

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. 980-17

WHEREAS, Resolution No. 738-16 was approved on July 27, 2016 cancelling several appropriation line items categorized as grants or grants in aid including the Municipal Court Alcohol Education Rehabilitation and Enforcement Fund in error, and

WHEREAS, during a recent audit it was revealed that said appropriation line item was inadvertently cancelled and is necessary to the continued, efficient operation of the municipal court; and

WHEREAS, the Municipal Court Alcohol Education Rehabilitation and Enforcement Fund must be reinstated retroactively to the date of cancellation.

NOW THEREFORE BE IT RESOLVED, that the Board of Commissioners of the Borough of Wildwood Crest hereby reinstates the Municipal Court Alcohol Education, Rehabilitation and Enforcement fund retroactively to July 27, 2016 .

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

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 981-17

WHEREAS, the Borough of Wildwood Crest owns the Crest Pier Recreation Facility; and

WHEREAS, the Borough wishes to dedicate a Game Room within the Facility to Army Veteran and lifelong resident, John Pantalone; and

WHEREAS, John Pantalone served the Borough as Mayor from 1981-1985 and 1993-2005 and also held the position of Recreation Director; and

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

1. The Board of Commissioners of the Borough of Wildwood Crest dedicates the Game Room in Crest Pier in honor of Former Mayor, John Pantalone.
2. This resolution shall take effect immediately upon its adoption.

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

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 982-17

**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 2017 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.

56.03-3-C0105 2017 Tax	Green, Dennis Etals 407 E Palm Rd Mortgage Company & Title Company paid For 2017 2 nd quarter. Refund overpayment to: CitiMortgage, Inc. PO Box 23689 Rochester, NY 14692	Amount \$1,125.34
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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 7, 2017.

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. 983-17

WHEREAS, on December 22, 2016, a refund check was issued to CARIBBEAN CAB LLC in the amount of ONE HUNDRED TWELVE DOLLARS AND FIFTY CENTS (\$112.50); and

WHEREAS, at the request of ALAN TROST, 19 Marlyn Dr, Rio Grande, NJ 08242, sole member of CARIBBEAN CAB LLC, who does not have a corporate account, that the refund payment be made to him personally; and

WHEREAS, the Board of Commissioners has determined that the reissuance of the 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 reissue a new refund check payable to ALAN TROST, 19 Marlyn Dr, Rio Grande, NJ 08242 in the amount of ONE HUNDRED TWELVE DOLLARS AND FIFTY CENTS (\$112.50).

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

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 984-17

WHEREAS, on April 19, 2017, JOHN M VOGEL, PRESIDENT, DEVO LLC, 18 Ivanhoe Dr, Robbinsville, NJ 08691, paid the 2017 mercantile license fee of THREE HUNDRED NINETY DOLLARS (\$390) for the rental of ROYAL BEACH CONDO UNIT C0405, 450 E Nashville Ave; and

WHEREAS, on May 25, 2017, JOHN M VOGEL, PRESIDENT, DEVO LLC, a refund check was issued to , Robbinsville, NJ 08691, requested a full refund of the mercantile fee due to sale of property to William Zak, who has subsequently applied and paid for the 2017 mercantile license on May 26, 2017; 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 THREE HUNDRED NINETY DOLLARS (\$390) to be made to JOHN M VOGEL, PRESIDENT, DEVO LLC, a refund check was issued to , Robbinsville, NJ 08691 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. 985-17

WHEREAS, on May 30, 2017, 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 6, 2017, 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, JOHN M VOGEL, PRESIDENT, DEVO LLC, a refund check was issued to , Robbinsville, NJ 08691 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 JOHN M VOGEL, PRESIDENT, DEVO LLC, a refund check was issued to , Robbinsville, NJ 08691 for the purpose of a YOUTH REGATTA to be held on JULY 6, 2017, the rental of ROYAL BEACH CONDO UNIT C0405, 450 E NASHVILLE AVE

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. 986-17

WHEREAS, on April 24, 2017, MYRON M. BYTZ-LYS SPORTS ACADEMY/USCAK, 36 Mountainside Dr, Randolph, NJ 07869, applied for a Special Events Permit for the purpose of a VOLLEYBALL AND BEACH SOCCER TOURNAMENT to be held on AUGUST 24-25, 2017 (rain date August 26, 2107), from 9:00 AM to 5:00 PM, on the ASTER RD - CROCUS RD BEACH in front of the PAN AMERICAN HOTEL; and

WHEREAS, on May 10, 2017, Resolution 962-17 was adopted authorizing issuance of a special events permit for a VOLLEYBALL TOURNAMENT to MYRON M. BYTZ – LYS SPORTS ACADEMY/USCAK, a refund check was issued to , Robbinsville, NJ 08691 and permit #14-17 was issued for a VOLLEYBALL TOURNAMENT; and

WHEREAS, the special event permit must be amended to include the BEACH SOCCER TOURNAMENT; and

WHEREAS, the Board of Commissioners has determined that an amendment 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 Borough Clerk be and she is hereby authorized and directed to amend Special Events Permit #14-17 issued to JOHN M VOGEL, PRESIDENT, DEVO LLC, a refund check was issued to , Robbinsville, NJ 08691 for the purpose of a “VOLLEYBALL and BEACH SOCCER TOURNAMENT.”

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

Administrator’s Report:

The Administrator gave a brief report.

Pacific Avenue

Project completion is on schedule for June 15th. Remaining work from Cardinal to Cresse with base course down by end of the week with top coat of entire project area and striping done ongoing next week.

SJ GAS Projects

Garden State Construction will be on site on Thursday to perform an emergency sewer repair in the area of 303 E Sweetbriar Road on Thursday. The gas company’s paving crew is milling the

200 block of Sweetbriar today (hence why that block is closed). In order to not disrupt the progression of the paving, the paving crew will leave only the 300 block of Sweetbriar milled over the weekend so that it can be paved the beginning of next week. This would mean the street would be left approximately 2" low, which is the maximum allowable lip transition between existing asphalt and milled surfaces. All other streets that they are milling will be paved before the weekend.

Paving

- All Phase 1 paving will be completed this week;
- All Phase 2 paving will be completed next week;
- All Phase 3 paving is completed.
- Paving of all other streets included in the Grid #1 project will be paved when their paving crews return in the fall.

Maps of the different projects are attached.

Gas Service and Main Installation

For the Grid #1 project, all proposed main has been installed and streets patched.

With the exception of a few houses here or there due to the sometimes difficult coordination with non-permanent residents, the following streets have been completed:

- 100 block Denver Avenue
- 200 block E Toledo Avenue
- 200 block E St. Paul Avenue
- 100 and 200 blocks of E Monterey Avenue
- 100 block W Newark Avenue
- 200 block E Miami Avenue
- 100 block W Toledo Avenue (anticipated completion this week)

Work will continue on various other streets that are remaining in the Grid #1 project until June 15th.

Paving to occur no earlier than Oct 1, 2017

Kayak Launch

According to Tom Thornton, Engineer, the design phase should be complete by the end of the week. It is expected that the plan will be submitted to the appropriate agencies for a pre-application meeting and to FEMA for their review next week.

These items are pending:

1. An additional mat at the south end up against the Morey property bulkhead;
2. Identification of the line of rocks to be removed along the toe of the slope;
3. A typical cross-section of the stabilized slope; and
4. Proposed wetlands mitigation plan, which Steve is working on now.

A meeting with our engineer is scheduled for this Friday to go over the preliminary plan for submittal.

Generator Project

Mott MacDonald submitted a report dated June 5th that indicates that a larger capacity generator is needed for the Crest Memorial School. Upon initial investigation available records did not reflect actual conditions. After on-site investigation and testing of the electrical system it has been determined that the building's electrical power distribution system cannot accommodate a standby generator which would require a separation of the service disconnect breaker for the power distribution system and the installation of an automatic transfer switch between them. It has also been determined that the key electrical loads are not grouped together and that breakers and feeders are spread among different power feeders throughout the facility. MM has provided an alternate to our original proposal that includes the installation of a much larger capacity generator- 500KW, 208/120 Vac generator set. This will require the installation of other equipment as listed in the report at a total cost for the project estimated at \$360,000. FEMA grant monies for the generator total \$

Beach Signage

DRAFT beach sign presented to the governing body. Signs will indicated street location at top and highlight some prohibitions. Language was softened a bit so as not have a list of

things you can't do. Commissioner Gould wanted me to look at a sign she has produced with "Leave only footprints" in them. Language sent to ACMJIF for review for limit of liability on Monday. The Assistant Director- Paul Forlenza will provide recommendation on Thursday. 2 additional signs will be ordered that indicate our designations as Trip Advisor Hot Spot and One of New Jersey's Top Ten Best Beaches.

After the Administrator's report, the Mayor asked the Administrator about the Kayak Launch and FEMA and she indicated there is a meeting scheduled for Friday with an Engineer from Mott MacDonald and the proposed location.

Public Commentary:

Chief Joseph McGrath indicated that Landberg Construction and Tim Clark from Mott MacDonald were doing an excellent job and were very accommodating. He believed they were on target and he personally spoke with business owners on Pacific Avenue to let them know.

Dennis Travascio, 112 E. Louisville Avenue, asked how the election was received at the new polling place. Commissioner Gould responded that the county supplied too many workers and that it was being addressed.

New Business:

There was nothing for new business.

Old Business:

With regard to Old Business, The Mayor indicated that a report just came with respect to the emergency generator and they would need to review with the Chief and report back. The Army Corp Beach Plan was the next topic and the Administrator indicated she had a conversation with the DEP and it seemed positive. With nothing further to update in old business, the Mayor added that the recent room dedication to John Pantalone was well done and congratulated Commissioner Cabrera.

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. Cabrera that the meeting be adjourned. All were in favor. The time was 9:47 a.m.

Dated: June 21, 2017

Patricia A. Feketics, Borough Clerk

