

Note: Complete Meeting Appears
on 21-17 on file in
Borough Clerk's Office

September 6, 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. Gould 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 RESOLUTION BY TITLE:

RESOLUTION NO. 1023-17

**Authorizing Retention Via Professional Services Agreement
Of An Engineer Specializing In ADA Improvements on Roadways**

WHEREAS, the Borough of Wildwood Crest requires the professional services of an Engineering firm specializing in ADA Improvements on Roadways; and

WHEREAS, it is desired to employ a professional, pursuant to law, who is duly trained, experienced and specialized in the area of 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 DeBlasio & Associates, of Wildwood, New Jersey is qualified to perform said work and it is desired to enter a professional contract with DeBlasio & Associates for said services pursuant to law, and to provide for the advertising of a notice pursuant to law; and

WHEREAS, the firm DeBlasio & Associates, has completed and submitted a Business Entity Disclosure Certification which certifies that DeBlasio & Associates, will not make any reportable contributions pursuant to N.J.S.A. 19:44A-1 commencing July 19, 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. The firm **DeBlasio & Associates**, of Wildwood, New Jersey is hereby retained as Engineer to provide specialized professional services for Pacific Avenue ADA Improvement Project, which is being completed by Lexa Concrete, for the period not to exceed one year. 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 Safety and Borough Clerk be and they are hereby authorized and directed to enter into a contract with the firm DeBlasio & Associates of Wildwood, New Jersey for specialized professional services for the Pacific Avenue ADA Improvement Project, which is being completed by Lexa Concrete, for the period indicated above, which contract shall provide for payment at the not to exceed amount of **Five Thousand (\$5,000) 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 - Groon – Yes

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:
RESOLUTION NO. 1024-17

WHEREAS, DANIELLE ZICCARDI, 2720 South 17th Street, Philadelphia, Pennsylvania 19145, has paid Six Hundred Twenty Five (\$625.00) Dollars (check #117) to the Borough of Wildwood Crest for the enrollment of her son, Joseph Ziccardi, in the Pier Playmates Program, Sessions One and Two; and

WHEREAS, due to unforeseen circumstances, Danielle Ziccardi was required to withdraw her son from the first session camp; and

WHEREAS, Resolution No. 1006-17 authorized a refund of \$375.00 for the First Session; and

WHEREAS, Joseph Ziccardi was unable to attend the Pier Playmates Program, Second Session, as well;

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 be and is hereby authorized and directed to issue a refund for the Second Session Crest Pier Playmates Program in the amount of **Two Hundred Fifty (\$250.00) Dollars to DANIELLE ZICCARDI, 2720 South 17th Street, Philadelphia, PA 19145** for the withdrawal of her son, Joseph Ziccardi, from the Pier Playmates Second Session.

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. 1025-17

WHEREAS, on April 25, 2017 the Wildwood Crest Zoning Board considered the application of MARY MCKENNA; 4905 Pearson Ave., Philadelphia, PA 19114, owner of the property located at Block 113, Lot 55.02; a/k/a 113 e Nashville Ave., Wildwood Crest, New Jersey, for hardship variance in connection with the subject property; and

WHEREAS, subsequent to the approval of the application by the Wildwood Crest Zoning Board, MARY MCKENNA requested, by correspondence dated April 25, 2017, reimbursement of any monies remaining from the escrow fee; and

WHEREAS, the Wildwood Crest Zoning Board has recommended (Resolution No. ZB-17-16) the return of the \$600.00 balance of escrow fee;

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 be and is hereby authorized and directed to issue a refund of application fee and escrow fee in the amount of \$600.00 to MARY MCKENNA; 4905 Pearson Ave., Philadelphia, PA 19114.

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. 1026-17

WHEREAS, on October 16, 2012 the Wildwood Crest Zoning Board considered the application of KEES & ANGELA GUERDS; 102 Hinckle Ave., West Trenton, NJ 08628, owners of the property located at 7904 Atlantic Ave., unit 2; Block 117.01, lot 3 C0002., Wildwood Crest, New Jersey, for hardship variance in connection with the subject property; and

WHEREAS, subsequent to the approval of the application by the Wildwood Crest Zoning Board, KEES & ANGELA GUERDS requested, by correspondence dated October 16, 2012, reimbursement of any monies remaining from the escrow fee; and

WHEREAS, the Wildwood Crest Zoning Board has recommended (Resolution No. ZB-17-17) the return of the \$600.00 balance of escrow fee;

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 be and is hereby authorized and directed to issue a refund of application fee and escrow fee in the amount of \$600.00 to KEES & ANGELA GUERDS, 102 Hinkle Ave., West Trenton, NJ 08628.

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. 1027-17

Authorizing Fireworks Display at Seafarers' Celebration
On Saturday, September 23, 2017

WHEREAS, the Borough of Wildwood Crest annually sponsors an event known as "Seafarers' Celebration;" and

WHEREAS, it is the desire of the Board of Commissioners that a fireworks display be incorporated as a finale to the 2017 Seafarers' Celebration on September 23, 2017; and

WHEREAS, it is the desire of the Board of Commissioners to set forth policies and procedures for the implementation of said fireworks display;

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. A fireworks display be and the same is hereby authorized as a finale to the Seafarers' Celebration on Saturday, September 23, 2017, commencing approximately 9:00 p.m.
2. The fireworks exhibitor shall comply with any and all State of New Jersey Fire Code Regulations as apply to fireworks displays, as well as all Municipal Excess Liability Joint Insurance Fund requirements.
3. The fireworks exhibitor shall supply the Borough of Wildwood Crest with a Certificate of Liability Insurance in an amount not less than \$1,000,000, naming the Borough of Wildwood Crest as an additional insured.
4. The fireworks exhibitor shall execute an Indemnification and Hold Harmless Agreement on behalf of the Borough of Wildwood Crest.
5. The Borough of Wildwood Crest Recreation Supervisor, or his designee, shall coordinate the display, with the Borough Fire Official and the Fireworks Exhibitor, to the extent necessary to insure compliance with the foregoing, as well as any other required safeguards as provided by the Borough Fire Official to fully protect the public health, safety and welfare.
6. The Commissioner of Public Works and Facilities is hereby authorized to execute a contract with Schaefer Pyrotechnics, Inc. in the not to exceed amount of \$7,000.00.

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. 1028-17

TO MAINTAIN AND EXPAND THE J-1 "SUMMER WORK TRAVEL PROGRAM"

WHEREAS, the Borough of Wildwood Crest supports the continuation and protection of the U.S. State Department managed J-1 Visa Summer Work Travel Program, which allows international college students to come to the United States to work and travel for a period of up to four months during their summer break prior to returning to school in their home country, and

WHEREAS, the J-1 Visa Summer Work Travel Program provides important cultural diversity as well as a very important seasonal supplement to businesses in Cape May County and is integral to the success of our seasonal tourism industry, and

WHEREAS, the Summer Work Travel program was created to promote educational and cultural exchanges with other countries and has been an important public diplomacy tool for the Department of State and has a successful track record spanning over fifty years, and

WHEREAS, Tourism is the number one job creator in Cape May County and is the 3rd largest industry in New Jersey, and

WHEREAS, students who participate in the SWT in Cape May County provide a valuable asset to the local economy by enabling many seasonal businesses to be open when the local workforce is not available or sufficient in numbers; and

WHEREAS, although supplemental to our local workforce, if the SWT program were to be eliminated, Cape May County would experience huge economic losses due to our insufficient number of available local workers between March and October as well as the loss of jobs that are supported by the SWT program; and

WHEREAS, the Summer Work Travel Program students comprise a small, but important, part of our Cape May County Community; and

WHEREAS, inclusion in either federal legislative actions would have a devastating impact on the Summer Work Travel Program and therefore the Cape May County tourism economy;

NOW, THEREFORE, BE IT RESOLVED that that the Borough of Wildwood Crest recognizes the Summer Work Travel Program as an independent cultural, public diplomacy program overseen by the Department of State and further recognizes this program as a benefit to the Cape May County, New Jersey tourism economy; and;

BE IT FURTHER RESOLVED that we therefore urge Senator Bob Menedez and Senator Cory Booker to actively support the J-1 based Summer Work and Travel Program by signing the letter sponsored by Senator Ron Johnson and Senator Jeanne Shaheen that endorses continuation of this important, essential program that brings foreign students to our shores; and

BE IT FURTHER RESOLVED that we urge our Senators and the entire Congress to actively oppose any changes or amendments to this very successful program that contributes so much to our tourism economy as well generating the collateral national security benefits to the United States of America.

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. 1029-17

WHEREAS, on August 30, 2017, the NORTH AMERICAN POWER KITE ASSOCIATION (NAPKA), PO Box 1358, West Port, WA 98595, applied for a Special Events Permit for the purpose of a KITE BUGGY EVENT to be held from October 9, 2017 through October 15, 2017, from SUNRISE to SUNSET, on the ROSEMARY ROAD BEACH and HARD PACK SAND from HEATHER PIER to JEFFERSON AVE; and

WHEREAS, the NORTH AMERICAN POWER KITE ASSOCIATION (NAPKA), PO Box 1358, West Port, WA 98595 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 the NORTH AMERICAN POWER KITE ASSOCIATION (NAPKA), PO Box 1358, West Port, WA 98595 for the purpose of a KITE BUGGY EVENT to be held from October 9, 2017 through October 15, 2017, from SUNRISE to SUNSET, on the ROSEMARY ROAD BEACH and HARD PACK SAND from HEATHER PIER to JEFFERSON 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. 1030-17

WHEREAS, there exists the need for the “Professional Services” of a Tax Assessment Consultant to be retained by the Borough of Wildwood Crest in an advisory capacity to the Board of Commissioners, all as more specifically set forth in the attached agreement, which is made a part hereof by reference as if fully set forth herein; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq.) requires that the resolution authorizing the award of contracts for “Professional Services” without competitive bids must be publicly advertised; and

WHEREAS, Joseph Gallagher is experienced and capable of providing such services as provided herein.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, in the 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. That the Mayor and Deputy Borough Clerk be and they are hereby authorized, instructed and empowered to execute the attached agreement with Joseph Gallagher who shall be compensated by voucher at the agreed upon rate of \$50.00 per hour, not to exceed \$1,500.00, and whose rate/fee structure is contained in the aforesaid agreement and said "Independent Contractor" shall be required to comply with this Resolution and the attached Agreement.
3. This contract is awarded in accordance with the provisions of N.J.S.A. 40A:11-1, et seq. as an authorized exception to public bidding as a Professional Services Contract and has not been awarded in accordance with the open and fair process of the New Jersey Play to Pay Law, but all conditions required for the award have been met as set forth in N.J.S.A. 19:44A-1 to permit said award.
4. The award of this contract is contingent upon production of business registration certificate and disclosure entity certification and proof of insurance as required in the contract, and certification from the Chief Financial Officer as to the availability of funds.
5. A copy of the specific items pertaining to the award of this contract shall be published in a notice of award in The Herald of Cape May County as required by law within ten (10) days of this resolution authorizing same.

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. Mrs. Gould stated that our former Tax Assessor, Kevin Maloney, left a week ago and that this was Agreement with Mr. Gallagher was needed in the interim.
 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:

SJ GAS Projects

A map of South Jersey Gas's plan for the mill and pave of Grid 1 project it is here for your review. The contractor has been notified that they must schedule paving work for St. Louis Avenue the weekend of Columbus Day. SJ Gas will make arrangements.

Kayak Launch/Sunset Lake Shoreline Stabilization

The two (2) DEP Land Use Regulation Permits - Waterfront Development Permit and Coastal Wetlands Permit have been filed. I will be working with our Coastal Engineers to seek grant funding for the kayak/ paddle board launch.

Beach/ Dune Project

We expect to have our Coastal Engineer at an upcoming meeting to provide a report to the governing body that addressed two items that must be handled by NJDEP and USACE. They are: 1) the ponding in the back beach areas and 2) dune placement. Once the report is finalized and approved by the governing body at a future meeting it must be directed to the NJDEP-Coastal Engineering. They will in-turn forward our comments/report to the US Army Corps for design changes and additions.

Storm Drainage

I have received several calls from property owners in the south end of towns including Washington and Seaview Avenues. I have provided their comments to our engineer Marc DeBlasio who is now cataloging the information and performing inspections.

ENGINEER'S REPORT:**Grant Applications**

1. FY2018 NJDOT Local Aid
 - New Jersey Department of Transportation's (NJDOT) notified all municipalities that applications are being accepted for the FY2018 State Aid programs. The NJDOT is accepting applications for four (4) categories and they are: Municipal Aid, Transit Village, Bikeways, and Safe Streets to Transit.
 - The Borough will need to determine if an application will be submitted and identify the proposed application.
 - Applications are due October 6, 2017.
2. FY2018 NJDCA Small Cities Application
 - New Jersey Department of Community Affairs (NJDCA) notified all municipalities that applications are being accepted for the FY2018 State Aid programs.
 - The Borough has selected to submit for ADA improvements at various beach street end access points.
 - Applications are due September 15, 2017.

Capital Projects**Miscellaneous**

1. Storm Drainage-General
 - Our office is identifying and cataloging storm drainage complaints and flooding areas with an eye towards developing an overall and comprehensive flood mitigation solution.

PUBLIC COMMENTARY:

Rich Cioll, 9305 Seaview Avenue, voiced concern over drainage issues at the corners of Washington and Seaview avenues. He indicated the drainage capacity was insufficient regardless of tides. He added that his garage floods often, the mosquitoes are awful and believes that changing the grades would help. Commissioner Cabrera indicated that he and the Engineer have discussed the water issue and a comprehensive inspection was going to be done. The Mayor added that from St. Louis Avenue to Washington Avenue loses a foot of grade. Lastly, the Mayor added this was an issue and a priority for the Board to address.

Dennis Travasio, 112 E. Louisville Avenue, asked where the Fireworks would take place and Commissioner Cabrera stated they would take place at Centennial Park. He followed up with the Pacific Avenue resolution and asked if the County or State was sharing the costs and he was told that Rambler going north was a Municipal Road and therefore, the costs would be the Borough's.

Marie Nickerson, 8801 Seaview Avenue, asked about the hiring practice of the Borough and if residency gave an edge. The Administrator indicated that it depended on the classification of the job and since the Borough of Wildwood Crest is a Civil Service municipality, we must abide by statutes. She added that Statutory positions are unclassified and classified positions take into account scoring and veteran status. All things being equal, residency is certainly considered.

New Business: There was nothing for new business.

Old Business:

The Army Corps Beach Plan and Kayak Launch were discussed in the Administrator's report.

The Mayor skipped to the Proposed ADA Street Ends and indicated that it was referred to earlier in the Engineer's report.

With regard to the "Old Library," there were no updates.

After opening the floor once more, and hearing nothing further from the public, Mrs. Gould motioned and Mr. Cabrera seconded that the meeting be adjourned. All were in favor. The time was 9:47 a.m.

Dated: September 20, 2017


Patricia A. Fekettes, Borough Clerk





