

Note: Complete Meeting audio recorded
02-18

January 24, 2018
Wildwood Crest, NJ

The Mayor led those present in the Pledge of Allegiance to the Flag.

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

Gould - Thompson - Cabrera - YES

Mr. Cabrera 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 November 1, 2017.

Mr. Cabrera 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. Thompson, that Ordinance 1263 be placed on second and final passage by title only.

Vote: Gould – Thompson - Cabrera – Yes

THE CLERK READS THE FOLLOWING ORDINANCE BY TITLE:

ORDINANCE NO. 1263

AN ORDINANCE AUGMENTING AND AMENDING CHAPTER 74-TOURIST DEVELOPMENT COMMISSION OF THE CODE OF THE BOROUGH OF WILDWOOD CREST ORDINANCE NO. 582 ADOPTED FEBRUARY 8, 1983 AND ORDINANCE NO. 1027 ADOPTED FEBRUARY 21, 2007

Mrs. Gould motioned, seconded by Mr. Thompson, that a public hearing now be held on Ordinance No. 1263.

Vote: Gould – Thompson - Cabrera – Yes

Mrs. Gould motioned, seconded by Mr. Thompson, that the public hearing on Ordinance No. 1263 now be closed.

Vote: Gould – Thompson - Cabrera – Yes

Mrs. Gould motioned, seconded by Mr. Thompson, that Ordinance No. 1263 be passed on second and final reading and advertised according to law.

Vote: Gould – Thompson - Cabrera – Yes

Mrs. Gould motioned, seconded by Mr. Thompson, that Ordinance 1264 be placed on second and final passage by title only.

Vote: Gould – Thompson - Cabrera – Yes

THE CLERK READS THE FOLLOWING ORDINANCE BY TITLE:

ORDINANCE NO. 1264

AN ORDINANCE AUGMENTING AND AMENDING CHAPTER 40-LICENSES OF THE CODE OF THE BOROUGH OF WILDWOOD CREST, COUNTY OF CAPE MAY AND STATE OF NEW JERSEY, AMENDING ORDINANCE NO 498 ADOPTED OCTOBER 27, 1976; ORDINANCE NO. 745 ADOPTED JULY 15, 1991;

ORDINANCE NO. 831 ADOPTED JULY 9, 1997; ORDINANCE 859 ADOPTED MAY 26, 1999; ORDINANCES 1223 AND 1227 ADOPTED NOVEMBER 18, 2015

Mrs. Gould motioned, seconded by Mr. Thompson, that a public hearing now be held on Ordinance No. 1264.

Vote: Gould – Thompson - Cabrera – Yes

Mrs. Gould motioned, seconded by Mr. Thompson, that the public hearing on Ordinance No. 1264 now be closed.

Vote: Gould – Thompson - Cabrera – Yes

Mrs. Gould motioned, seconded by Mr. Thompson, that Ordinance No. 1264 be passed on second and final reading and advertised according to law.

Vote: Gould – Thompson - Cabrera – Yes

Mrs. Gould motioned, seconded by Mr. Thompson, that Ordinance 1265 be placed on second and final passage by title only.

Vote: Gould – Thompson - Cabrera – Yes

THE CLERK READS THE FOLLOWING ORDINANCE BY TITLE:

ORDINANCE NO. 1265

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 56 OF THE CODE OF THE BOROUGH OF WILDWOOD CREST, COUNTY OF CAPE MAY AND STATE OF NEW JERSEY, RECREATION COMMISSION, SECTION 56-3, APPROVING AND CONFIRMING RATES AND FEES FOR THE RENTAL OF FACILITIES, PARTICIPATION IN CERTAIN EVENTS AND ACTIVITIES, AND FOR THE DEVELOPMENT AND IMPLEMENTATION OF OTHER REQUIREMENTS APPERTAINING THERETO, AND AMENDING AND AUGMENTING, ORDINANCE NO. 824, ADOPTED MARCH 12, 1997, ORDINANCE NO. 851, ADOPTED FEBRUARY 8, 1999, ORDINANCE NO. 889, ADOPTED NOVEMBER 28, 2001, ORDINANCE NO. 924, ADOPTED JANUARY 6, 2003, ORDINANCE NO. 992 ADOPTED JANUARY 18, 2006, ORDINANCE NO. 1035 ADOPTED APRIL 4, 2007, ORDINANCE NO. 1048 ADOPTED NOVEMBER 26, 2007, ORDINANCE NO. 1059 ADOPTED MARCH 19, 2008, ORDINANCE NO. 1069 ADOPTED FEBRUARY 25, 2009, ORDINANCE NO. 1090 ADOPTED JANUARY 27, 2010, ORDINANCE NO. 1103 ADOPTED JULY 21, 2010, ORDINANCE NO. 1137 ADOPTED JANUARY 25, 2012, AND ORDINANCE NO. 1167 ADOPTED MAY 8, 2013, ORDINANCE 1180, ADOPTED DECEMBER 11, 2013, AND ORDINANCE NO. 1230 ADOPTED DECEMBER 28, 2015

Mrs. Gould motioned, seconded by Mr. Thompson, that a public hearing now be held on Ordinance No. 1265.

Vote: Gould – Thompson - Cabrera – Yes

Mr. Vince Nardini, 222 E. Hollywood Avenue, asked for clarification if the highlighted sections were the ones that were amended. Commissioner Gould confirmed the changes were highlighted.

Mrs. Gould motioned, seconded by Mr. Thompson, that the public hearing on Ordinance No. 1265 now be closed.

Vote: Gould – Thompson - Cabrera – Yes

Mrs. Gould motioned, seconded by Mr. Thompson, that Ordinance No. 1265 be passed on second and final reading and advertised according to law.

Vote: Gould – Thompson - Cabrera – Yes

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 63-18

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING AWARD OF PROFESSIONAL SERVICE CONTRACT FOR CONFLICT SOLICITOR FOR THE BOROUGH OF WILDWOOD CREST ZONING BOARD OF ADJUSTMENT AND PLANNING BOARD

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest has determined that there exists the need for a “Professional Services” Conflict Solicitor for the Borough of Wildwood Crest Zoning Board and Planning Board, and

WHEREAS, Avery Teitler, of Teitler and Teitler, LLC, is authorized to act as “conflict” counsel for the Wildwood Crest Zoning Board in connection with Docket number CPM-L-80-17-Complaint in Lieu of Prerogative Writ and Planning Board; 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, the Commissioners of the Borough of Wildwood Crest concur with the Zoning Board’s recommendation as well as the Planning Board’s recommendation to appoint of Avery Teitler to serve as the Conflict Counsel for the Zoning Board to handle all legal work necessary to defend the Complaint in Lieu of Prerogative Writ as mentioned herein as well as for the Planning Board; and

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

Account Number(s) _____ Amount _____

Signature _____

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. This contract is awarded in accordance with the provisions of N.J.S.A. 40A:11-1 et seq. as an authorized exception to the public bidding as a Professional Services Contract and has not been awarded in accordance with the open and fair process of the New Jersey Pay to Play 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.

2. The award of this contract is contingent upon production of the Business Entity Disclosure Certificate, Affirmative Action Compliance Notice, New Jersey Certificate of Employee Information Report, New Jersey Business Registration Certificate and proof of insurance as required in the contract and certification from the Chief Financial Officer as to the availability of funds.

3. That the Mayor and Borough Clerk be and they are hereby authorized, instructed and empowered to execute the attached agreement effective immediately through December 31, 2018, with Avery Teitler, who shall be compensated pursuant to attached agreement, at the billable rate of \$160.00 per hour not to exceed \$9500.00.

4. That the Business Disclosure Entity Certification shall be placed on file with this Resolution and that a Notice of Award shall be published in *The Herald of Cape May County* as required by law within ten (10) days of passage of this Resolution.

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

Vote: Gould -- Thompson -- Cabrera – Yes

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 64-18

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING AWARD EXTRAORDINARY UNSPECIFIABLE SERVICES CONTRACT FOR NETWORK SUPPORT / INFORMATION TECHNOLOGY SPECIALIST

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest has determined that there exists the need for the “Extraordinary Unspecifiable Services” of a NETWORK SUPPORT / INFORMATION TECHNOLOGY SPECIALIST, to be retained by the Borough for all Police Department hardware and software systems for internal operation as directed by the authorized representatives of the Borough of Wildwood Crest, all as more specifically set forth in the Contract attached hereto which is incorporated 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 “Extraordinary Unspecifiable Services” without competitive bids must be publicly advertised; and

WHEREAS, Richard Graver d/b/a Media Passport has completed and submitted a Business Entity Disclosure Certification which certifies that he will not make any reportable contributions pursuant to N.J.S.A. 19:44A-1 *et seq.* commencing January 1, 2018 to any political committee or candidate through the term of this contract; and

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

Account Number(s) _____ Amount _____

Signature _____

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. The above recital paragraphs are incorporated herein as if set forth at length.
2. The aforesaid Contract is awarded without competitive bidding as a “Extraordinary Unspecifiable Service” under the provisions of the Local Public Contracts Law pursuant to N.J.S.A. 40A:11-5 which states that no local unit shall be required to advertise for bids for services rendered or performed by a person authorized by law to practice a recognized profession and whose practice is regulated by law, or to advertise for bids for services which are of such a qualitative nature as will not reasonably permit the drawing of specifications or the receipt of competitive bids, all of which classification the aforesaid contract falls within.
3. The contractor shall be required to comply with the terms and conditions of the Resolution and the Contract and contractor is further required to comply with all other conditions/provisions of law or regulation applicable to an “Extraordinary Unspecifiable 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 the Contract.
4. The Mayor and Borough Clerk be and they are hereby authorized, instructed, and empowered to execute the attached Contract with Richard Graver d/b/a Media Passport, who shall be compensated by voucher at the agreed upon rate of \$120.00 per hour, not to exceed \$5,500.00.
5. That the Business Disclosure Entity Certification shall be placed on file with this Resolution and that a Notice of Award shall be published in *The Herald of Cape May County* as required by law within ten (10) days of passage of this Resolution.

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

Vote: Gould -- Thompson -- Cabrera – Yes

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 65-18

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING AWARD OF THE RENTAL OF BEACH CONCESSION LOCATIONS FOR THE RENTAL OF BEACH UMBRELLAS, BEACH CHAIRS, APPROVED FLOTATION DEVICES AND THE SALE OF BOTTLED WATER ONLY 2018-2020.

WHEREAS, Notice to Bidders was re-advertised in the *Herald of Cape May County* on December 13, 2017 with receipt of sealed bids on December 29, 2017 for Beach Umbrella Concession in the Borough of Wildwood Crest pursuant to Local Public Contracts Law N.J.S.A. 40A:11-1 *et seq.*; and

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest (the “Board of Commissioners”) has reviewed the recommendations made by the Bid Opening Committee and the Borough Solicitor recommending the award to Sunbrellas, Inc. t/a Billy’s Beach Service, LLC; and

WHEREAS, Sunbrellas, Inc. t/a Billy’s Beach Service, LLC was the sole responsive bidder and submitted an overall bulk bid amount of \$121,500.00, over a three (3) year lease period, for the lease of all six (6) specified locations - as precisely defined and contained in the bid documents which are made a part hereof by reference as if fully set forth - otherwise known as Concession A, Concession B, Concession C, Concession D, Concession E, and Concession F, situate on the beach in the Borough of Wildwood Crest, and permitted to be utilized for the rental of beach umbrellas, beach chairs, and approved flotation devices, and sale of water only.

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 as a result of sealed bidding being received, it is hereby determined to be in the best interest of the Borough of Wildwood Crest to accept the sole bid, and award to Sunbrellas, Inc. t/a Billy’s Beach Service, LLC the said six (6) concession rentals and bid amount set forth hereinabove for calendar years 2018, 2019, and 2020.

BE IT FURTHER RESOLVED, that Don Cabrera, Mayor of the Borough of Wildwood Crest, and Patricia A. Feketics, Borough Clerk, be and they are hereby authorized, instructed and empowered to execute and attest the Lease by and between the Borough of Wildwood Crest and Sunbrellas, Inc. t/a Billy’s Beach Service, LLC, incorporating all of the terms and conditions of the above successful umbrella concession rental bid.

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

Vote: Gould -- Thompson -- Cabrera – Yes

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 66-18

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST DESIGNATING CERTAIN CAPITAL PROJECTS TO FALL UNDER PURVIEW OF SPECIFIC COMMISSIONERS

WHEREAS, in accordance with the provisions of N.J.S.A. 40:70-76 the “Commission Form of Government Law”, the executive, administrative, judicial and legislative powers and duties are to be exercised by the Board of Commissioners who shall have complete control over the affairs of this municipality; and

WHEREAS, for the purposes of specific Capital Expenditures, the below Commissioners shall have supervision and direction over the below Capital Projects.

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. The Commissioner of Public Affairs and Public Safety shall have charge of supervision and direction over:
 - Sunset Lake Shoreline Stabilization and Storm Damage Repairs
 - Old Library – 6301 Ocean Avenue

2. The Commissioner of Public Works and Parks and Public Property shall have charge of supervision and direction over:
 - USACE Beach & Dune Construction
 - The Wildwood Crest Beachfront Public Access Improvements- Multi-Use Path
 - Sunset Lake Dredging of State Channel

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

Vote: Gould -- Thompson -- Cabrera – Yes

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 67-18

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST REFUNDING OVERPAYMENT ON PROPERTY TAXES OR UTILITY PAYMENTS

WHEREAS, the properties listed below received a Cape May County Tax Board Judgment granting a successful added/omitted assessment appeal in accordance with N.J.S.A. 54:3-27.2, and

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

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Commissioners of the Borough of Wildwood Crest, County of Cape May, State of New Jersey, that the Chief Financial Officer is hereby authorized to execute the below refunds as soon as practicable and the Tax Collector shall mark the records accordingly to reflect said refund:

56.02-1 2017 Added Tax	ADAL, LLC 6701 Seaview Ave. Added Assessment plus Interest For 2017 4 th quarter added assessed value Refund overpayment to	Amount
	North Wildwood United Methodist Church 2 nd & Central Ave North Wildwood, NJ 08260	\$101.49
	ADAL, Inc 8600 Bayview Dr. Wildwood Crest, NJ 08260	\$358.86
	Title Company of Jersey 5100 New Jersey Ave. Wildwood, NJ 08260	\$6,244.25

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

Vote: Gould -- Thompson -- Cabrera – Yes

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 68-18

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST REFUNDING OVERPAYMENT ON PROPERTY TAXES OR UTILITY PAYMENTS

WHEREAS, the properties listed below received a Cape May County Tax Board Judgment granting a successful added/omitted assessment appeal in accordance with N.J.S.A. 54:3-27.2, and

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

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Commissioners of the Borough of Wildwood Crest, County of Cape May, State of New Jersey, that the Chief Financial Officer is hereby authorized to execute the below refunds as soon as practicable and the Tax Collector shall mark the records accordingly to reflect said refund:

		Amount
56.02-11	ADAL, LLC	
2017 Added Tax	6701 Seaview Ave.	\$1,595.97
	Added Assessment plus Interest	
	For 2017 4 th quarter added assessed value	
	Refund overpayment to	
	North Wildwood United Methodist Church	
	2 nd & Central Ave	
	North Wildwood, NJ 08260	

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

Vote: Gould -- Thompson -- Cabrera – Yes

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 69-18

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING NOTICE OF AVAILABILITY OF REQUESTS FOR QUALIFICATIONS AND PROPOSALS APPRAISAL AND VALUATION SERVICES

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest has determined that there exists the need for requests for qualifications and proposals for appraisal and valuation services.

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 Borough Clerk be and she is hereby authorized, instructed and empowered to advertise Notice of Availability of Requests for Qualifications and Proposals in *The Herald of Cape May County* issue of January 31, 2018.

2. That Sealed Requests for Qualifications and Proposals will be received by the Municipal Clerk, Wildwood Crest Borough Hall, on **Wednesday, February 28, 2018 by 11:00 a.m.**, prevailing time, for furnishing the items hereinafter set forth in accordance with the Specifications on file in the Borough Hall. Said items are as follows:

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

Vote: Gould -- Thompson -- Cabrera – Yes

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 70-18

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING THE BOROUGH OF WILDWOOD CREST TO SEEK RESIDENTIAL VOLUNTEERS FOR COMMITTEES

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest is desirous of promoting community participation for volunteers for committees; and

WHEREAS, the Board of Commissioners has determined that public service is a valuable resource and it makes tremendous positive contributions to the quality of life for the citizens of the Borough; and

WHEREAS, in order to adequately meet the needs of its residents, it is in the interests of the Borough to provide ways in which community members can interact with each other to exchange information about needs and resources, become engaged in the planning and decision-making processes that affect them, and work together to achieve common goals; and

WHEREAS, expanding membership to the public provides additional resources of technical of knowledge and unique perspectives from the education and experience that member of the public can bring to the committees.

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. The Board of Commissioners reserves the right to seek public participation when committees are formed.

2. The names of the individuals appointed to all such committees shall be provided to the Municipal Clerk and remain on file for inspection.

3. A copy of this Resolution shall remain in the office of the Clerk.

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

Vote: Gould -- Thompson -- Cabrera – Yes

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 71-18

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING THE BOROUGH OF WILDWOOD CREST TO ESTABLISH THE “WILDWOOD CREST WELLNESS COMMITTEE”

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest have determined that it is in the best interests of the residents of the Borough of Wildwood Crest to formally create a “Wildwood Crest Wellness Committee” (also referenced herein as the Committee”) for the purpose(s) set forth below; and

WHEREAS, the purpose(s) of the Committee shall be to provide a community initiative to champion healthy and active living within the Borough of Wildwood Crest and improve overall health within the community; and

WHEREAS, it is intended that the Committee shall be advisory in nature, and that the Committee shall report its findings and recommendations to the Mayor and Governing Body for further action, as the Governing Body deems appropriate; and

WHEREAS, the Committee shall keep the Mayor and the Board of Commissioners informed of its work and shall report to the Board of Commissioners at the Board of Commissioner’s request; and

WHEREAS, the Committee shall be comprised of seven (7) members: 3 shall be Borough of Wildwood Crest employees and 4 shall be residents of the Borough of Wildwood Crest. They shall be appointed by the Board of Commissioners and serve, without compensation, at the pleasure of the Board of Commissioners; and

WHEREAS, the terms of the Committee members shall be effective for the 2018 calendar year; and

WHEREAS, the Committee shall appoint a Chair, and shall meet in accordance with the schedule as the Committee deems appropriate; and

WHEREAS, the Committee members will be indemnified for actions that are performed in the good faith performance of their duties.

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

1. A “Wildwood Crest Wellness Committee” is hereby established in and for the Borough, in accordance with the terms and conditions referenced above.

2. The names of the individuals appointed to the “Wildwood Crest Wellness Committee” shall be provided to the Municipal Clerk and remain on file for inspection.

3. A copy of this Resolution shall remain in the office of the Clerk.

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

Vote: Gould -- Thompson -- Cabrera – Yes

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 72-18

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST OPPOSING NEW JERSEY OFFSHORE OIL AND GAS ACTIVITIES

WHEREAS, on January 8, 2018, the federal Bureau of Ocean Energy Management (BOEM) announced in the Federal Register notice the release of their Draft Proposed Program (DPP) for the 2019-2024 Outer Continental Shelf Oil and Gas Leasing Program. BOEM is requesting public comment on the DPP as well as formal scoping for a Programmatic Environmental Impact Statement for the 2019-2024 Program; and

WHEREAS, the Borough of Wildwood Crest hereby acknowledges that the residents of Wildwood Crest desire a healthy, thriving, and sustainable future for themselves, future generations, and our ocean; and

WHEREAS, this new draft proposed oil and gas leasing plan includes the entire Atlantic Ocean from Maine to Florida, **including the waters off New Jersey within 3 miles of beaches**, as well as including other ocean areas totaling some 90% of US ocean waters; and

WHEREAS, New Jersey boasts over 127 miles of beautiful ocean coastline and hundreds of miles of back-bays, estuaries, and other waterways connected to the Atlantic Ocean; and

WHEREAS, the Jersey Shore is essential to the health of our communities, environment and the thriving economy of New Jersey; and

WHEREAS, the physical, hydrodynamic, and biological characteristics of the ocean off the Jersey Shore are unique in the world, as more than 300 species of fish, nearly 350 species of birds, 5 species of sea turtles, and many marine mammals such as 20 species of whales and dolphins, 1 species of porpoise, and 4 species of seals, frequent this region. Nine endangered species, four of which are whales, can be found in these ocean waters, including the Atlantic Right Whale, one of the world's most endangered marine mammals. The region also serves as an essential migratory pathway for many of these species; and

WHEREAS, the Jersey Shore sustains the economy of the region with its bounty of natural resources and intrinsic values for millions of people through tourism. Tourism brings more than \$32 billion to NJ's economy each year and provides jobs to more than 500,000 people; and

WHEREAS, recreational and commercial fisheries in NJ provide enormous economic benefits, including revenue, food production, and recreational activities. In 2014, recreational fishing supported nearly 20,000 jobs and resulted in \$2 billion of retail sales. Commercial fishing supports nearly 7,300 jobs and provides \$152 million in landings, not including restaurant and retail sales; and

WHEREAS, current estimates of the amount of technically recoverable oil off the entire Atlantic coast from Maine to Florida would only last the nation approximately 229 days, and the amount of technically recoverable gas would only last approximately 562 days; and

WHEREAS, offshore oil and gas development, causes substantial environmental impacts, including: (a) onshore damage due to infrastructure, (b) water pollution from drilling muds and the water brought-up from a well with oil and gas (called "produced waters"), (c) noise from seismic surveys, (d) air pollution, and (e) oil spills; and

WHEREAS, the harmful environmental consequences of offshore oil and gas exploration and development are serious and threatens the environmental and economic assets of New Jersey; and

WHEREAS, The BP Horizon disaster in the Gulf of Mexico (2010) is clear evidence of the dangers associated with offshore drilling, including costing the lives of 11 people, devastating coastal economies and countless livelihoods, and killing countless marine animals, as well as continuing to cause harm to marine life as documented by a steady flow of studies; and

WHEREAS, Federal Administration officials are also weakening protections of ocean resources by undermining rules and regulations, cutting funding sources for spill response; and

WHEREAS, oil spills travel vast distances, and the Gulf Stream and Labrador Ocean Current all flow toward New Jersey making the region vulnerable to impacts from spills anywhere in the Atlantic Ocean; and

WHEREAS, within 5 days of the release of the DPP Governor Scott from Florida was able to convince Department of Interior Secretary Zinke to **remove Florida from further consideration for drilling due to the importance of coastal tourism to that state and NJ shares this same economic dependence on tourism and clean ocean economies**; and

WHEREAS, bi-partisan opposition against drilling off the New Jersey coast has included every Governor since 1985, and a majority of the congressional delegation and most coastal towns; and

WHEREAS, in the January 8, 2018, BOEM Federal Register to requests comments on the Draft Proposed Program (DPP) and scoping comments for the Programmatic Environmental Impact Study; and

WHEREAS, energy conservation and efficiency measures can significantly reduce the nation's need to explore and drill for nonrenewable resources, such as oil and natural gas; and

WHEREAS, coastal municipalities have a profound interest in maintaining strong federal protections for our nation's coastal environment, as well as the economic and social benefits it supports;

WHEREAS, as elected representatives of Borough of Wildwood Crest, we have a significant responsibility to provide leadership which will seek to protect our coastal economy and a healthy ocean to strengthen our New Jersey coast and ocean.

NOW, THEREFORE, BE IT RESOLVED, that on this date, January 24, 2018, the Board of Commissioners of the Borough of Wildwood Crest hereby opposes offshore oil and gas exploration and drilling activities that would affect the coast of New Jersey, and calls upon **Secretary of the Interior Ryan K. Zinke** who oversees the Bureau of Ocean Energy Management to withdraw New Jersey and the entire Atlantic Ocean from consideration for the offshore oil and gas exploration, development, or drilling.

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

Vote: Gould -- Thompson -- Cabrera – Yes

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 73-18

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZED AND DIRECTED TO ISSUE A SPECIAL EVENTS PERMIT

WHEREAS, on January 12, 2018, Delmosports, LLC with an address of 100 E. Rio Grande Avenue, Wildwood, New Jersey 08260, applied for a Special Events Permit for the purpose of the MUD HEN 5K RACE to be held on APRIL 27, 2018, from 6:00 PM to 8:00 PM, on the Bike Path from Cresse Avenue to Rambler Road; and

WHEREAS, Delmosports, LLC with an address of 100E. Rio Grande Avenue, Wildwood, New Jersey, 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.

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 Delmosports, LLC for the

purpose of the MUD HEN 5K RACE to be held on APRIL 27, 2018, from 6:00 PM to 8:00 PM, on the Bike Path from Cresse Avenue to Rambler Road.

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

Vote: Gould -- Thompson -- Cabrera -- Yes

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

Vote: Gould -- Thompson -- Cabrera -- Yes

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

Vote: Gould -- Thompson -- Cabrera -- Yes

Mrs. Gould motioned, seconded by Mr. Thompson, that all minutes from the regularly scheduled commission meetings of December 27, 2017 as the Re-Organization meeting of January 3, 2018 be approved as presented.

Vote: Gould -- Thompson -- Cabrera -- Yes

ADMINISTRATOR'S REPORT:

SJ GAS Projects

This project was reported as complete but is not. The engineer will provide an update. They are in the process of remediating the punchlist.

Kayak Launch/ Sunset Lake Shoreline Stabilization

The Army Corps and NJDEP have issued permits for this project. DEP approvals are conditional upon certain requirements.

An application for Cape May County Open Space Parks and Recreation Funding has been submitted for just over \$300,000 to pay for recreational improvements including an ADA kayak/paddle board launch, fishing and observation pier and replacement pavilion as well as a drinking/filling station, some low level lighting, necessary concrete improvements and bike racks. We should be hearing from the Open Space Board regarding a presentation during the month of February with Freeholder consideration at their board meeting following the presentation and recommendation of the Open Space Board.

Beach/ Dune Project

Nothing new to report at this time. I have weekly follow-up telephone calls with Chris Constantino of DEP Coastal Engineers.

Storm Drainage

Engineer will cover. Currently working on cataloging.

Rio Grande Avenue Gateway Improvement Project

Nothing new to report at this time.

Wildwood Water Rate Increase

We received a copy of the tariff and ordinance from the City of Wildwood Water Utility on January 12, 2018. Wildwood's water rates have been increased by 8.3% on the average for all rate schedules. According to Mike McIntyre-Director of Wildwood Water, the rate increases will take effect for the 2017 4th quarter billing cycle. The 4th quarter billing includes water usage from October 1 through December 31, 2017. He stated that meters were read on December 15, 2017 and bills are being calculated currently.

Snowstorm Grayson

The January 4th snowstorm was quite an even for all of us here in the Crest. To put things into perspective I'd to share the following statistics:

Approximately \$17,000 in wages were paid out over the 4-day period for work involved in snow removal and clean up.

Close to 635 man hours were worked over the 4-day period

Between 16-21 staff members that were available worked
Between 9 and 11 vehicles were in use at any given time during the clean up
Approximately 27 tons of salt was spread over the 4-day period
Clean up continued over the next week within normal work hours (7 am to 2 pm)

PUBLIC COMMENTS:

Dennis Travascio, 112 E. Louisville Avenue, brought up concerns over the Sunset Lake Project with deadlines for the grant. The Administrator indicated that October is a tentative deadline with mitigation should be out to bid shortly. We are awaiting plans and specs from the Coastal Engineer, Mott MacDonald. The Administrator also indicated that "Recreational Amenities" is a separate project. Mr. Travascio was concerned about losing money if project is not started within the timeframe. The CFO clarified to Mr. Travascio that the Borough is not in possession of the money for the award and that the Borough must expend the funds and then get reimbursed and the total award has been increased. The Administrator indicated that she would get an updated report from the Coastal Engineer with firmer timelines. The Mayor added that the permit was amended and it was quite a process.

DISCUSSION:

New Business:

Doo Wop Coffee Shop Owner- Mr. Jason Kramer, 6201 Atlantic Avenue, asked the Board of Commissioners to consider amending the ordinance for fruit trucks and ice cream trucks. He wants the Governing Body to consider amending the number of feet a truck can be in front of a business that sells what the trucks do. The Mayor asked the Solicitor to conduct a review. The Solicitor indicated that he saw two issues: the first, enforcement of the ordinance; and second, changing what the ordinance prohibits to make it more uniform and equitable. The Mayor asked the Solicitor and Administrator to examine it and put it on for the February 21st meeting.

Michael Hawthorne, 102 E. Preston Avenue, indicated that he was a police officer for 25 years and saw the problem as a lack of enforcement.

Jason Kramer, 6201 Atlantic Avenue, added that the foreign kids drive haphazardly.

Steve Ranalli, 9102 Bayview Drive, owner of the Cozy Cone at the Water's Edge Motel agreed with everything that Mr. Kramer brought up adding that it is not right to park an ice cream truck right in front of an Ice Cream business.

Milling and Paving Specifications:

The Mayor indicated there are many streets in the Borough that are dealing with potholes and the Engineer was getting specs and funding was in the works and if anyone has any issues with their street to contact the Administrator.

Establish a Green Committee:

To establish a Green Committee, the Environmental Commission needs to be abolished. There are great benefits to being a "Sustainable Jersey" town with cost savings in energy, water, improves efficiency and leads to more grant opportunities as well as points for CRS rating. Commissioner Dave Thompson indicated there are different phases with energy audits and solar benefits and the "arts." The Commissioners agreed to move forward with repealing the ordinance that established the Environmental Commission and establish a Green Committee.

Merging of Planning & Zoning Boards:

The Board of Commissioners agreed to leave things the way they are for now and that this could be removed from future agendas.

Saturday Office Hours:

The Mayor wants to have limited hours on Saturdays from mid-May to Mid-September to offer a level of service to those second homeowners. Commissioner Thompson indicated that there would need to be more than one person. Commissioner Gould felt that 8:00 am to 11:00 am is

long enough and that you would need to give flex time or allow to take off other times. The Administrator offered that perhaps a panic button needs to be installed.

Borough Hall Entry and Employee Access:

The Mayor indicated that too many members of the public have access all over Borough Hall and there are less employees working and that security is jeopardized. There is a need for directional signage and perhaps a receptionist to answer the phones live. Commissioner Thompson suggested that perhaps having half doors that locked could help.

Borough IDs for Residents:

The Mayor pointed out that there is a problem at Public Works with non-residents dropping off their garbage and recyclables. The Mayor suggested perhaps the Borough could issue IDs to prevent this from happening. The Administrator added that window clings are a lot more affordable and could do essentially the same thing. Commissioner Thompson added that perhaps a revenue could be generated by charging non-residents. The Administrator said she would get samples for the Commissioners.

Crest Merchandise Specs:

The Mayor pointed out that the Crest logo is trademarked and there is an opportunity to generate miscellaneous revenue. There is an opportunity to authorize vendors to sell merchandise. It was agreed that the Administrator and Solicitor need to be involved and the process needs to be fair.

Resident Newsletter:

The Mayor indicated that the Borough lacks communication with the residents and the way to remedy this is through a quarterly newsletter. Commissioner Thompson likes the idea as it is a way to be more transparent. Commissioner Gould agreed. The Board of Commissioners also agreed that the website should give a link to subscribe to the newsletter electronically as well as for alerts or texts.

Old Library:

Commissioner Thompson pointed out the old library has recently had a new roof and that the building lacks heat and a purpose. He also added that there are other priorities right now and the boiler in Borough Hall tops the list. He further indicated that the architect who worked on the old library said the building needs heat and he feels the winter residents need a place and would like to get the building up and running.

Boiler Replacement Proposal:

The Board of Commissioners agreed this needs to be reviewed further.

PUBLIC COMMENTS:

The Mayor opened the floor once again for public commentary.

Hearing nothing from the public, Commissioner Gould motioned, seconded by Commissioner Thompson that the meeting be adjourned. All were in favor. The time was 6:38 p.m.

Dated: February 21, 2018

Patricia A. Feketics, Borough Clerk

