

Note: Complete Meeting Appears  
On 05-18 on file in  
Borough Clerk's Office

March 7, 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 9:30 a.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. Cabrera, that Ordinance 1270 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. 1270  
ORDINANCE TO ESTABLISH CAP BANK FOR  
CY2018 PURSUANT TO N.J.S.A. 40A:4-45.14

Mrs. Gould motioned, seconded by Mr. Thompson, that a public hearing now be held on Ordinance No. 1270.

Vote: Gould – Thompson - Cabrera – Yes

Mrs. Gould motioned, seconded by Mr. Thompson, that the public hearing on Ordinance No. 1270 now be closed.

Vote: Gould – Thompson - Cabrera – Yes

Mrs. Gould motioned, seconded by Mr. Thompson, that Ordinance No. 1270 be passed on second and final reading and advertised according to law.

Vote: Gould – Thompson - Cabrera – Yes

Mrs. Gould motioned, seconded by Mr. Cabrera, that Ordinance 1271 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. 1271  
AN ORDINANCE REPEALING CHAPTER 32, ENVIRONMENTAL  
COMMISSION, AND ORDINANCE NO. 615 ADOPTED SEPTEMBER 23,  
1985

Mrs. Gould motioned, seconded by Mr. Thompson, that a public hearing now be held on Ordinance No. 1271.

Vote: Gould – Thompson - Cabrera – Yes

The Mayor explained that the Environmental Commission was being repealed in entirety and the Green Team was going to take its place. He also asked for volunteers for the committee and elaborated on the many benefits of the new committee.

Mrs. Gould motioned, seconded by Mr. Thompson, that the public hearing on Ordinance No. 1271 now be closed.

Vote: Gould – Thompson - Cabrera – Yes

Mrs. Gould motioned, seconded by Mr. Thompson, that Ordinance No. 1271 be passed on second and final reading and advertised according to law.

Vote: Gould – Thompson - Cabrera – Yes

THE CLERK READS THE FOLLOWING ORDINANCE BY TITLE:

ORDINANCE NO. 1272

ORDINANCE OF THE BOROUGH OF WILDWOOD CREST AMENDING CHAPTER 40, LICENSES, ARTICLE II PEDDLING AND SOLICITING OF ICE CREAM PRODUCTS; PEREPARED FOOD AND FRUITS AND VEGETABLES, SECTION 40-23 RESTRICTIONS ON LICENSEES; PROMULGATION OF REGULATIONS OF THE CODE OF THE BOROUGH OF WILDWOD CREST

Mrs. Gould motions, Mr. Thompson seconds that Ordinance No. 1272 be passed on first reading, advertised according to law, be brought up for second and final reading and public hearing on March 21, 2018 at 5:30 p.m.

Vote: Gould - Thompson - Cabrera – Yes

THE CLERK READS THE FOLLOWING ORDINANCE BY TITLE:

ORDINANCE NO. 1273

AN ORDINANCE OF THE BOROUGH OF WILDWOOD CREST ESTABLISHING STANDARDS FOR THE COLLECTION, MAINTENANCE, AND EXPENDITURE OF DEVELOPMENT FEES PURSUANT TO COAH'S REGULATIONS AND IN ACCORDANCE WITH P.L.2008, C.46, SECTIONS 8 AND 32-38.

Mrs. Gould motions, Mr. Thompson seconds that Ordinance No. 1273 be passed on first reading, advertised according to law, be brought up for second and final reading and public hearing on March 21, 2018 at 5:30 p.m.

Vote: Gould - Thompson - Cabrera – Yes

THE CLERK READS THE FOLLOWING ORDINANCE BY TITLE:

ORDINANCE NO. 1274

AN ORDINANCE OF THE BOROUGH OF WILDWOOD CREST IMPLEMENTING THE BOROUGH'S THIRD ROUND HOUSING PLAN ELEMENT AND FAIR SHARE PLAN IN COMPLIANCE WITH THE BOROUGH'S THIRD ROUND AFFORDABLE HOUSING OBLIGATIONS IN ACCORDANCE WITH IN RE: N.J.A.C. 5:96 AND 5:97, 221 N.J. 1 (2015) THE NEW JERSEY FAIR HOUSING ACT, AND RELEVANT REGULATIONS AND POLICIES ADOPTED BY THE NEW JERSEY COUNCIL ON AFFORDABLE HOUSING.

Mrs. Gould motions, Mr. Thompson seconds that Ordinance No. 1274 be passed on first reading, advertised according to law, be brought up for second and final reading and public hearing on March 21, 2018 at 5:30 p.m.

Vote: Gould - Thompson - Cabrera – Yes

THE CLERK READS THE FOLLOWING ORDINANCE BY TITLE:

ORDINANCE NO. 1275

AN ORDINANCE OF THE BOROUGH OF WILDWOOD CREST TO AMEND CHAPTER 85 (LAND DEVELOPMENT) OF THE MUNICIPAL CODE TO ESTABLISH AN AFFORDABLE HOUSING OVERLAY ZONING ORDINANCE IN THE BOROUGH OF WILDWOOD CREST.

Mrs. Gould motions, Mr. Thompson seconds that Ordinance No. 1275 be passed on first reading, advertised according to law, be brought up for second and final reading and public hearing on March 21, 2018 at 5:30 p.m.

Vote: Gould - Thompson - Cabrera – Yes

THE CLERK READS THE FOLLOWING ORDINANCE BY TITLE:

ORDINANCE NO. 1276

AN ORDINANCE OF THE BOROUGH OF WILDWOOD CREST CREATING ADMINISTRATIVE MECHANISMS NEEDED FOR THE EXECUTION OF THE BOROUGH OF WILDWOOD CREST'S RESPONSIBILITY TO ASSIST IN IMPLEMENTING THE BOROUGH'S THIRD ROUND AFFORDABLE HOUSING PLAN OBLIGATIONS AND RELEVANT REGULATIONS AND POLICIES ADOPTED BY THE NEW JERSEY COUNCIL ON AFFORDABLE HOUSING PURSUANT TO THE FAIR HOUSING ACT OF 1985.

Mrs. Gould motions, Mr. Thompson seconds that Ordinance No. 1276 be passed on first reading, advertised according to law, be brought up for second and final reading and public hearing on March 21, 2018 at 5:30 p.m.

Vote: Gould - Thompson - Cabrera – Yes

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 95-18

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING AN AGREEMENT FOR REVISING THE RESPONSE ACTION OUTCOME AT NO CHARGE**

**WHEREAS**, the New Jersey Department of Environmental Protection has requested that the Borough's RAO for the Topeka Avenue Pump Station previously submitted be amended to fix administrative issues; and

**WHEREAS**, Whitman of 7 Pleasant Hill Road in Cranbury, New Jersey previously handled the submission of the RESPONSE ACTION OUTCOME (RAO) for the borough's Topeka Avenue pump station; and

**WHEREAS**, Whitman's Licensed Site Remediation Professional has since been dismissed necessitating a new LSRP to be named to the Borough's case in order to correct previous administrative deficiencies in the ROA and in order to be compliant with all NJDEP administrative requirements for the Remediation of Contaminated Sites; and

**WHEREAS**, it is the desire of the Board of Commissioners of the Borough of Wildwood Crest that Whitman's LSRP provide the re-issuance of the RAO on behalf of the Borough.

**NOW THEREFORE BE IT RESOLVED** that the Mayor is hereby authorized to execute the attached no-fee proposal with Whitman to assign another LSRP to prepare the re-issuance of the RAO.

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. 96-18

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING APPLICATION SUBMISSION TO NEW JERSEY PREVENTION NETWORK GET ACTIVE NJ**

**WHEREAS**, the New Jersey Prevention Network (NJPN) is helping New Jersey municipalities to become more walkable; and

**WHEREAS**, when municipalities promote walking and plan for walkability in their community, they create a healthier environment for their residents; and

**WHEREAS**, it is the desire of the Board of Commissioners to help promote walking and the many benefits it can have by submitting an application for funding; and

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Borough of Wildwood Crest, in the County of Cape May, New Jersey, that the Borough Administrator shall make application to the New Jersey Prevention Network Get Active NJ.

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. 97-18

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING AWARD PROFESSIONAL SERVICE CONTRACT FOR AN ENGINEER SPECIALIZING IN LAKE STABILIZATION AND STORM DAMAGE REPAIRS**

**WHEREAS**, the Board of Commissioners of the Borough of Wildwood Crest has determined that there exists the need for a professional services for an engineer to provide specialized services for lake stabilization and storm damage repairs for the Borough of Wildwood Crest, and

**WHEREAS**, Mott MacDonald was awarded a contract for professional services for lake stabilization and storm damage repairs by Resolution No.: 892-17 on January 25, 2017 which Resolution is incorporated herein as if set forth at length; and

**WHEREAS**, Resolution No.: 892-17 provided that the Borough was authorized to enter into a professional services contract for a term commencing on January 25, 2017, and terminating one year thereafter for payment in an amount not to exceed One Hundred Forty Six Thousand (\$146,000.00) Dollars; and

**WHEREAS**, the term of the professional services contract with Mott MacDonald has expired and the specialized services for lake stabilization and storm damage repairs have not been completed; and

**WHEREAS**, the amount of Fifty Two Thousand Three Hundred Fifty Four (\$52,354.16) Dollars and sixteen cents remains of the One Hundred Forty Six Thousand (\$146,000.00) Dollars originally appropriated by Resolution No.: 892-17; and

**WHEREAS**, the Board of Commissioners of the Borough of Wildwood Crest desires to extend and/or award an extension to the professional services contract with Mott MacDonald to permit Mott MacDonald to complete the specialized services for lake stabilization and storm damage repairs, and

**WHEREAS**, this contract and/or extension is awarded without competitive bidding in accordance with the provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-1, et. seq.; and

**WHEREAS**, Board of Commissioners determines that under the Local Public Contracts Law, N.J.S.A. 40A:11-1, et. seq., the subject contract is a contract for professional services because:

1. Professional services of the type herein sought are of such a nature as to require a high degree to trust and confidence in the individual providing the service and may require the creation of a confidential or fiduciary relationship between that individual and the Borough;
2. The services required are highly specialized or technical in nature;
3. The services require peculiar ability and skill, and demand a high degree of specialized knowledge or expertise;
4. The services are such that their relative worth must be judged by subjective considerations that are not susceptible of valuation by competitive bidding;
5. The individual or entity who will provide these services has demonstrated competence and particular expertise in the services required;
6. The individual or entity who will perform these services is held to and fully adheres to the strict ethical standards that govern the involved profession;
7. The services include advise to and consultation with the municipality that require both knowledge and judgment on the part of the individual or entity providing services, as well as the confidence of the municipal officials, such that competitive bidding is not feasible or practical;
8. The services to be provided are such that their nature, scope and duration are not capable of precise measurement, but rather require a flexibility and discretion that render competitive bidding impractical and inefficient; 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 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 award of this contract is contingent upon compliance with the New Jersey Pay to Play Law as set forth in N.J.S.A. 19:44A-1; 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 are hereby authorized, instructed and empowered to execute a contract for professional services effective immediately through December 31, 2018, with Mott MacDonald which contract shall provide for payment at the not to exceed amount of Fifty Two Thousand Three Hundred Fifty Four (\$52,354.16) Dollars and sixteen cents.

4. 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, which notice shall state that this Resolution and the contract are on file and available for public inspection in the office of the Borough 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. 98-18

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING RELEASE OF ESCROW FUNDS**

**WHEREAS**, the Wildwood Crest Construction Official has received written approval from the Borough Engineer, DeBlasio & Associates, on February 14, 2018 to refund escrow to CORRPRO Companies, Inc. for Street Opening Permit #SO16-1004, Block189/Lot 1; and

**WHEREAS**, the Wildwood Crest Construction Official has confirmed that all Borough Engineer billings related to Street Opening Application #SO16-1004 are complete; and

**WHEREAS**, CORRPRO Companies, Inc, 1380 Enterprise Drive, Suite 100, West Chester, PA 19380 made escrow payments of \$1,000.00 and \$400.00 to the Borough of Wildwood Crest on October 21, 2016 and October 20, 2016, respectively for Street Opening Permit for location 401-499 East Jefferson Ave., Block 189/Lot 1 and has requested return of the unused escrow balance; and

**WHEREAS**, the escrow used totaled \$822.54 and the Borough of Wildwood Crest Construction Official is recommending the return of the unused escrow fee of \$577.46.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Borough of Wildwood Crest, in the County of Cape May, New Jersey, that the return of the balance of the unused escrow account in the amount of \$577.46 CORRPRO Companies, Inc., 1380 Enterprise Drive, Suite 100, West Chester, PA 19380 be and hereby is approved.

**BE IT FURTHER RESOLVED** that Chief Financial Officer is hereby authorized to return the balance of the unused escrow account in the amount of \$577.46 CORRPRO Companies, Inc., 1380 Enterprise Drive, Suite 100, West Chester, PA 19380.

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. 99-18

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING RELEASE OF ESCROW FUNDS**

**WHEREAS**, the Wildwood Crest Construction Official has received written approval from the Borough Engineer, DeBlasio & Associates, on February 14, 2018 to refund escrow to Garden State General Construction, Inc. for Street Opening Permit #SO16-0808, Block 135/Lot 16; and

**WHEREAS**, the Wildwood Crest Construction Official has confirmed that all Borough Engineer billings related to Street Opening Application #SO16-0808 are complete; and

**WHEREAS**, Garden State General Construction, Inc., 8 Clermont Drive, Clermont, NJ 08210 made an escrow payment of \$3,307.80 to the Borough of Wildwood Crest on July 25, 2016 for Street Opening Permit for location 203 E. Syracuse Ave., Block 135/Lot 16 and has requested return of the unused escrow balance; and

**WHEREAS**, the escrow used totaled \$1,670.46 and the Borough of Wildwood Crest Construction Official is recommending the return of the unused escrow fee of \$1,637.34.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Borough of Wildwood Crest, in the County of Cape May, New Jersey, that the return of the balance of the unused escrow account in the amount of \$1,637.34 Garden State General Construction, Inc., 8 Clermont Drive, Clermont, NJ 08210 be and hereby is approved.

**BE IT FURTHER RESOLVED** that Chief Financial Officer is hereby authorized to return the balance of the unused escrow account in the amount of \$1,637.34 Garden State General Construction, Inc., 8 Clermont Drive, Clermont, NJ 08210.

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. 100-18

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF  
WILDWOOD CREST AUTHORIZING RELEASE OF ESCROW FUNDS**

**WHEREAS**, the Wildwood Crest Construction Official has received written approval from the Borough Engineer, DeBlasio & Associates, on February 14, 2018 to refund escrow to Garden State General Construction, Inc. for Street Opening Permit #SO16-1202, Block 38.01/Lot 16.01; and

**WHEREAS**, the Wildwood Crest Construction Official has confirmed that all Borough Engineer billings related to Street Opening Application #SO16-1202 are complete; and

**WHEREAS**, Garden State General Construction, Inc., 8 Clermont Drive, Clermont, NJ 08210 made an escrow payment of \$1,400.00 to the Borough of Wildwood Crest on November 30, 2016 for Street Opening Permit for location 200 E. Sweetbriar Rd., Block 38.01/Lot 16.01 and has requested return of the unused escrow balance; and

**WHEREAS**, the escrow used totaled \$560.71 and the Borough of Wildwood Crest Construction Official is recommending the return of the unused escrow fee of \$839.29.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Borough of Wildwood Crest, in the County of Cape May, New Jersey, that the return of the balance of the unused escrow account in the amount of \$839.29 Garden State General Construction, Inc., 8 Clermont Drive, Clermont, NJ 08210 be and hereby is approved.

**BE IT FURTHER RESOLVED** that Chief Financial Officer is hereby authorized to return the balance of the unused escrow account in the amount of \$839.29 Garden State General Construction, Inc., 8 Clermont Drive, Clermont, NJ 08210.

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. 101-18

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF  
WILDWOOD CREST AUTHORIZING RELEASE OF ESCROW FUNDS**

**WHEREAS**, the Wildwood Crest Construction Official has received written approval from the Borough Engineer, DeBlasio & Associates, on February 14, 2018 to refund escrow to Kantzios LLC, c/o Nick Kantzios-Rita's Deli for Street Opening Permit #SO16-0904, Block 112/Lot 16; and

**WHEREAS**, the Wildwood Crest Construction Official has confirmed that all Borough Engineer billings related to Street Opening Application #SO16-0904 are complete; and

**WHEREAS**, Kantzios LLC, c/o Nick Kantzios-Rita's Deli, 7609 New Jersey Ave., Wildwood Crest, NJ 08260 made an escrow payment of \$1,400.00 to the Borough of Wildwood Crest on September 15, 2016 for Street Opening Permit for location 7609 New Jersey Ave., Block 112/Lot 16 and has requested return of the unused escrow balance; and

**WHEREAS**, the escrow used totaled \$816.06 and the Borough of Wildwood Crest Construction Official is recommending the return of the unused escrow fee of \$583.94.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Borough of Wildwood Crest, in the County of Cape May, New Jersey, that the return of the balance of the unused escrow account in the amount of \$583.94 Kantzios LLC, c/o Nick Kantzios-Rita's Deli, 7609 New Jersey Ave., Wildwood Crest, NJ 08260 be and hereby is approved.

**BE IT FURTHER RESOLVED** that Chief Financial Officer is hereby authorized to return the balance of the unused escrow account in the amount of \$583.94 Kantzios LLC, c/o Nick Kantzios-Rita's Deli, 7609 New Jersey Ave., Wildwood Crest, 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. 102-18

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF  
WILDWOOD CREST AUTHORIZING REFUND OF EMS OVERPAYMENT**

**WHEREAS**, VIRGINIA L. MURPHY, of 7805 New Jersey Avenue, Wildwood Crest, New Jersey, 08260, had cause to utilize Emergency Medical Services of the Borough of Wildwood Crest; and

**WHEREAS**, VIRGINIA L. MURPHY, and her insurance both paid an invoice balance of \$94.45;

**WHEREAS**, Cape Medical Billing indicated that a refund of \$94.45 was owed to Virginia L. Murphy for overpayment.

**NOW, THEREFORE, BE IT RESOLVED** that Chief Financial Officer is hereby authorized to issue a refund of overpaid Emergency Medical Services in the amount of \$94.45 to VIRGINIA L. MURPHY, of 7805 New Jersey Avenue, Wildwood Crest, New Jersey, 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. 103-18

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF  
WILDWOOD CREST AUTHORIZING REFUND OF EMS OVERPAYMENT**

**WHEREAS**, MARYANN PARR, of 2114 Lisbon Street, East Liverpool, OH 43920, had cause to utilize Emergency Medical Services of the Borough of Wildwood Crest; and

**WHEREAS**, MARYANN PARR, paid an invoice balance of \$93.43 two times;

**WHEREAS**, Cape Medical Billing indicated that a refund of \$93.43 was owed to MARYANN PARR for overpayment.

**NOW, THEREFORE, BE IT RESOLVED** that Chief Financial Officer is hereby authorized to issue a refund of overpaid Emergency Medical Services in the amount of \$93.43 to MARYANN PARR, of 2114 Lisbon Street, East Liverpool, OH 43920.

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. 104-18

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF  
WILDWOOD CREST AUTHORIZING REFUND OF PROPERTY TAXES OR UTILITIES  
OVERPAYMENT**

**WHEREAS**, the Tax Collector of the Borough of Wildwood Crest collected from the property owner or it's designee an excess amount on 2018 property taxes and/or utility payments; and

**WHEREAS**, an overpayment was created for the reason listed above, and

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

63-11	Pellegrino, Michael	<b>Amount</b>
2018 Tax	121 E. Myrtle Road	\$932.15
	Two Mortgage Companies paid same parcel	
	For 2018 1 <sup>st</sup> quarter	
	Refund overpayment to CORELOGIC	

**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 March 7, 2018.

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

## **ADMINISTRATOR'S REPORT:**

**March 7, 2018**

### **Kayak Launch/ Sunset Lake Shoreline Stabilization**

Good news to report on the shoreline stabilization project, the Cape May County Open Space Board voted and unanimously approved our \$302,802 request for funding of the recreational amenities at Sunset Lake. They will make recommendation to the Freeholder Board to approve this funding which will be considered at the next meeting of the Board of Chosen Freeholders. We also received our NJDEP Waterfront Development Individual Permit and have begun the process of purchasing mitigation credits for loss of coastal wetlands and will soon be invoiced for \$1,447.31 in shellfish mitigation due to the loss of hard clam production area where the floating dock will be located. Bid documents are currently being prepared by Mott MacDonald for this project which will incorporate the shoreline stabilization and addition of County-funded recreational amenities.

### **Beach/ Dune Project**

We are still awaiting the updated Army Corps plans which are under review by Chris Constantino at DEP Coastal Engineering.

### **Redevelopment of New Jersey Avenue Business District (EUZ Zone)**

As previously reported we expect to meet with author, international tourism expert and renowned planner- Roger Brooks on May 8th to discuss New Jersey Avenue Business District Improvements. He will be in Wildwood the day before we meet to be the key note speaker at the Spring Small Business Summit.

### **Grants**

#### **1) Cape May County Open Space and Recreation Applications 2018**

Marc DeBlasio will be providing an overview of various options for the upcoming 2018 Open Space and Recreation funding round to the Recreation Commission at the March meeting. Three options were presented to you last month. I expect that the Rec. Commission will provide their recommendation to you shortly after their March meeting. At that point I will work with Marc DeBlasio to prepare the application and presentation. The deadline for submission is April 15<sup>th</sup>.

#### **2) New Jersey Prevention Network Get Active NJ**

You voted earlier to approve a grant application for \$3000.00 for a walkable community grant. This grant has no match. The application was prepared by the Recreation Dept.

### **Old Library Building**

As you all know the partial wall collapse at the old library building is currently being handled as a property damage claim to the MEL. This wind claim could be as much as \$250,000 with our only exposure being the \$1000 deductible. Thanks to the quick work of the Atlantic County Municipal Joint Insurance Fund and their contractor- All Risk the north side of the building has been boarded up and is water tight in advance of the upcoming Nor'easters. Clean up work continues and I will continue to work with the adjuster to ensure that the restoration project runs smoothly. We await word from the structural engineer who evaluated the building on Monday around 2 to provide a report of the condition of the building. I will report back to you with all updates as they arise.

### **Green Community Grant**

Upon your approval via resolution, I applied for a Green Community Grant through the NJDEP Department of Forestry. We have now been officially informed that the \$6000 total Grant was awarded. The grant provides \$3000 of funds to the Crest with a \$3000 in-kind match on our end. This in-kind contribution will be through in-house work done. The award of this grant will enable us to commence work on the Crest's Community Forestry Management Plan. This plan will help us to encourage and facilitate the planting of trees at municipal parks, around municipal buildings and in residential areas, including streetscapes. As soon as the Chapter 159 is approved by resolution and subsequently approved by the state for inclusion in our 2018 budget, we will be able to hire the Lomax Consulting Group to develop and help us implement the plan. A proposal has already been submitted for this work and I cannot think of a better suited consultant than Peter Lomax. We have two years from the date of award to complete our Community Forestry Plan which will include quality of life enhancements, the installation of street trees and commercial district beautification, as well as a public information community outreach to encourage residents to plant tree species appropriate for a barrier island community such as Wildwood Crest.

Lastly, the Administrator added that she received a phone call from Fish/Wildlife regarding the coyotes. She indicated that the only time coyotes are controlled is during the nesting season for piping plovers. The Administrator passed on tips from Fish/Wildlife:



- Coyotes have a keen sense of smell and are motivated by food and to keep trash covered
- Remove pet waste from yard
- Do not leave out dog or cat food
- Coyotes enemies are cats and if you try to lure feral cats, coyotes may appear

## **ENGINEER'S REPORT:**

**Date:** March 7, 2018

### **Grant Applications**

1. FY2018 NJDOT Local Aid
  - The Borough was notified that \$180,000.00 was allocated for the Reconstruction of Newark Avenue-Phase 2.
2. Cape May County Open Space Program
  - Cape May County Open Space Board notified all municipalities that applications for park and recreation development are being accepted for 2018.
  - The application deadline for the first round of funding in 2018 is April 16<sup>th</sup>.
  - Our office met with the Borough on March 1<sup>st</sup> and we are currently developing concept plans for Borough review.
3. New Jersey Direct Install Program
  - The Borough is eligible to receive a 70% grant for energy efficient improvements including the replacement of certain HVAC units, lighting, lighting controls and water closets.
  - We have submitted a proposal to the Borough to file this grant application.

### **Capital Projects**

1. Reconstruction of Newark Avenue
  - Certified mailings to property owners notifying them of the proposed project have been sent from the Clerk's office.
  - The project is approximately 80% complete and have been notified about the FY2018 NJDOT grant award.
2. Sanitary Sewer Master Plan
  - Our office has started to meet with Public Works to identify streets that require sanitary sewer and roadway surface improvements on a priority basis.
3. Storm Sewer Evaluation and Flood Mitigation Master Plan
  - We have submitted a proposal to the Borough to develop a storm sewer and flood mitigation master plan.
  - The goal of the plan is to identify sources of flooding, corrective action to mitigate flooding and chart a prioritized capital plan to effectuate the improvements.
4. Solar Power Purchase Agreement (SPPA)
  - The Borough has the potential to obtaining electrical energy savings thru a solar power purchase agreement (SPPA).
  - We have submitted a proposal to the Borough to investigate the installation of solar at the following Borough properties:
    1. Borough Hall
    2. Ambulance Corps
    3. Crest Pier Recreation Center
    4. Lifeguard Station
    5. Nesbitt Tourism/ Info Center
    6. Public Works
    7. Von Savage Memorial Pool
    8. Old Library Building

### **General**

1. 2018-2019 Emergency Sanitary Sewer Contract
  - This project is currently advertised for public bid and the bid opening is March 13<sup>th</sup>.
2. 2018-2019 Roadway and Paving Contract
  - This project is currently advertised for public bid and the bid opening is March 13<sup>th</sup>.
3. Pacific Avenue Handicap Ramps Flooding

- Please refer to our February 26<sup>th</sup> memorandum for a detailed analysis.

The Mayor explained that the flooding and ponding along Pacific Avenue at the ADA intersections needs to be reviewed. He mentioned that the Borough has a drain syphon system and when you add the roadway conditions and the elevations, the roadway floods. He assured the audience that this was on the radar and since a portion is owned by the county, we must work hand in hand with them.

### **PUBLIC COMMENTS:**

The Mayor extended congratulations to Mr. Bruce Hamlin, the Borough's representative on the GWITDA board. Mr. Hamlin indicated he would be present at the next meeting to give an update to the governing body.

### **DISCUSSION:**

#### **OLD BUSINESS:**

**Borough Hall entry and employees access** – Holding off for budget adoption.

**Borough IDs for residents** – Holding off for budget adoption.

**Crest Merchandise specifications** – Holding off for budget adoption.

**Old Library – New Heat & Air System-** This portion is on hold as there is a bigger issue with the collapsed wall. They all agreed to await the report from the structural engineer and the insurance claim.

**Municipal Building Boiler Replacement Proposal-** The Mayor indicated that proposals are in hand and this should be on the next agenda.

**Building Security / Active Shooter-** The police are working on it.

#### **NEW BUSINESS:**

#### **Hours and Periods of operation for Parking Meters (Section 47-1)**

The Commissioner of Public Safety has agreed to keep the times this year from 8:00 am – 10:00 pm. The Chief would like to see the meters start from May 15<sup>th</sup> through September 15<sup>th</sup> each year. The Clerk was instructed to amend the current resolution to reflect the dates mentioned.

### **PUBLIC COMMENTS:**

The Mayor opened the floor once again for public commentary.

Peter Agresti, 115 East Charleston, voiced four areas of concern on behalf of his neighbors and fellow homeowners:

- Storage bins on the beach (asked the board to consider this). The Mayor indicated that this was discussed at the last meeting and we are looking to do this in the summer of 2019.
- Tents that block views (would like to see them toward the back of the beach) The Mayor indicated he could get input from Public Safety and the Beach Patrol.
- Smoking on the beach (would like it banned or contained to a designate area) The Mayor added the biggest issue is enforcement and it would require an ordinance change. He added that perhaps signage at the entrance to encourage people to consider others before smoking was not unreasonable and to also have an area for cigarette butts.
- Beach tags (would like to board to consider it) The Mayor added that there are many things to consider before charging people for beach tags. There is approximately \$300k in GWITDA funding that will cease. You will then need to pay for labor and a cash control system. There would need to be referendum as well.

Joe Visconi, 308 Washington Avenue, agreed that perhaps we should consider pursuing no smoking on the beach if enforced correctly and that signage could help. He added that people

leaving their cigarette butts behind is upsetting. Lastly, he added that beach tags, even if there is a zero cost would be better for hotel owners.

Commissioner Gould added that years ago there was a referendum about beach tags and it was confusing and failed and that more motels now have been turned into condos and the south end of town is packed during the summer.

James Zecca, 115 E. Hollywood Avenue, had several points to touch upon:

- He liked the idea of banning smoking on the beach
- Would like to see the walkways on the beach extended for seniors
- Would like to discuss several street lights and perhaps removing them at (Park & Aster, New Jersey & Palm, and New Jersey & Rosemary) and/or making them blink the third week of May

The Chief indicated that the street lights on New Jersey are county roads and we must work with the county. He then added that the light at Park & Aster has come up several times and the Chief indicated that traffic going southbound in the summer is fast and there is a need to slow down traffic. He suggested that perhaps we can have a dedicated flashing light and they are very effective. Commissioner Thompson agreed that we need to control the speed.

Nancy Pietropaoli, 6002 Seaview Avenue, wanted to know why there is no handicapped parking on west side of Atlantic Avenue closest to the library. The Chief indicated we have a plan to make dedicated handicapped parking on the side streets. The reason there is nothing in front is due to pedestrians and children and school buses dropping off kids. It is most safe to not have parking right in front. Ms. Pietropaoli asked about the police department's position on handicapped parking and placards and if they ticket if money is not deposited in the meter. The Chief indicated that this statutory and how each municipality enforces it is up to that municipality. The Chief added that you are supposed to deposit as much money in the meter that you anticipate using and if you do not make it back in time, the officer is instructed not to write a ticket. Lastly, Ms. Pietropaoli added that she is a non-smoker and agrees with Commissioner Thompson that there are too many rules and regulations. Commissioner Thompson added that he likes the idea of signs to encourage no smoking.

The Mayor asked the Clerk to add the topic of no smoking back on the next agenda.

Barbara Collier, 317 E. Syracuse Avenue, suggested offering a discount for parking tags before season or for senior citizens. Commissioner Thompson said it was worth investigating.

Marie Nickerson, 8801 Bayview Drive, explained that she was a crossing guard for many years and did not care for the way an officer told her to relocate so she left her stand and went home. She thinks the Police Academy needs to instruct officers on how to treat people. Lastly, she agreed with no smoking on the beach.

Barb Bixler, 120 W. Sweetbriar Road, asked when the sand was transported from Wildwood Crest to North Wildwood several years back, was the Borough paid for the sand? Ms. Bixler was informed that North Wildwood paid for the engineering services only. Ms. Bixler also said the ponding at the back of the beach is quite bad and the Administrator indicated that the future USACE dune has sand being sent to North Wildwood from the high tide areas in both Wildwood Crest and Wildwood. Ms. Bixler voiced concern that there will be a drop off like Cape May and ponding could continue. The Administrator added that these concerns were put in writing to the USACE.

Bruce Hamlin, 117 W. Cardinal Avenue, added that the redesign that Margate has undergone is wonderful and they are very happy with the new plan.

James Zecca, 115 E. Hollywood Avenue, asked what bearing the dune project will have on flooding. The Administrator added that this is a coastal storm protection measure to prevent flooding. Mr. Zecca added that our flooding comes from the bay, not the beach.

Peter Agresti, 115 East Charleston, wanted to know about the slope of the dune. The Administrator indicated that we were waiting for the plans for the NJ DEP.

Hearing nothing from the public, Commissioner Gould motioned, seconded by Commissioner Thompson that the meeting be adjourned. All were in favor. The time was 10:51 a.m.

Dated: March 21, 2018

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Patricia A. Feketics, Borough Clerk

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