

Note: Complete Meeting Appears
On 01-19 on file in
Borough Clerk's Office

January 2, 2019
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.

THE CLERK READS THE ORDINANCE BY TITLE:

ORDINANCE NO. 1291

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 56, OF THE CODE OF THE BOROUGH OF WILDWOOD CREST, ENTITLED RECREATION COMMISSION, SECTION 56-3, APPROVING AND CONFIRMING RATES AND FEES FOR THE RENTAL OF FACILITIES, PARTICIPATION IN CERTAIN EVENTS AND ACTIVITIES

Mrs. Gould motions, Mr. Thompson seconds that Ordinance No. 1291 be passed on first reading, advertised according to law, be brought up for second and final reading and public hearing on January 23, 2019 at 5:30 p.m.

Vote: Gould - Thompson - Cabrera – Yes

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 01-19

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING APPOINTMENT OF RONALD GELZUNAS AS THE BOROUGH SOLICITOR AND APPROVAL OF PROFESSIONAL SERVICE CONTRACT

WHEREAS, there exists the need for the professional services of a Borough Solicitor, to be retained by the Borough for the performance of legal services and related duties associates therewith as directed by the authorized representatives of the Borough of Wildwood Crest, all as more specifically set forth in the attached Agreement which is made a part hereof by reference as if fully set forth; and

WHEREAS, the Commissioners of the Borough of Wildwood Crest desire to appoint Ronald Gelzunas, Esquire to serve as the Solicitor for the Borough of Wildwood Crest; and

WHEREAS, this contract 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. as an authorized exception to the public bidding as a Professional Services Contract; and

WHEREAS, under the Local Public Contracts Law, N.J.S.A. 40A:11-1, et. seq., the subject contract would be 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 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. That Ronald Gelzunas is hereby appointed as Borough of Wildwood Crest Solicitor and the above described contract for professional services is hereby approved.
3. 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.
4. That the Mayor and Borough Clerk are hereby authorized and empowered to enter into a contract effective immediately through December 31, 2019, with Ronald J. Gelzunas, who shall be compensated by voucher on the basis of a "not to exceed amount of \$86,600.00 annually.
5. 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 motions, Mr. Thompson seconds that the foregoing resolution be adopted.

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

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 02-19

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING SIGNATORIES FOR VARIOUS BOROUGH OF WILDWOOD CREST ACCOUNTS

BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, in the County of Cape May, State of New Jersey, that Francine B. Springer, Chief Financial Officer, be the custodian of the following accounts:

CREST SAVINGS BANK

Account Number

Account Name

54-902507-3	Borough of Wildwood Crest Lien Redemption Account
54-901556-1	Borough of Wildwood Crest Current Account
54-901557-9	Borough of Wildwood Crest Disbursement Account
54-901560-3	Borough of Wildwood Crest Trust Escrow Account
54-901559-5	Borough of Wildwood Crest Recreation Trust Account
54-901561-1	Borough of Wildwood Crest Police Forfeiture Account
54-901564-5	Borough of Wildwood Crest Animal Control Account
53-181178-5	Borough of Wildwood Crest Unemployment Trust Account
54-100167-6	Borough of Wildwood Crest General Capital Fund
54-901558-7	Borough of Wildwood Crest Payroll Account
54-904337-3	Borough of Wildwood Crest Flexible Spending Account
54-902576-8	Borough of Wildwood Crest Uniform Construction Code
99-006342-2	Borough of Wildwood Crest Affordable Housing Trust Fund

499917006
499916735

18 Month Certificate of Deposit
18 Month Certificate of Deposit

PNC BANK

80-2395-1884

Wildwood Crest Borough Money Market Account

STATE OF NEW JERSEY CASH MANAGEMENT FUND (NON-STATE)

000075590-171 Borough of Wildwood Crest GENL AC

BE IT FURTHER RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, in the County of Cape May and State of New Jersey, that the municipal officials listed hereinbelow are hereby designated as signatories on the above listed accounts (excluding Alexa Campilango on the Payroll Account) when necessary or required as follows:

_____ Francine B. Springer	or	_____ Alexa Campilango
	and	
_____ Don Cabrera	or	_____ Joyce P. Gould
	and	_____ or David C. Thompson
_____ Patricia A. Feketics	or	_____ Loretta G. Scott

BE IT FURTHER RESOLVED that Francine B. Springer, Don Cabrera, Joyce P. Gould, David C. Thompson, and Patricia A. Feketics are hereby designated as the authorized signatories on the Borough of Wildwood Crest Payroll Account (No. 54-901558-7).

BE IT FURTHER RESOLVED that Francine B. Springer, Lyndsey Herman and Alexa Campilango are hereby designated as the authorized signatory of the Borough of Wildwood Crest Lien Redemption Account (No. 54-902507-3).

Lyndsey Herman

BE IT FURTHER RESOLVED that Patricia A. Feketics and Francine B. Springer are hereby designated as the authorized signatory of the Borough of Wildwood Crest Borough Election Account (No. 54-900478-9).

Mrs. Gould motions, Mr. Thompson seconds that the foregoing resolution be adopted.
Vote: Gould -- Thompson -- Cabrera -- Yes

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 03-19

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST DESIGNATING OFFICIAL NEWSPAPERS

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest in the County of Cape May, and State of New Jersey, that, in accordance with the provisions of N.J.S.A. 40:53-1 et seq. *the Herald of Cape May County* and *the Press of Atlantic City* be designated as the official newspapers of the Borough of Wildwood Crest, in the County of Cape May, and State of New Jersey, and all ordinances, resolutions, or other public notices which the Borough of Wildwood Crest may required by law to publish, where the manner of publication is not otherwise specifically provided, shall be published in any one or both of the said newspapers.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey, that *the Herald of Cape May County* and *the Press of Atlantic City* are hereby designated the official newspapers of the Borough of Wildwood Crest.

Mrs. Gould motions, Mr. Thompson seconds that the foregoing resolution be adopted.
Vote: Gould -- Thompson -- Cabrera -- Yes

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 04-19

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING ADOPTION OF THE 2019 TEMPORARY BUDGET

WHEREAS, N.J.S.A. 40A:4-19 authorizes, by resolution of the governing body prior to January 31 of the fiscal year, adoption of temporary appropriations of not more than TWENTY-SIX AND ONE-QUARTER PERCENT (26.25%) of the total appropriations made for all purposes in the budget for the preceding fiscal year excluding, in both instances, appropriations made for interest and debt redemption charges, capital improvement fund and public assistance; and

WHEREAS, the total temporary appropriations to be created by this resolution amount to \$8,575,276.00, said amount being inclusive of not more than TWENTY-SIX AND ONE-QUARTER PERCENT (26.25%) of the total of those appropriations as fully authorized hereinabove.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey, that the amount of \$8,575,276.00 be and the same shall hereby constitute the 2019 Temporary Appropriations:

PUBLIC AFFAIRS & PUBLIC SAFETY DIRECTOR'S OFFICE	
SALARIES & WAGES.....	\$ 7,000.00
OTHER EXPENSES.....	500.00
FIRE DEPARTMENT	
SALARIES & WAGES.....	1,500.00
OTHER EXPENSES.....	100,000.00
POLICE	
SALARIES & WAGES.....	740,000.00
OTHER EXPENSES.....	90,000.00
EMERGENCY MANAGEMENT	
SALARIES & WAGES.....	1,500.00
OTHER EXPENSES.....	500.00
MUNICIPAL COURT	
SALARIES & WAGES.....	35,000.00
OTHER EXPENSES.....	21,000.00
LEGAL	
OTHER EXPENSES.....	\$ 75,000.00
SERVICE OF AMBULANCE	
SALARIES & WAGES.....	145,000.00
OTHER EXPENSES.....	18,000.00
COMMUNICATIONS	
OTHER EXPENSES.....	50,000.00
INFORMATION TECHNOLOGY ...	
	40,000.00
ANIMAL CONTROL	
OTHER EXPENSES.....	10,000.00
LIFEGUARDS	
SALARIES & WAGES.....	5,000.00
OTHER EXPENSES.....	25,000.00
FIRE OFFICIAL	
SALARIES & WAGES.....	38,000.00
OTHER EXPENSES.....	3,500.00
LOCAL CODE ENFORCEMENT	
SALARIES & WAGES.....	10,000.00
OTHER EXPENSES.....	1,500.00
LAND USE ADMINISTRATION	
SALARIES & WAGES.....	10,000.00
OTHER EXPENSES.....	30,500.00
TRAFFIC MAINTENANCE	
SALARIES & WAGES.....	45,000.00
OTHER EXPENSES.....	10,000.00
REVENUE & FINANCE DIRECTOR'S OFFICE	
SALARIES & WAGES.....	\$ 7,000.00
OTHER EXPENSES.....	500.00
FINANCIAL ADMINISTRATION	
SALARIES & WAGES.....	95,000.00
OTHER EXPENSES.....	71,000.00
ASSESSMENT OF TAXES	
SALARIES & WAGES.....	12,000.00
OTHER EXPENSES.....	4,000.00

COLLECTION OF TAXES		
SALARIES & WAGES	40,000.00	
OTHER EXPENSES	5,700.00	
INSURANCE		
GROUP INSURANCE FOR EMPLOYEE	900,000.00	
OTHER INSURANCE	250,000.00	
BOROUGH ADMINISTRATION		
SALARIES & WAGES	90,000.00	
OTHER EXPENSES	20,300.00	
UTILITIES BILLING		
OTHER EXPENSES	4,500.00	
CONSTRUCTION OFFICE		
SALARIES & WAGES	40,000.00	
OTHER EXPENSES	7,000.00	
WEDDING FEES		
SALARIES & WAGES	1,000.00	
PUBLIC WORKS DIRECTOR'S OFFICE		
SALARIES & WAGES	8,000.00	
OTHER EXPENSES	1,000.00	
PUBLIC WORKS		
SALARIES & WAGES	130,000.00	
OTHER EXPENSES	35,000.00	
UTILITIES		
NATURAL GAS	\$ 60,000.00	
ELECTRIC	60,000.00	
FUEL OIL	40,000.00	
STREET LIGHTING	45,000.00	
LANDFILL		
OTHER EXPENSES	100,000.00	
CMC MUA CHARGES		
OTHER EXPENSES	50,000.00	
WATER		
OTHER EXPENSES	10,000.00	
HYDRANT SERVICE	15,000.00	
ENGINEER		
OTHER EXPENSES	75,000.00	
BEACH MAINTENANCE		
SALARIES & WAGES	5,000.00	
OTHER EXPENSES	10,000.00	
SANITATION		
SALARIES & WAGES	110,000.00	
OTHER EXPENSES	11,500.00	
RECREATION		
SALARIES & WAGES.....		110,000.00
OTHER EXPENSES.....		12,000.00
TOURISM		
SALARIES & WAGES.....		10,000.00
OTHER EXPENSES.....		50,000.00
SEWERAGE		
SALARIES & WAGES	35,000.00	
OTHER EXPENSES	17,000.00	
PARKS AND BUILDINGS		
SALARIES & WAGES	65,000.00	
OTHER EXPENSES	40,000.00	

RECREATION BUILDINGS			
OTHER EXPENSES			32,000.00
FLEET MAINTENANCE			
SALARIES & WAGES	\$	45,000.00	
OTHER EXPENSES		45,000.00	
STATUTORY EXPENSES			
SOCIAL SECURITY		200,000.00	
UNEMPLOYMENT INSURANCE		10,000.00	
DEFINED CONTRIBUTION RETIREMENT PLAN.....			2,000.00
CAPITAL IMPROVEMENTS			
SEWER REPAIRS			50,000.00
ACQUISITION OF VEHICLES AND EQUIPMENT			500,000.00
PURCHASE OF COMPUTERS AND RELATED EQUIP.....			50,000.00
IMPROVEMENTS TO BOROUGH BUILDINGS AND PROP.....			100,000.00
TOTAL APPROPRIATIONS EXCLUDING CAPITAL IMPROVEMENT FUND, INTEREST AND DEBT REDEMPTION CHARGES AND PUBLIC ASSISTANCE	\$		5,200,000.00
CAPITAL IMPROVEMENT			
CAPITAL IMPROVEMENT FUND		0.00	
INTEREST AND DEBT REDEMPTION CHARGES			
INTEREST AND PRINCIPAL ON BONDS AND LOANS			3,375,276.00
TOTAL TEMPORARY APPROPRIATIONS (ALL PAGES).....	\$		<u>8,575,276.00</u>

Mrs. Gould motions, Mr. Thompson seconds that the foregoing resolution be adopted.

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

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 05-19

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST ADOPTING THE 2019 CASH MANAGEMENT PLAN OF THE BOROUGH OF WILDWOOD CREST

WHEREAS, pursuant to the provisions of N.J.S.A. 40A:5-14, the Borough of Wildwood Crest shall adopt a Cash Management Plan and shall deposit its funds in accordance with the provisions of said Plan; and

WHEREAS, the Cash Management Plan shall include the designation of a depository or depositories as provided in Section 4 of P.L. 1970, c.236; and

WHEREAS, the Cash Management Plan shall be designed to assure to the extent practicable the investment of local funds in interest bearing accounts and may be modified from time to time in order to reflect changes in federal or state law or regulations; and

WHEREAS, the Cash Management Plan shall be subject to the annual audit conducted pursuant to N.J.S.A. 40A:5-4.

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

1. The above recital paragraphs are incorporated herein by as if set forth at length.
2. The Cash Management Plan for the Borough of Wildwood Crest is hereby adopted.
3. A copy of the Cash Management Plan is attached hereto and made a part hereof.

Mrs. Gould motions, Mr. Thompson seconds that the foregoing resolution be adopted.

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

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 06-19

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST DESIGNATING JASON HESLEY TO REPRESENT THE BOROUGH OF WILDWOOD CREST WITH TAX APPEALS FOR CY2019

WHEREAS, by direction of the Cape May County Board of Taxation, adopted pursuant to the terms and provisions of N.J.A.C. 18:12A-1.6(d), any and all tax appeals seeking either increases or decreases of Tax Assessment which shall be submitted to the Cape May County Board of Taxation by the various municipalities which are situated in the County of Cape May are required to, as a prerequisite to their filing, be authorized by a Resolution of the Tax District involved; and

WHEREAS, upon being appraised of said fact, the Tax Assessor of the Borough of Wildwood Crest requested that a Resolution authorizing the execution of such tax appeals by the Tax Assessor of the Borough of Wildwood Crest be authorized by the governing body of the Borough of Wildwood Crest so that disposition of the same may be made by the Cape May County Board of Taxation.

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. That Jason Hesley, Tax Assessor of the Borough of Wildwood Crest, is hereby authorized to both pursue and defend to completion Tax Appeals on behalf of the Borough of Wildwood Crest for either increase or decreases in Tax Assessments for the calendar year 2019, for disposition by the Cape May County Board of Taxation.

2. That Patricia A. Feketics, Borough Clerk of the Borough of Wildwood Crest, is instructed to direct certified copies of this Resolution to the following persons or agencies:

- A. Jason Hesley, Tax Assessor of the Borough of Wildwood Crest;
- B. Lyndsey Herman, Tax Collector of the Borough of Wildwood Crest; and
- C. Cape May County Board of Taxation.

Mrs. Gould motions, Mr. Thompson seconds that the foregoing resolution be adopted.

Vote: Gould -- Thompson -- Cabrera – Yes

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 07-19

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING THE TAX COLLECTOR TO CONDUCT A TAX TITLE LIEN SALE IN CY2019

WHEREAS, N.J.S.A. 54:5-19 requires the governing body by Resolution to empower the Tax Collector to conduct a tax sale in 2019 for properties with unpaid taxes, sewer and /or other municipal charges or charges in arrears from the prior fiscal year, as well as temporarily hold out of tax sale certain properties that comply with specifically defined conditions and circumstances; and

WHEREAS, there are properties with delinquent charges as noted above, as well as certain properties as designated on the 2019 tax sale list which comply with said conditions and circumstances to be temporarily withheld from the tax sale for 2018 taxes, sewer and other municipal charges.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, State of New Jersey that the Tax Collector be empowered to conduct a tax sale in 2019 as referenced above, and temporarily hold out of the tax sale any such property which conforms to the specifically defined conditions and circumstances as promulgated in N.J.S.A. 54:5-19 and/or any other provision of New Jersey Statutory Law.

Mrs. Gould motions, Mr. Thompson seconds that the foregoing resolution be adopted.

Vote: Gould -- Thompson -- Cabrera – Yes

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 08-19

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING THE INTEREST RATE, GRACE PERIOD AND YEAR-END PENALTY FOR TAXES/SEWER FEES IN CY2019

WHEREAS, N.J.S.A. 54:4-67 et seq. permits the governing body to fix the rate of interest to be charged for the nonpayment of taxes, sewer or other municipal charges.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Borough of Wildwood Crest, the rate of interest on unpaid taxes and sewer shall be eight (8) percent per annum on the first one thousand five hundred dollars (\$1,500.00) of delinquency and eighteen (18) percent per annum on any amount in excess of one thousand five hundred dollars (\$1,500.00) to be calculated from the date the tax, sewer or other municipal charges were payable until the date of actual payment. No interest shall be charged if payment is made on or before the tenth (10th) calendar day following the date upon which the same is payable.

BE IT FURTHER RESOLVED, in addition to the interest provided above, all delinquencies in excess of ten thousand dollars (\$10,000.00) which are not paid prior to the end of the year will be subject to a year-end penalty of six (6) percent.

Mrs. Gould motions, Mr. Thompson seconds that the foregoing resolution be adopted.
Vote: Gould -- Thompson -- Cabrera – Yes

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 09-19

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING THE APPOINTMENT OF RONALD GELZUNAS AS MUNICIPAL PROSECUTOR FOR THE BOROUGH OF WILDWOOD CREST

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest desires to re-appoint Ronald Gelzunas as Municipal Prosecutor for one (1) year term pursuant to the provisions of N.J.S.A. 2B:25-4; and

WHEREAS, the Borough of Wildwood Crest and the City of North Wildwood entered into a Shared Services Agreement for Municipal Court Services on September 18, 2018 for a period commencing January 1, 2019 through December 31, 2023; and

WHEREAS, said agreement stipulates the City of North Wildwood hereby agrees to provide, at its costs and expense, all usual and ordinary judicial and administrative services to Wildwood Crest including the physical court facilities, the services of the North Wildwood Municipal Court Judge, Municipal Prosecutor, Municipal Public Defender, and other court staffing and equipment, as required by statute and by the Supreme Court of New Jersey, for so long as the agreement remains in effect.

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 Ronald Gelzunas, Esquire, 100 East Lavender Road, Wildwood Crest, New Jersey, be and is hereby re-appointed as the Municipal Prosecutor of the Borough of Wildwood Crest in accordance with and pursuant to N.J.S.A. 2B:25-4 for a term of one year commencing effective immediately and expiring December 31, 2019.

Mrs. Gould motions, Mr. Thompson seconds that the foregoing resolution be adopted.
Vote: Gould -- Thompson -- Cabrera – Yes

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 10-19

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING THE APPOINTMENT OF SETH FUSCELLARO AS MUNICIPAL PUBLIC DEFENDER FOR THE BOROUGH OF WILDWOOD CREST

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest desires to re-appoint Seth Fuscellaro as Municipal Public Defender for one (1) year term pursuant to the provisions of N.J.S.A. 2B:24-3; and

WHEREAS, the Borough of Wildwood Crest and the City of North Wildwood entered into a Shared Services Agreement for Municipal Court Services on September 18, 2018 for a period commencing January 1, 2019 through December 31, 2023; and

WHEREAS, said agreement stipulates the City of North Wildwood hereby agrees to provide, at its costs and expense, all usual and ordinary judicial and administrative services to Wildwood Crest including the physical court facilities, the services of the North Wildwood Municipal Court Judge, Municipal Prosecutor, Municipal Public Defender, and other court staffing and equipment, as required by statute and by the Supreme Court of New Jersey, for so long as the agreement remains in effect.

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 Seth Fuscellaro, Esquire, 100 East Rio Grande Avenue, Wildwood Crest, New Jersey, be and is hereby re-appointed as the Municipal Public Defender of the Borough of Wildwood Crest in accordance with and pursuant to N.J.S.A. 2B:24-3 for a term of one year commencing effective immediately and expiring December 31, 2019.

Mrs. Gould motions, Mr. Thompson seconds that the foregoing resolution be adopted.
Vote: Gould -- Thompson -- Cabrera – Yes

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 11-19

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING A PROFESSIONAL SERVICES CONTRACT WITH WILLIAM G. BLANEY, ESQUIRE, AS SPECIAL LABOR COUNSEL FOR CY 2019

WHEREAS, the Borough of Wildwood Crest requires the professional services of a law firm specializing in labor relations in the field of collective bargaining negotiations, personnel administration, and employer-employee relations in an employee administrative proceeding and litigation and any other legal matter that may be assigned; 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 Board of Commissioners of the Borough of Wildwood Crest has determined that **William G. Blaney, Esquire**, and the law firm of Blaney & Karavan, P.A., of Avalon, New Jersey is qualified to perform the said work and it is desired to enter a professional contract with them for said services pursuant to law, and to provide for the advertising of a notice pursuant to law; and

WHEREAS, under the Local Public Contracts Law, N.J.S.A. 40A:11-1, et. seq., the subject contract would be 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 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, County of Cape May, New Jersey, as follows:

1. The above recital paragraphs are incorporated herein as if set forth at length.
2. **William G. Blaney, Esquire** and the law firm of Blaney & Karavan, P.A., of Avalon, New Jersey is hereby retained as Special Counsel as a professional labor negotiator to provide specialized professional services in the field of collective bargaining negotiations, personnel administration, employee disciplinary actions, and employer-employee relations and litigation and any other legal matter that may be assigned for the period January 1, 2019 through December 31, 2019. The said professional services to be received shall be “as directed” by the Borough of Wildwood Crest from time to time.
3. 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.
4. The Mayor and Borough Clerk are hereby authorized and empowered to enter into a contract with **William G. Blaney, Esquire**, of the law firm of Blaney & Karavan, P.A., for a term of the period indicated above, which contract shall provide for payment at the hourly rate of **one hundred forty (\$140.00) dollars per hour** not to exceed the amount of \$80,000.00 annually.
5. 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 motions, Mr. Thompson seconds that the foregoing resolution be adopted.

Vote: Gould -- Thompson -- Cabrera – Yes

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 12-19

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING FRANCINE SPRINGER AND ALEXA CAMPILANGO TO CONTINUE AS CUSTODIANS OF PETTY CASH FOR THE WILDWOOD CREST ADMINISTRATIVE OFFICES AT THE NTE SUM OF \$250.00

WHEREAS, on July 25, 2018, via Resolution No. 235-18, Francine B. Springer (Chief Financial Officer) and Alexa Campilango (Account Clerk) were designated as Custodians of Petty Cash for the Wildwood Crest Administrative Offices; and

WHEREAS, it is the desire of the Board of Commissioners of the Borough of Wildwood Crest to have Francine B. Springer and Alexa Campilango serve as Custodians of Petty Cash; and

WHEREAS, Francine B. Springer is bonded in the amount of \$1,000,000.00 by virtue of a surety bond.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May and State of New Jersey, hereby authorizes that Francine B. Springer and Alexa Campilango continue to serve as Custodians of petty cash for the Administrative offices of the Borough of Wildwood Crest at the not to exceed sum of \$250.00 and directs that two copies of this resolution be filed with the Division of Local Government Services, New Jersey Department of Community Affairs for approval.

Mrs. Gould motions, Mr. Thompson seconds that the foregoing resolution be adopted.

Vote: Gould -- Thompson -- Cabrera – Yes

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 13-19

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING JOSEPH MCGRATH TO CONTINUE AS CUSTODIAN OF PETTY CASH FOR THE WILDWOOD CREST POLICE DEPARTMENT AT THE NTE SUM OF \$200.00

WHEREAS, on January 3, 2018, via Resolution No. 23-18, Joseph McGrath (Chief of Police) was designated as Custodian of Petty Cash for the Wildwood Crest Police Department; and

WHEREAS, it is the desire of the Board of Commissioners of the Borough of Wildwood Crest to have Joseph McGrath continue to serve as Custodian of Petty Cash for the Wildwood Crest Police Department Petty Cash fund at the NTE sum of \$200.00.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May and State of New Jersey, hereby authorizes that Joseph McGrath continue to serve as Custodian of petty cash for the Wildwood Crest Police Department at the not to exceed sum of \$200.00 and directs that two copies of this resolution be filed with the Division of Local Government Services, New Jersey Department of Community Affairs for approval.

Mrs. Gould motions, Mr. Thompson seconds that the foregoing resolution be adopted.

Vote: Gould -- Thompson -- Cabrera – Yes

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 14-19

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING AWARD OF CONTRACT TO POGUE SAFETY & HEALTH CONSORTIUM FOR ALCOHOL AND DRUG TRAINING/TESTING FOR CDL OPERATORS

WHEREAS by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey, that an agreement with POGUE SAFETY & HEALTH CONSORTIUM be and the same is hereby authorized and approved effective immediately and through December 31, 2019, for the express purpose of enabling said POGUE SAFETY & HEALTH CONSORTIUM to develop, schedule, and provide alcohol and drug testing services at a total cost of Fifty-Eight (\$58.00) Dollars per employee trained, for all CDL (Commercial Driver's License) operators employed by the Borough of Wildwood Crest; said compliance being required by the federally mandated CDL testing procedures which are made a part hereof by reference as if fully set forth.

BE IT FURTHER RESOLVED that the Mayor and the Municipal Clerk be and they are hereby authorized, instructed, and empowered to execute and attest any and all documents, including the "Provider Agreement," necessary to effectuate the award of this agreement; all of which is fully approved subject to the certification of availability of funds from the CFO upon submission of individual invoices.

Mrs. Gould motions, Mr. Thompson seconds that the foregoing resolution be adopted.

Vote: Gould -- Thompson -- Cabrera – Yes

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 15-19

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING AWARD OF CONTRACT TO SHORE ANIMAL CONTROL SERVICES, FOR ANIMAL CONTROL SERVICES IN THE BOROUGH FOR CY2019 AT THE NTE AMOUNT OF \$11,400

WHEREAS, there exists the need for an ANIMAL CONTROL OFFICER AND SERVICES to be retained by the Borough for the performance of animal control, animal cruelty investigation, wildlife removal and road kill disposal services and related duties associated therewith, as directed by the authorized representatives of the Borough of Wildwood Crest, all as more specifically set forth in the attached Agreement which is made a part hereof by reference as if fully set forth; and

WHEREAS, SHORE ANIMAL CONTROL SERVICES, LLC has completed and submitted a Business Entity Disclosure Certification which certifies that SHORE ANIMAL CONTROL SERVICES, LLC will not make any reportable contributions pursuant to N.J.S.A. 19:44A-1 commencing January 1, 2019 to any political committee or candidate through the term of this contract, December 31, 2019.

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. That the contract is awarded as a competitive contract with price and other factors most advantageous for the Borough of Wildwood Crest for the period of January 1, 2019 through December 31, 2019.
3. The Mayor and Borough Clerk are hereby authorized and empowered to enter into the attached agreement with SHORE ANIMAL CONTROL SERVICES, LLC, who shall be compensated by voucher at the agreed upon rate of Nine Hundred Fifty (\$950) Dollars per month for a total of Eleven Thousand Four Hundred (\$11,400).
4. 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.
5. 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.

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

Account Number (s) _____ Amount _____ Signature _____

Mrs. Gould motions, Mr. Thompson seconds that the foregoing resolution be adopted.
Vote: Gould -- Thompson -- Cabrera -- Yes

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 16-19
**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF
WILDWOOD CREST AUTHORIZING PROFESSIONAL SERVICES CONTRACT WITH
STEVEN SECARE FOR SERVICES AS HEARING OFFICER FOR CY2019**

WHEREAS, there exists the need for the "Professional Services" of a HEARING OFFICER, to be retained by the Borough for all Department of Personnel (a/k/a Civil Service) disciplinary action hearings and related duties associated therewith as directed by the authorized representatives of the Borough of Wildwood Crest, all as more specifically set forth in the attached Agreement which is made a part hereof by reference as if fully set forth; and

WHEREAS, this contract 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. as an authorized exception to the public bidding as a Professional Services Contract; and

WHEREAS, under the Local Public Contracts Law, N.J.S.A. 40A:11-1, et. seq., the subject contract would be 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 CFO has certified the availability of funds as evidenced below by her signature:

Account Number(s) _____ Amount _____ Signature _____

WHEREAS, Steven Secare, Esq. 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 commencing January 1, 2019 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, 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 and empowered to enter into the attached agreement effective immediately through December 31, 2019, with Steven Secare, Esq. who shall be compensated by voucher at the agreed upon rate of \$150.00 per hour, not to exceed \$9,500.
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 motions, Mr. Thompson seconds that the foregoing resolution be adopted.

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

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 17-19

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING A PROFESSIONAL SERVICES CONTRACT WITH JEFFREY R. SURENIAN AND ASSOCIATES, LLC, AS SPECIAL COUNSEL FOR COAH RELATED MATTERS FOR CY2019

WHEREAS, there exists the need for the “Professional Services” of SPECIAL COUNSEL, to be retained by the Borough to assist the Borough and its legal counsel in helping the Borough address its responsibilities with respect to its affordable-housing obligations in any proceeding involving (a) a New Jersey court of competent jurisdiction, and/or (b) the New Jersey Council on Affordable Housing (“COAH”), and all as more specifically set forth in the attached Agreement which is made a part hereof by reference as if fully set forth; and

WHEREAS, this contract 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. as an authorized exception to the public bidding as a Professional Services Contract; and

WHEREAS, under the Local Public Contracts Law, N.J.S.A. 40A:11-1, et. seq., the subject contract would be 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 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 and empowered to enter into the attached agreement effective immediately through December 31, 2019, with **Jeffrey R. Surenian and Associates, LLC** who shall be compensated by voucher at the agreed upon hourly rates, not to exceed Five Thousand (\$5,000)
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 motions, Mr. Thompson seconds that the foregoing resolution be adopted.

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

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 18-19

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING A PROFESSIONAL SERVICES CONTRACT WITH HAWKINS, DELAFIELD & WOOD, LLP, AS BOND COUNSEL FOR CY2019

WHEREAS, the Borough of Wildwood Crest requires the professional services of a Law Firm to assist the municipality with the selling of bonds, or bond anticipation notes, for financing the cost of the capital improvement program and for the rendering of legal opinions related thereto; and

WHEREAS, it is desired to employ a professional, pursuant to law, who is duly trained, experienced and specialized in the area of municipal bonds; and

WHEREAS, this contract 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. as an authorized exception to the public bidding as a Professional Services Contract; and

WHEREAS, under the Local Public Contracts Law, N.J.S.A. 40A:11-1, et. seq., the subject contract would be 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 of 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 CFO has certified the availability of funds as evidenced below by her signature:

Account Number(s) _____ Amount _____ Signature _____

WHEREAS, the Borough has determined that the firm of Hawkins, Delafield & Wood is qualified to perform the said work and it is desired to enter a professional contract with them for said services pursuant to law, and to provide for the advertising of a notice pursuant to law; and

WHEREAS, Hawkins, Delafield & Wood has completed and submitted a Business Entity Disclosure Certification which certifies that Hawkins, Delafield & Wood will not make any reportable contributions pursuant to N.J.S.A. 19:44A-1 commencing January 1, 2018 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:

6. The above recital paragraphs are incorporated herein as if set forth at length.

7. Hawkins, Delafield & Wood is hereby retained as Bond Counsel to provide specialized professional services in the field of municipal bond work. The said professional services to be received shall be “as directed” by the Borough of Wildwood Crest from time to time.

8. The Mayor and Borough Clerk be and they are hereby authorized and directed to enter into a contract with Hawkins, Delafield & Wood for specialized professional services as Bond Counsel for a term of one (1) year, which contract shall provide for fees to be calculated as set forth in the letter of Hawkins, Delafield & Wood dated December 10, 2018 and attached hereto, contingent upon certification from the Chief Financial Officer as to the availability of funds for specific municipal bond work, if applicable.

9. 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; a copy of these documents shall be kept on file in the office of the Borough Clerk.

10. 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 motions, Mr. Thompson seconds that the foregoing resolution be adopted.

Vote: Gould -- Thompson -- Cabrera – Yes

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 19-19

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING AWARD OF CONTRACT TO SALVATORE DESIMONE AS COMMUNITY RATING SYSTEM CONSULTANT FOR CY 2019

WHEREAS, there exists the need for the “Services” of a firm to be retained by the Borough for the performance of Community Rating System (CRS) Consulting services and related duties associated therewith as directed by the authorized representatives of the Borough of Wildwood Crest, all as more specifically set forth in the attached Agreement which is made a part hereof by reference as if fully set forth; and

WHEREAS, SALVATORE DeSIMONE has completed and submitted a Business Entity Disclosure Certification which certifies that **SALVATORE DeSIMONE** will not make any reportable contributions pursuant to N.J.S.A. 19:44A-1 commencing January 1, 2019 to any political committee or candidate through the term of this contract. Said term shall expire December 31, 2019.

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. That the Mayor and Borough Clerk are hereby authorized and empowered to execute the attached agreement with **SALVATORE DeSIMONE**, who shall be compensated by voucher at the agreed upon hourly rates, not to exceed \$5,000, contingent upon certification from the Chief Financial Officer as to the availability of funds, and said “Independent Contractor” shall be required to comply with this Resolution, and the attached Agreement. Said **SALVATORE DeSIMONE** is further required to comply with all other conditions/provisions of law or regulation applicable to a “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 this contract.

3. 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; a copy of these documents shall be kept on file in the office of the Borough Clerk.

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 motions, Mr. Thompson seconds that the foregoing resolution be adopted.

Vote: Gould -- Thompson -- Cabrera – Yes

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 20-19

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING AWARD OF EUS CONTRACT WITH

CONTEMPORARY TECHNOLOGY, INC., FOR NETWORK SUPPORT/INFORMATION TECHNOLOGY SPECIALIST

WHEREAS, there exists the need for the “Extraordinary Unspecifiable Services” of a NETWORK SUPPORT / INFORMATION TECHNOLOGY SPECIALIST, to be retained by the Borough for all 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 attached Agreement which is made a part hereof by reference as if fully set forth; and

WHEREAS, The 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 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; and

WHEREAS, under the Local Public Contracts Law, N.J.S.A. 40A:11-1, et. seq., the subject contract would be a contract for Extraordinary Unspecifiable Services because the service requires unique artistic design skills and abilities that are of a qualitative nature; and

WHEREAS, Contemporary Technologies, Inc. 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 commencing January 1, 2019 to any political committee or candidate through the term of this contract.

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. That the allegations of the preamble hereto are incorporated herein as if fully set forth.
2. That the Commissioner of Revenue & Finance and Borough Clerk are hereby authorized and empowered to execute the attached agreement with **Contemporary Technologies, Inc.**, who shall be compensated by voucher at the agreed upon rate of \$85.00 - \$90.00 per hour, and \$120.00 per hour for emergency call outs and unplanned assistance between 11:00 p.m. and 8:00 a.m., not to exceed \$68,000, contingent upon certification from the Chief Financial Officer as to the availability of funds, and whose rate/fee structure are contained in the aforesaid Agreement and said “Independent Contractor” shall be required to comply with this Resolution, and the attached Agreement. Said Network Support / Information Technology Specialist is further required to comply with all other conditions/provisions of law or regulation applicable to a “Extraordinary Unspecified 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 this contract. This contract is awarded pursuant to N.J.S.A. 40A:11-5(dd) which states “The provision or performance of goods or services for the support or maintenance of proprietary computer hardware and software, except that this provision shall not be utilized to acquire or upgrade non-proprietary hardware or to acquire or update non-proprietary software.”
3. 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; a copy of these documents shall be kept on file in the office of the Borough Clerk.
4. That a copy of the specific items appertaining 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 passage of the Resolution authorizing same.

Mrs. Gould motions, Mr. Thompson seconds that the foregoing resolution be adopted.

Vote: Gould -- Thompson -- Cabrera – Yes

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 21-19

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING PROFESSIONAL SERVICES CONTRACT WITH MARC DEBLASIO OF DEBLASIO & ASSOCIATES FOR FACILITY AND GENERAL ENGINEER FOR CY2019

WHEREAS, there exists the need for “Professional Services” of a FACILITY & GENERAL ENGINEER, to be retained by the Borough for the performance of engineering work and related duties associated therewith as directed by the authorized representatives of the Borough of Wildwood Crest, all as more specifically set forth in the attached Agreement which is made a part hereof by reference as if fully set forth; and,

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

WHEREAS, this contract was not awarded through a “fair and open process,” but does meet all of the criteria required by the provisions of N.J.S.A. 19:44A-20.4, *et seq.* for said award;

WHEREAS, the Borough has determined that Marc DeBlasio of DeBlasio & Associates located in 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 January 1, 2019 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:

That the allegations of the preamble hereto are incorporated herein as if fully set forth.

1. The Commissioner of Public Works and Borough Clerk be and they are hereby authorized, instructed, and empowered to execute the attached agreement with **DeBlasio & Associates**, who shall be compensated by voucher at the agreed upon hourly rates, contingent upon certification below from the Chief Financial Officer as to the availability of funds, and whose rate/fee structure are contained in the aforesaid Agreement and said “Independent Contractor” shall be required to comply with this Resolution, and the attached Agreement. Said Facility & General Engineer is further required to comply with all other conditions/provisions of law or regulation applicable to a “Professional 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 this contract.
2. 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.
3. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this Resolution.
4. This Resolution and a copy of the contract for professional services shall be maintained on file in the offices of the Borough Clerk for public inspection.
5. 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.

Mrs. Gould motions, Mr. Thompson seconds that the foregoing resolution be adopted.

Vote: Gould -- Thompson -- Cabrera – Yes

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 22-19

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING A PROFESSIONAL SERVICES CONTRACT WITH FORD, SCOTT & ASSOCIATES, LLC AS BOROUGH AUDITOR FOR CY2019

WHEREAS, there exists the need for the “Professional Services” of a **BOROUGH AUDITOR**, to be retained by the Borough for the performance of auditing/accounting work and related duties associates therewith as directed by the authorized representatives of the Borough of Wildwood Crest, all as more specifically set forth in the attached Agreement which is made a part hereof by reference as if fully set forth; and

WHEREAS, this contract 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.* as an authorized exception to the public bidding as a Professional Services Contract; and

WHEREAS, under the Local Public Contracts Law, N.J.S.A. 40A:11-1, *et. seq.*, the subject contract would be 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 Commissioners of the Borough of Wildwood Crest desire to award a Professional Services Contract to **MICHAEL S. GARCIA, RMA, and the firm of Ford Scott Associates, LLC** as Borough Auditor; 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. That the Mayor and Borough Clerk are hereby authorized and empowered to execute the attached agreement with **MICHAEL S. GARCIA, RMA, of the firm of Ford Scott Associates, LLC**, who shall be compensated by voucher at the agreed upon hourly rates, contingent upon certification from the Chief Financial Officer as to the availability of funds, as well as the governing body setting sufficient funds in the 2018 Municipal Budget, in accordance with the proposal dated, **December 17, 2018**, attached hereto, at a not to exceed **amount of \$35,000**, and whose rate/fee structure are contained in the aforesaid Agreement and said "Independent Contractor" shall be required to comply with this Resolution, and the attached Agreement. Said Auditor is further required to comply with all other conditions/provisions of law or regulation applicable to a "Professional 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 this contract.

3. 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; a copy of these documents shall be kept on file in the office of the Borough Clerk.

5. That a copy of the specific items appertaining 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 passage of the Resolution authorizing same.

Mrs. Gould motions, Mr. Thompson seconds that the foregoing resolution be adopted.

Vote: Gould -- Thompson -- Cabrera – Yes

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 23-19

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING AWARD OF PROFESSIONAL SERVICES CONTRACT WITH SCOTT TAYLOR OF TAYLOR DESIGN GROUP TO PERFORM SERVICES AS PLANNING BOARD PLANNER FOR CY2019 AT NTE SUM OF \$9,500

WHEREAS, there exists the need for "Professional Services" for Professional Planning and Architecture Services on an as-needed basis for the Planning Board of the Borough of Wildwood Crest, and,

WHEREAS, this contract 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. as an authorized exception to the public bidding as a Professional Services Contract; and

WHEREAS, under the Local Public Contracts Law, N.J.S.A. 40A:11-1, et. seq., the subject contract would be 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, Scott Taylor, LLA, AICP, PP, LEED, AP and Vice President of Taylor Design Group, and Taylor Design Group, is experienced and capable of providing the necessary planning and architectural services needed by the Planning Board of the Borough of Wildwood Crest and has submitted all required documents:

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. That the Mayor and Borough Clerk are hereby authorized and empowered to execute the attached agreement effective immediately through December 31, 2019, Taylor Design Group and Scott Taylor, Vice President of Taylor Design Group, who shall be compensated pursuant to attached proposal, but in no case shall the compensation exceed Nine Thousand Five Hundred (\$9,500.00) Dollars.
3. 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; a copy of these documents shall be kept on file in the office of the Borough Clerk.
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 motions, Mr. Thompson seconds that the foregoing resolution be adopted.

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

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 24-19

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING A PROFESSIONAL SERVICES CONTRACT WITH CME ASSOCIATES FOR AFFORDABLE HOUSING PLANNER AND ADMINISTRATIVE AGENT FOR CY 2019 AT THE NTE SUM OF \$12,500

WHEREAS, there exists the need for the "Professional Services" of a "Professional Planner", to be retained by the Borough for the performance of affordable housing planning services and to be the Administrative Agent to assist the Borough in the process of addressing its Third Round affordable housing obligation as directed by the authorized representatives of the Borough of Wildwood Crest, all as more specifically set forth in the attached Agreement which is made a part hereof by reference as if fully set forth; and

WHEREAS, CME Associates has obtained a detailed knowledge of the Borough of Wildwood Crest through our affordable housing services to the Borough, and CME's Planning Department has substantial experience in providing affordable housing administration services for various municipalities throughout the State of New Jersey, including the Township of Barnegat, Township of Hillsborough, Borough of Monmouth Beach, Township of East Greenwich and the Borough of Dumont; and

WHEREAS, CME Associates' combination of local knowledge and experience uniquely qualifies CME to provide the Affordable Housing Administration Services for the Borough; and

WHEREAS, CME's Planning Department consists of New Jersey licensed Professional Planners accredited by the American Institute of Certified Planners and certified Administrative Agents; and

WHEREAS, the Commissioners of the Borough of Wildwood Crest desire to retain the services of CME Associates to provide the above referenced professional services to the Borough; and

WHEREAS, under the Local Public Contracts Law, N.J.S.A. 40A:11-1, et. seq., the subject contract would be 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. That the Mayor and Borough Clerk be and they are hereby authorized, instructed, and empowered to execute the attached agreement with CME Associates, who shall be compensated by voucher at the agreed upon rates, **not to exceed Twelve Thousand Five Hundred (\$12,500) Dollars** contingent upon certification below from the Chief Financial Officer as to the availability of funds, and whose rate/fee structure are contained in the aforesaid Agreement and said “Independent Contractor” shall be required to comply with this Resolution, and the attached Agreement. Said Professional Planner is further required to comply with all other conditions/provisions of law or regulation applicable to a “Professional 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 this contract.
3. 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; a copy of the these documents shall be kept on file in the office of the Borough Clerk.
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 motions, Mr. Thompson seconds that the foregoing resolution be adopted.
 Vote: Gould -- Thompson -- Cabrera – Yes

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

**RESOLUTION NO. 25-19
 RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF
 WILDWOOD CREST AUTHORIZING A PROFESSIONAL SERVICES CONTRACT WITH
 J. BYRNE AGENCY AS RISK MANAGEMENT CONSULTANT – ATLANTIC COUNTY
 MUNICIPAL JOINT INSURANCE FUND FOR CY2019**

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey, has resolved to join Atlantic County Municipal Joint Insurance Fund, a self insurance pooling fund, following a detailed analysis; and

WHEREAS, the by-laws of said Fund require that each municipality appoint a RISK MANAGEMENT CONSULTANT to perform various professional services as detailed in the by-laws as well as other “insurance broker of record duties”, including but not limited to the authorized placement of independent statutory bonds, flood and health insurance policies; and

WHEREAS, the by-laws indicate a fee not to exceed five (5%) percent of the municipal assessment, which expenditure represents reasonable compensation for the services required and was included in the cost considered by the Board of Commissioners; and

WHEREAS, the judgmental nature of the RISK MANAGEMENT CONSULTANT’s duties renders comparative bidding impractical; and

WHEREAS, the Commissioner of Revenue and Finance has determined that J. BYRNE AGENCY is best qualified to provide the services specified herein; and

WHEREAS, said award of Professional Services Contract is in excess of \$17,500.00 and, on this basis, is subject to the provisions of N.J.S.A. 19:44A-20.4, et. seq. (a/k/a Local Unit Pay-To-Play Law);

WHEREAS, **J. BYRNE AGENCY** has completed and submitted a Business Entity Disclosure Certification which certifies that said firm has not made and will not make any reportable contributions pursuant to N.J.S.A. 19:44A-1, et. seq., that, pursuant to P.L. 2004, c. 19, would bar the award of this contract in the one year period preceding January 1, 2019 to any political committee or candidate of which any member of the governing body is otherwise affiliated.

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. J. BYRNE AGENCY is hereby appointed as it RISK MANAGEMENT CONSULTANT AND INSURANCE BROKER OF RECORD for the period commencing January 1, 2019 and terminating effective December 31, 2019 at the rate of compensation equal to **FIVE PERCENT (5%)** of the Borough's annual assessment; all of which is contingent upon adequate budgetary provision being made by the governing body in fiscal year 2018, is in accordance with the full provisions of the Consultant's Agreement, and the provisions of N.J.S.A. 40A:11-5.

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; a copy of these documents on file and available for public inspection in the office of the Borough Clerk.

3. The Mayor and Borough Clerk are hereby authorized and empowered to execute the Consultant's Agreement annexed hereto, which agreement is made a part hereof by reference as if fully set forth.

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 motions, Mr. Thompson seconds that the foregoing resolution be adopted.

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

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 26-19

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING A PROFESSIONAL SERVICES CONTRACT WITH PHOENIX ADVISORS AS SEC CONTINUING DISCLOSURE SPECIALIST FOR CY2019

WHEREAS, there exists the need for the "Professional Services" of an **SEC CONTINUING DISCLOSURE SPECIALIST**, to be retained by the Borough for the performance of SEC Continuing Disclosure work and related duties associates therewith as directed by the authorized representatives of the Borough of Wildwood Crest, all as more specifically set forth in the attached Agreement which is made a part hereof by reference as if fully set forth; and

WHEREAS, this contract 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. as an authorized exception to the public bidding as a Professional Services Contract; and

WHEREAS, under the Local Public Contracts Law, N.J.S.A. 40A:11-1, et. seq., the subject contract would be 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, all work required of **PHOENIX ADVISORS, LLC**, under contract dated **January 3, 2018** has been completed; and

WHEREAS, PHOENIX ADVISORS, LLC, has completed and submitted a Business Entity Disclosure Certification which certifies that **Phoenix Advisors, LLC**, will not make any reportable contributions pursuant to N.J.S.A. 19:44A-1 commencing January 1, 2019 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. That the Mayor and Borough Clerk are hereby authorized and empowered to execute the attached agreement with **PHOENIX ADVISORS, LLC**, who shall be compensated by voucher at the agreed upon rates, contingent upon certification from the Chief Financial Officer as to the availability of funds at a **not to exceed amount of \$3,000**, and whose rate/fee structure are contained in the aforesaid Agreement and said "Independent Contractor" shall be required to comply with this Resolution, and the attached Agreement. Said Auditor is further required to comply with all other conditions/provisions of law or regulation applicable to a "Professional 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 this contract.
3. 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; a copy of these documents shall be kept on file in the office of the Borough Clerk.
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 motions, Mr. Thompson seconds that the foregoing resolution be adopted.
Vote: Gould -- Thompson -- Cabrera -- Yes

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:
RESOLUTION NO. 27-19

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING A PROFESSIONAL SERVICES CONTRACT WITH RONA ZUCKER KAPLAN OF COOPER LEVENSON, P.A., AS SPECIAL COUNSEL AT THE HOURLY RATE 250.00 AT THE NTE SUM OF \$30,000 FOR CY2019

WHEREAS, the Borough of Wildwood Crest requires the professional services of a law firm specializing in construction litigation issues; and

WHEREAS, it is desired to employ a professional, pursuant to law, who is duly trained, experienced and specialized in the area of skilled construction litigation; 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 **Rona Zucker Kaplan** of the law firm of Cooper Levenson, P.A. of Atlantic City, New Jersey is qualified to perform said work and it is desired to enter a professional contract with them for said services pursuant to law, and to provide for the advertising of a notice pursuant to law; and

WHEREAS, under the Local Public Contracts Law, N.J.S.A. 40A:11-1, et. seq., the subject contract would be 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, Rona Zucker Kaplan, of the law firm of Cooper Levenson. P.A., has completed and submitted a Business Entity Disclosure Certification which certifies that Rona Zucker Kaplan and Cooper Levenson, P.A., will not make any reportable contributions pursuant to N.J.S.A. 19:44A-1 commencing January 2, 2019 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, County of Cape May, New Jersey, as follows:

1. **Rona Zucker Kaplan** of the law firm of Cooper Levenson, P.A., of Atlantic City, New Jersey is hereby retained as Special Counsel to provide specialized professional services in the field of construction litigation for the period ending December 31, 2019. The said professional services to be received shall be “as directed” by the Borough of Wildwood Crest from time to time.

2. The Mayor and Borough Clerk are hereby authorized and empowered to enter into a contract with **Rona Zucker Kaplan**, of the law firm of Cooper Levenson, P.A., for specialized professional services in the field of construction litigation for a term of the period indicated above, which contract shall provide for payment at the hourly rate of **two hundred fifty (\$250.00) dollars per hour and not to exceed \$30,000**.

3. 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; a copy of these documents shall be kept on file in the office of the Borough Clerk.

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 motions, Mr. Thompson seconds that the foregoing resolution be adopted.

Vote: Gould -- Thompson -- Cabrera – Yes

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 28-19

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING AWARD OF SPECIAL SERVICES CONTRACT FOR SPECIALIZED ENGINEERING SERVICES WITH ROBERT ROOP OF LOCKATONG ENGINEERING

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 Expert Witness Testimony in HVAC Installation for the Borough of Wildwood Crest, and

WHEREAS, this contract 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, the Board of Commissioners of the Borough of Wildwood Crest previously engaged the services of Robert N. Roop of Lockatong Engineering, LLC for these specialized services in 2017 and 2018; and

WHEREAS, the Board of Commissioners has determined that Robert N. Roop of Lockatong Engineering, LLC is qualified to perform said work and it is desired to enter a professional contract with him for said services pursuant to law, and to provide for the advertising of a notice pursuant to law; and

WHEREAS, under the Local Public Contracts Law, N.J.S.A. 40A:11-1, et. seq., the subject contract would be 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 Commissioners of the Borough of Wildwood Crest recommend the award of a Special Services Contract to Lockatong Engineering, LLC; 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; a copy of these documents shall be kept on file in the office of the Borough Clerk.
3. That the Mayor and Borough Clerk are hereby authorized and empowered to execute a professional services contract effective immediately through December 31, 2019, with Lockatong Engineering, who shall be compensated pursuant to attached Proposal which is incorporated herein, at the billable rates set forth therein not to exceed \$15,000.00.
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 motions, Mr. Thompson seconds that the foregoing resolution be adopted.

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

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 29-19

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING AWARD SPECIAL SERVICE CONTRACT FOR CONFLICT SPECIAL LABOR COUNSEL TO MICHAEL TESTA OF TESTA HECK TESTA & WHITE FOR CY2019

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest has determined that there exists the need for a Conflict Labor Counsel for the Borough of Wildwood Crest, and

WHEREAS, this contract 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. as an authorized exception to the public bidding as a Professional Services Contract; and

WHEREAS, under the Local Public Contracts Law, N.J.S.A. 40A:11-1, et. seq., the subject contract would be 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 Commissioners of the Borough of Wildwood Crest desire to appoint Michael Testa, Esquire to serve as special labor counsel to the Borough of Wildwood Crest to handle all legal work necessary and as may be assigned by the Borough to represent the interests of the Borough of Wildwood Crest.

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

Account Number(s) _____ Amount _____ Signature _____

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. That a contract for Special Labor Counsel is awarded to Michael Testa, Esquire.
3. 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; a copy of these documents shall be kept on file in the office of the Borough Clerk.
4. That the Mayor and Borough Clerk are hereby authorized and empowered to enter into a contract effective immediately through December 31, 2019, with Michael Testa, Esquire, who shall be compensated at the billable rate of \$140.00 per hour not to exceed \$2,500.00.
5. 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 motions, Mr. Thompson seconds that the foregoing resolution be adopted.

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

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 30-19

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, this contract 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. as an authorized exception to the public bidding as a Professional Services Contract; and

WHEREAS, under the Local Public Contracts Law, N.J.S.A. 40A:11-1, et. seq., the subject contract would be 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 Commissioners of the Borough of Wildwood Crest desire to appoint Avery Teitler to serve as the Conflict Counsel for the Planning Board and Zoning Board of Adjustment to handle all legal work necessary and as may be assigned by the Planning and Zoning Board or Board of Commissioners to represent the interests of the Borough of Wildwood Crest; 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. That a contract for conflict Zoning Board of Adjustment and Planning Board is awarded to Avery Teitler, Esquire.
3. 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; a copy of these documents shall be kept on file in the office of the Borough Clerk.
4. That the Mayor and Borough Clerk are hereby authorized and empowered to enter into a contract effective immediately through December 31, 2019, Avery Teitler, who shall be compensated pursuant to attached agreement, at the billable rate of \$160.00 per hour not to exceed \$9,500.00.
5. 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 motions, Mr. Thompson seconds that the foregoing resolution be adopted.

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

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 31-19

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING A PROFESSIONAL SERVICES CONTRACT WITH ROBERT BELASCO FOR LEGAL SERVICES FOR THE PLANNING BOARD FOR CY2019

WHEREAS, there exists the need for "Professional Services" for a Solicitor for the Borough of Wildwood Crest Planning Board, and

WHEREAS, Robert T. Belasco, of Stefankiewicz & Belasco, LLC, is authorized to provide such services and upon recommendation by the Planning Board to be appointed as Solicitor at their Re-Org meeting, which will be held on January 19, 2019, and

WHEREAS, this contract 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. as an authorized exception to the public bidding as a Professional Services Contract; and

WHEREAS, under the Local Public Contracts Law, N.J.S.A. 40A:11-1, et. seq., the subject contract would be 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 Commissioners of the Borough of Wildwood Crest concur with the Planning Board's recommendation to re-appoint Robert Belasco to serve as the Solicitor for the Planning Board for the calendar year of 2019; 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. That a contract for Planning Board Solicitor is awarded to Robert T. Belasco, Esquire, of Stefankiewicz & Belasco, LLC.
3. 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; a copy of these documents shall be kept on file in the office of the Borough Clerk.
4. That the Mayor and Borough Clerk are hereby authorized and empowered to execute the attached agreement effective immediately through December 31, 2019, with Robert T. Belasco of Stefankiewicz & Belasco, LLC, who shall be compensated pursuant to attached contract, not to exceed Ten Thousand Dollars.
5. 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 motions, Mr. Thompson seconds that the foregoing resolution be adopted.

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

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 32-19

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING AWARD OF PROFESSIONAL SERVICES CONTRACT WITH ROBERT BELASCO FOR LEGAL SERVICES FOR THE ZONING BOARD OF ADJUSTMENT FOR CY2019

WHEREAS, there exists the need for "Professional Services" for a Solicitor for the Borough of Wildwood Crest Zoning Board of Adjustment, and

WHEREAS, Robert T. Belasco, of Stefankiewicz & Belasco, LLC, is authorized to provide such services and upon recommendation by the Zoning Board to be appointed as Solicitor at their Re-Org meeting, which will be held on January 15, 2019, and

WHEREAS, this contract 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. as an authorized exception to the public bidding as a Professional Services Contract; and

WHEREAS, under the Local Public Contracts Law, N.J.S.A. 40A:11-1, et. seq., the subject contract would be 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 Commissioners of the Borough of Wildwood Crest concur with the Zoning Board's recommendation to re-appoint Robert Belasco to serve as the Solicitor for the Zoning Board for the calendar year of 2019; 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. That a contract for the Zoning Board of Adjustment Solicitor is awarded to Robert T. Belasco, Esquire, of Stefankiewicz & Belasco, LLC.
3. 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; a copy of these documents shall be kept on file in the office of the Borough Clerk.
4. That the Mayor and Borough Clerk are hereby authorized and empowered to execute the attached agreement effective immediately through December 31, 2019, with Robert T. Belasco of Stefankiewicz & Belasco, LLC, who shall be compensated pursuant to attached contract, not to exceed Ten Thousand Dollars.
5. 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 motions, Mr. Thompson seconds that the foregoing resolution be adopted.

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

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 33-19

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING A PROFESSIONAL SERVICES CONTRACT WITH CHRISTOPHER WINTER AS A LAW ENFORCEMENT CONSULTANT SPECIALIZING IN POLICE ACCREDITATION AT THE NTE SUM OF \$5,400 FOR CY2019

WHEREAS, the Borough of Wildwood Crest requires the professional services of a Law Enforcement Consultant specializing in police accreditation; and

WHEREAS, it is desired to employ a professional, pursuant to law, who is duly trained, experienced and specialized in the area of police accreditation; and

WHEREAS, this contract 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. as an authorized exception to the public bidding as a Professional Services Contract; and

WHEREAS, under the Local Public Contracts Law, N.J.S.A. 40A:11-1, et. seq., the subject contract would be 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 Borough has determined that **Christopher J. Winter, Sr.** is qualified to perform said work and it is desired to enter a professional contract with him for said services pursuant to law, and to provide for the advertising of a notice pursuant to law; and

WHEREAS, Christopher J. Winter, Sr. has completed and submitted a Business Entity Disclosure Certification which certifies that Christopher J. Winter, Sr. will not make any reportable contributions pursuant to N.J.S.A. 19:44A-1 commencing January 1, 2019 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, County of Cape May, New Jersey, as follows:

1. **Christopher J. Winter, Sr.** is hereby retained as Law Enforcement Consultant to provide specialized professional services in the field of Police Accreditation through December 31, 2019. The said professional services to be received shall be “as directed” by the Borough of Wildwood Crest from time to time.
2. The Mayor and Borough Clerk be and they are hereby authorized and empowered to enter into a contract with **Christopher J. Winter, Sr.**, for specialized professional services in the field of police accreditation for a term of the period indicated above, which contract shall provide for payment at the not to exceed rate of **Five thousand four hundred dollars (\$5,400.00)**.
3. 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; a copy of these documents shall be kept on file in the office of the Borough Clerk
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 motions, Mr. Thompson seconds that the foregoing resolution be adopted.

Vote: Gould -- Thompson -- Cabrera – Yes

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 34-19

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING A CONTRACT WITH TRIAD ASSOCIATES FOR CONSULTING AND APPLICATION SERVICES FOR FUNDING OPPORTUNITIES FOR CY2019

WHEREAS, there exists the need for the “Services” of a firm to be retained by the Borough for the performance of Community and Economic Development Services and related duties associated therewith as directed by the authorized representatives of the Borough of Wildwood Crest, all as more specifically set forth in the attached Agreement which is made a part hereof by reference as if fully set forth; and

WHEREAS, TRIAD ASSOCIATES has completed and submitted a Business Entity Disclosure Certification which certifies that **TRIAD ASSOCIATES** will not make any reportable contributions pursuant to N.J.S.A. 19:44A-1 commencing January 1, 2019 to any political committee or candidate through the term of this contract. Said term shall expire December 31, 2019; 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. That the Mayor and Borough Clerk be and they are hereby authorized, instructed, and empowered to execute the attached agreement with **TRIAD ASSOCIATES**, who shall be compensated by voucher at the agreed upon hourly rates, **not to exceed \$5,000**, contingent upon certification from the Chief Financial Officer as to the availability of funds, and whose rate/fee structure are contained in the aforesaid Agreement and said "Independent Contractor" shall be required to comply with this Resolution, and the attached Agreement. Said **TRIAD ASSOCIATES** is further required to comply with all other conditions/provisions of law or regulation applicable to a "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 this contract.
3. 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; a copy of these documents shall be kept on file in the office of the Borough Clerk.
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 motions, Mr. Thompson seconds that the foregoing resolution be adopted.

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

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 35-19

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING A CONTRACT WITH KML TECHNOLOGY, INC., FOR SERVICE CONTRACT FOR SMARTDMS 9-1-1 SYSTEM AT THE NTE SUM OF \$3,000 FROM JANUARY – JUNE 2019

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey, that an agreement with KML TECHNOLOGY, INC. be and the same is hereby authorized and approved effective January 1, 2019 through June 30, 2019, for the express purpose of enabling said KML TECHNOLOGY, INC. to provide technology support and service for SmartDMS 911 System within 4 business hours for Emergency Maintenance and by 5:00 P.M. the next business day for Remedial Maintenance at the not to exceed amount of **\$3,000.00**.

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 Mayor and the Municipal Clerk are hereby authorized and empowered to execute and attest any and all documents, including the "Provider Agreement," necessary to effectuate the award of this agreement; all of which is fully approved subject to the certification of availability of funds below from the CFO.
3. 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 motions, Mr. Thompson seconds that the foregoing resolution be adopted.

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

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 36-19

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING RESCINDING AGREEMENT WITH SQUARE 1 DESIGN EFFECTIVE DECEMBER 31, 2018 AND AUTHORIZING AWARD OF CONTRACT TO SQUARE 1 DESIGN FOR WEBSITE HOSTING MANAGEMENT AND CONSULTATION AT NTE SUM OF \$6,000 FOR CY 2019

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest passed Resolution No. 170-18 on May 23, 2018 which authorized award of EUS contract with Square 1 Design effective through May 22, 2019; and

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest desire to have a contract on a calendar year; and

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest do hereby terminate the current contract effective December 31, 2018 and wish to award a contract to Square 1 Design for Website Hosting Management and Consultation at the NTE sum of \$6,000 for CY2019; and

WHEREAS, The 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 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 contact falls within; and

WHEREAS, the Commissioners of the Borough of Wildwood Crest concur with the Review Committee’s recommendation awarding the contract to Square 1 Design for the website design and maintenance contract as mentioned herein; 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, State of New Jersey, as follows:

1. The above recital paragraphs are incorporated herein as if set forth at length.
2. That the contract for the Borough of Wildwood Crest website design and maintenance is hereby awarded to Square 1 Design.
3. The award of this contract is contingent upon compliance with the New Jersey Business Registration Certificate as required in the contract and certification from the Chief Financial Officer as to the availability of funds.
4. That the Mayor and Borough Clerk are hereby authorized and empowered to enter into a contract effective immediately through December 31, 2019, with Square 1 Design, who shall be compensated in an amount not to exceed \$6,000.00.

Mrs. Gould motions, Mr. Thompson seconds that the foregoing resolution be adopted.

Vote: Gould -- Thompson -- Cabrera – Yes

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 37-19

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING PURCHASE UNDER STATE COOPERATIVE PURCHASING CONTRACT

WHEREAS, the Borough of Wildwood Crest (hereinafter “Borough”), as a contracting unit, may, without advertising for bid, purchase any materials, supplies or equipment from State Contract Vendors which have contracted with the State of New Jersey, Department of Treasury, Division of Purchase and Property, pursuant to the provisions of N.J.S.A. 40A:11-12; and

WHEREAS, the contracts awarded under a State Cooperative Purchasing contract that are in excess of the contracting unit’s bid threshold shall be made by resolution of the governing body; and

WHEREAS, the Borough wishes to authorize purchases under the State Cooperative Purchasing contract subject to all the conditions applicable to the current State Contract.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May and State of New Jersey, that this Resolution shall constitute an authorization to purchase under the State Cooperative Purchasing contract, subject to all conditions applicable to the current State Contract.

BE IT FURTHER RESOLVED, pursuant to the rules of the Local Finance Board of the State of New Jersey, that no amount of these contracts shall be chargeable until such time as materials, supplies or equipment are ordered and a certification of availability of funds is made by the Chief Financial Officer.

BE IT FURTHER RESOLVED that the duration of this Agreement shall be until December 31, 2019 or upon expiration of a particular vendor’s State Contract, whichever event first occurs.

Mrs. Gould motions, Mr. Thompson seconds that the foregoing resolution be adopted.

Vote: Gould -- Thompson -- Cabrera – Yes

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 38-19

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING THE RE-APPOINTMENT OF ROBERT PATTERSON AS A MEMBER OF THE WILDWOOD CREST TOURISM COMMISSION COMMENCING JANUARY 1, 2019 AND EXPIRING DECEMBER 31, 2020

WHEREAS, the term of ROBERT PATTERSON as a member of the TOURISM COMMISSION of the Borough of Wildwood Crest will expire December 31, 2018; and

WHEREAS, it is the desire of the Board of Commissioners of the Borough of Wildwood Crest to re-appoint ROBERT PATTERSON as a member of the TOURISM COMMISSION of the Borough of Wildwood Crest.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest that ROBERT PATTERSON be and he is hereby re-appointed as a member of the TOURISM COMMISSION of the Borough of Wildwood Crest for a two (2) year term, said term commencing January 1, 2019, and expiring December 31, 2020.

Mr. Thompson motions, Mr. Cabrera seconds that the foregoing resolution be adopted.

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

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 39-19

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING RE-APPOINTMENT OF BRIAN MELCHIORRE AS CLASS II MEMBER OF THE WILDWOOD CREST PLANNING BOARD FOR A ONE-YEAR TERM COMMENCING IMMEDIATELY AND EXPIRING DECEMBER 31, 2019

WHEREAS, the Board of Commissioners have determined to re-appoint BRIAN MELCHIORRE, Code Enforcement Officer, as Class II Member of the Planning Board; and

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest wish to acknowledge the re-appointment of BRIAN MELCHIORRE as Class II Member of the Planning Board of the Borough of Wildwood Crest.

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. That the re-appointment of BRIAN MELCHIORRE, Code Enforcement Officer, by Board of Commissioners as Class II Member of the Planning Board of the Borough of Wildwood Crest, be and the same is hereby confirmed and ratified effective immediately, with the expiration of the term of appointment being December 31, 2019.

Mrs. Gould motions, Mr. Thompson seconds that the foregoing resolution be adopted.

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

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 40-19

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING RE-APPOINTMENT OF FRED METTLER AS MEMBER OF THE WILDWOOD CREST PLANNING BOARD FOR A FOUR-YEAR TERM COMMENCING JANUARY 1, 2019 AND EXPIRING DECEMBER 31, 2022

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest have determined to re-appoint FRED METTLER as a Regular Member (Class IV) of the Wildwood Crest Planning Board for a four-year term commencing immediately and expiring December 31, 2022; and

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest wish to acknowledge the re-appointment of FRED METTLER as a Regular Member of the Wildwood Crest Planning Board; and

WHEREAS, FRED METTLER, currently serves as Liaison to both the Planning Board and Zoning Board of Adjustment through 2018 and it is the desire of the Board of Commissioners for FRED METTLER to continue to serve as Liaison to both boards for term ending December 31, 2022.

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. That the appointment of FRED METTLER as Regular Member (Class IV) of the Planning Board with a term expiring December 31, 2022 is hereby confirmed and ratified effective immediately.

2. That the appointment of FRED METTLER to serve as Liaison to both Planning Board and Zoning Board of Adjustment with a term expiring December 31, 2022 is hereby confirmed and ratified effective immediately.

Mr. Thompson motions, Mrs. Gould seconds that the foregoing resolution be adopted.

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

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 41-19

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING THE APPOINTMENT OF PETER CAVA AS ALTERNATE MEMBER #2 OF THE WILDWOOD CREST PLANNING BOARD FOR A TWO-YEAR TERM COMMENCING JANUARY 1, 2019 AND EXPIRING DECEMBER 31, 2020

WHEREAS, there is a vacancy on the Planning Board with the position of Alternate Member #2; and

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest wish fill the vacancy with the appointment of PETER CAVA as Alternate Member #2 to the Wildwood Crest Planning Board for a two-year term commencing immediately and expiring December 31, 2020.

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 PETER CAVA be and he is hereby appointed as Alternate Member #2 of the PLANNING BOARD of the Borough of Wildwood Crest for a two (2) year term commencing January 1, 2019, and expiring December 31, 2020.

Mrs. Gould motions, Mr. Thompson seconds that the foregoing resolution be adopted.

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

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 42-19

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING RE-APPOINTMENT OF VINCENT TENAGLIA AS MEMBER OF THE WILDWOOD CREST ZONING BOARD OF ADJUSTMENT FOR A FOUR-YEAR TERM COMMENCING JANUARY 1, 2019 AND EXPIRING DECEMBER 31, 2022

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest have determined to re-appoint VINCENT TENAGLIA as a Regular Member of the Wildwood Crest Zoning Board of Adjustment for a four-year term commencing immediately and expiring December 31, 2022; and

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest wish to acknowledge the re-appointment of VINCENT TENAGLIA as a Regular Member of the Wildwood Crest Zoning Board of Adjustment.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey that the appointment of VINCENT TENAGLIA as Regular Member of the Zoning Board of Adjustment with a term expiring December 31, 2022 is hereby confirmed and ratified effective immediately.

Mrs. Gould motions, Mr. Thompson seconds that the foregoing resolution be adopted.

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

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 43-19

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING RE-APPOINTMENT OF FRED METTLER AS MEMBER OF THE WILDWOOD CREST ZONING BOARD OF ADJUSTMENT FOR A FOUR-YEAR TERM COMMENCING JANUARY 1, 2019 AND EXPIRING DECEMBER 31, 2022

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest have determined to re-appoint FRED METTLER as a Regular Member of the Wildwood Crest Zoning Board of Adjustment for a four-year term commencing immediately and expiring December 31, 2022; and

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest wish to acknowledge the re-appointment of FRED METTLER as a Regular Member of the Wildwood Crest Zoning Board of Adjustment; and

WHEREAS, FRED METTLER, currently serves as Liaison to both the Planning Board and Zoning Board of Adjustment through 2018 and it is the desire of the Board of Commissioners for FRED METTLER to continue to serve as Liaison to both boards for term ending December 31, 2022.

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. That the appointment of FRED METTLER as Regular Member of the Zoning Board of Adjustment with a term expiring December 31, 2022 is hereby confirmed and ratified effective immediately.
2. That the appointment of FRED METTLER to serve as Liaison to both Planning Board and Zoning Board of Adjustment with a term expiring December 31, 2022 is hereby confirmed and ratified effective immediately.

Mrs. Gould motions, Mr. Thompson seconds that the foregoing resolution be adopted.

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

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 44-19

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING RE-APPOINTMENT OF BRADLEY VOGDES AS ALTERNATE MEMBER #2 OF THE WILDWOOD CREST ZONING BOARD OF ADJUSTMENT FOR A TWO-YEAR TERM COMMENCING JANUARY 1, 2019 AND EXPIRING DECEMBER 31, 2020

WHEREAS, it is the desire of the Board of Commissioners of the Borough of Wildwood Crest to re-appoint BRADLEY VOGDES as Alternate #2 Member of the Zoning Board of Adjustment of the Borough of Wildwood Crest commencing January 1, 2019 and expiring December 31, 2020.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest that BRADLEY VOGDES be and he is hereby appointed as Alternate #2 Member of the ZONING BOARD OF ADJUSTMENT of the Borough of Wildwood Crest commencing January 1, 2019 and expiring December 31, 2020.

Mrs. Gould motions, Mr. Thompson seconds that the foregoing resolution be adopted.

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

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 45-19

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING THE RE-APPOINTMENT OF ZACHARY RUFFO AS A MEMBER OF THE RECREATION COMMISSION TO A THREE-YEAR TERM COMMENCING JANUARY 1, 2019 AND EXPIRING DECEMBER 31, 2021

WHEREAS, it is the desire of the Board of Commissioners of the Borough of Wildwood Crest to re-appoint ZACHARY J. RUFFO as a member of the RECREATION COMMISSION of the Borough of Wildwood Crest commencing January 1, 2019 and expiring December 31, 2021.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest that ZACHARY J. RUFFO be and he is hereby re-appointed as a member of the RECREATION COMMISSION of the Borough of Wildwood Crest for a three-year term commencing immediately, and expiring December 31, 2021.

Mrs. Gould motions, Mr. Thompson seconds that the foregoing resolution be adopted.

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

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 46-19

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING THE RE-APPOINTMENT OF JEFF WALDEN AS BUSINESS REPRESENTATIVE OF THE BOROUGH OF WILDWOOD CREST TO SERVE ON THE URBAN ENTERPRISE ZONE FOR A ONE-YEAR TERM EXPIRING DECEMBER 31, 2019

WHEREAS, it is the desire of the Board of Commissioners of the Borough of Wildwood Crest to re-appoint JEFF WALDEN as Business Representative of the Borough of Wildwood Crest to serve on the Urban Enterprise Zone commencing January 1, 2019 and expiring December 31, 2019.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest that JEFF WALDEN be and he is hereby re-appointed as Business Representative of the Borough of Wildwood Crest to serve on the Urban Enterprise Zone commencing January 1, 2019 and expiring December 31, 2019.

Mrs. Gould motions, Mr. Thompson seconds that the foregoing resolution be adopted.

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

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 47-19

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT OF AN ARCHITECTURAL FIRM FOR CONCEPT DESIGN/ SPACE PROGRAMMING ANALYSIS- WILDWOOD CREST BOROUGH HALL

WHEREAS, the Borough of Wildwood Crest requires the professional services of an architectural firm specializing in Concept Designs; and

WHEREAS, it is desired to employ a professional, pursuant to law, who is duly trained, experienced and specialized in the area of custom architectural design, zoning analysis, diagrams, design and construction documentation; and

WHEREAS, the Borough of Wildwood Crest has a Review Committee consisting of the Borough Administrator, Constance Mahon; Borough Clerk, Patricia Feketics; Chief Financial Officer, Francine Springer; and Borough Solicitor, Ronald J. Gelzunas; and

WHEREAS, the Review Committee has reviewed the proposal submitted by William McLees dated December 18, 2018 and has recommended that the proposal of William McLees best meets the Borough's needs and that William McLees has the professional credentials and abilities to perform the services required of the subject contract; and

WHEREAS, the Borough has determined that William McLees, AIA, of the firm of William McLees Architecture, 5 MacArthur Boulevard, Somers Point, New Jersey is qualified to perform said work and it is desired to enter a professional contract with William McLees for said services pursuant to law, and to provide for the advertising of a notice pursuant to law; and

WHEREAS, the Commissioners of the Borough of Wildwood Crest concur with the Review Committee's recommendation to award the contract to William McLees, AIA, of the firm of William McLees Architecture; and

WHEREAS, under the Local Public Contracts Law, N.J.S.A. 40A:11-1, et. seq., the subject contract would be 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 of 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 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, County of Cape May, New Jersey, as follows:

1. The above recital paragraphs are incorporated herein as if set forth at length.
2. **William McLees, AIA**, of the architecture firm William McLees Architecture of Somers Point, New Jersey is hereby retained as Architect to provide specialized professional services in the field of architecture design and development for the CY 2019. The said professional services to be received shall be "as directed" by the Borough of Wildwood Crest from time to time and as set forth in the proposal which is incorporated herein.
3. The Mayor and Borough Clerk are hereby authorized and empowered to enter into a contract with William McLees, AIA, of the architecture firm William McLees Architecture of Somers Point, New Jersey for specialized professional services in the field of architecture design and development for a term of the period indicated above, which contract shall provide for payment at the not to exceed amount of **six thousand five hundred fifty (\$6,550.00) dollars**.
4. 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; a copy of these documents shall be kept on file in the office of the Borough Clerk.

5. 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 motions, Mr. Thompson seconds that the foregoing resolution be adopted.

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

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 48-19

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING APPOINTMENT OF RONALD HARWOOD AS OFFICE OF EMERGENCY MANAGEMENT COORDINATOR FOR CY2019

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest wish to appoint Ronald Harwood as Office of Emergency Management Coordinator for CY2019; and

WHEREAS, Chief Ronald Harwood of the Wildwood Crest Volunteer Fire Company has the necessary qualifications to perform the duties of Emergency Management Coordinator.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May and State of New Jersey, that Chief Ronald Harwood be and is hereby appointed as Emergency Management Coordinator of the Borough of Wildwood Crest for a term of three (3) years commencing with the adoption of this Resolution.

BE IT FURTHER RESOLVED that Chief Ronald Harwood shall be compensated annually in the amount of Five Thousand Dollars (\$5,000.00) for the duties to be performed by him in accordance with N.J.S.A. (Appendix A:9-33, et seq.) as identified in copy of same attached hereto and made a part hereof and for all duties required to be performed by Chief Ronald Harwood as Coordinator of the Local Emergency Management of the Borough of Wildwood Crest.

Mrs. Gould motions, Mr. Thompson seconds that the foregoing resolution be adopted.

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

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 49-19

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING ADVERTISEMENT OF A NOTICE TO BIDDERS FOR THE FY2018 NJDCA ADA IMPROVEMENTS TO RAMBLER ROAD

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, that the plan and design as set forth in the Specifications on file in the Borough for the FY2018 NJDCA ADA IMPROVEMENTS TO RAMBLER ROAD project is hereby approved and the Borough Clerk is hereby authorized to advertise a Notice to Bidders in *The Herald of Cape May County* issue of January 16, 2019 for the FY2018 NJDCA ADA IMPROVEMENTS TO RAMBLER ROAD contract.

BE IT FURTHER RESOLVED Sealed bids will be received by the Bid Opening Committee in the Municipal Court Room, Wildwood Crest Borough Hall, on **Thursday, January 31, 2019 at 10:00 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:

FY2018 NJDCA ADA IMPROVEMENTS TO RAMBLER ROAD

BE IT FURTHER RESOLVED the award of the contract for this project will not be made until the necessary funds have been provided by the Borough of Wildwood Crest in a lawful manner. The Borough of Wildwood Crest reserves the right to consider the bids for sixty (60) days after the receipt of said bids. The Borough of Wildwood Crest also reserved the right to reject any or all bids or to waive any informalities in the best interest of the Borough of Wildwood Crest.

Mrs. Gould motions, Mr. Thompson seconds that the foregoing resolution be adopted.

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

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 50-19

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING THE WAIVER OF FEE FOR THE USE OF THE

JOSEPH VON SAVAGE POOL BY THE CAPE MAY COUNTY POLICE ACADEMY FOR TRAINING IN CALENDAR YEAR 2019

WHEREAS, Chapter 56 of the Borough Code established the Recreation Commission in the Borough of Wildwood Crest; and

WHEREAS, pursuant to Section 56-3, Powers and Duties; Fees, the Recreation Commission has the power to charge and collect reasonable fees, rents or other charges for admission to or use or enjoyment of the borough swimming pool; provided, however, that such fees, rents or other charges shall be subject to the prior approval of the Board of Commissioners; and

WHEREAS, the Cape May County Police Academy has requested the use of the Joseph Von Savage Pool for training purposes and requested to have the fee waived; and

WHEREAS, the Board of Commissioners have agreed to waive the fee for the use of the Joseph Von Savage Pool for calendar year 2019.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest that the the Recreation Commission is hereby authorized and directed to waive the fee for the use of the Von Savage Pool for training purposes for calendar year 2019 for the Cape May County Police Academy.

Mrs. Gould motions, Mr. Thompson seconds that the foregoing resolution be adopted.

Vote: Gould -- Thompson -- Cabrera – Yes

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 51-19

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST ADOPTING A COMMUNITY FORESTRY MANAGEMENT PLAN 2018-2022

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, State of New Jersey, has determined that shade trees and parks are an essential part of the environment and contribute to the economic value of the Borough; and

WHEREAS, N.J.S.A. 13:1L-17.2 provides that properly planned and implemented local community forestry programs can provide the necessary basis for local government to reduce or eliminate liability associated with local tree care programs and shade tree commissions; and

WHEREAS, it is the intent of the Board of Commissioner of the Borough of Wildwood Crest, County of Cape May and State of New Jersey, that the Borough will comply with the requirements of the New Jersey Community Forestry Assistance Act and thereby avail itself of the limited liability, grants, training and assistance created thereunder.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest that:

1. The Borough of Wildwood Crest hereby adopts the Community Forestry Management Plan as recommended by the Borough of Wildwood Crest.

2. The Mayor and Borough Clerk are hereby authorized to execute the Community Forestry Management Plan and shall submit to the State Forester pursuant to N.J.S.A. 13:1L-17.7.

Mr. Thompson motions, Mr. Cabrera seconds that the foregoing resolution be adopted.

Vote: Gould -- Thompson -- Cabrera – Yes

BILLS: N/A

ADMINISTRATOR REPORT: N/A

CORRESPONDENCE / PRESENTATION:

None

PUBLIC COMMENTS:

Pete Agresti, 115 E. Charleston Avenue, had several comments that he wanted revisited:

- Beach boxes: Mayor Cabrera informed Mr. Agresti that we tried two times to have this bid out to no avail. There were talks about potentially going into a shared services agreement with Wildwood.
- Beach tags: Mr. Agresti indicated beach tags would be beneficial to the community and we should look into it further.
- Tents on beach: Mr. Agresti would like to see the tents be mandated to the back part of the beaches and perhaps to amend an ordinance.

Commissioner Gould indicated that the Borough would need to go to referendum in order to incorporate them and with the impending USACE dune, that it would not be the right time to embark on that. Mayor Cabrera added that we really need to discuss with neighboring municipalities and take on as an island wide approach. He added there are financial issues as well to consider.

Joe Viscomi, 308 E. Washington Avenue, agreed with Mr. Agresti as far as beach tags are concerned. He indicated that the municipalities in Cape May County that charge a fee do very well and if a referendum was needed, we should do so. Mr. Viscomi believes that the handicapped parking on Washington Avenue and Trenton Avenue is being abused.

Jim Morris, 4907 New Jersey Avenue, RVE wished everyone a Happy New Year. He indicated that the Water Tower in Wildwood Crest was near completion and hoped the Borough was pleased.

Chief Joseph McGrath, Wildwood Crest Police Department, added that handicapped parking is an issue and the police need to know at the time of parking.

DISCUSSION:

OLD BUSINESS:

-Bulkhead issue- NO UPDATE SINCE LAST MEETING. Survey work to be done in the New Year. Letters went out via certified mail to homeowners on the bay about the survey.

-Solar Panels: NO UPDATE SINCE LAST MEETING. The Engineer and Commissioner of Public Safety met to discuss language and specific properties.

-Potential Ordinance amending 20 minute parking- NO UPDATE SINCE LAST MEETING. Waiting for an inventory from Ralph Grassi.

-“Share the Road” campaign- NO UPDATE SINCE LAST MEETING. The Administrator indicated she would follow up again with Rails to Trails for grant money.

-Bike Racks- NO UPDATE SINCE LAST MEETING. Waiting on assessment from Ralph Grassi.

NEW BUSINESS:

None.

PUBLIC COMMENTARY: Mayor Cabrera wished everyone a Happy New Year and thanked everyone for their hard work.

Hearing nothing further from the public, Mrs. Gould motioned, seconded by Mr. Thompson that the meeting be adjourned. Both commissioners were in favor and the time was 10:07 a.m.

Dated: January 23, 2019

Patricia A. Feketics, Borough Clerk

