

Note: Complete Meeting Appears
On 03-19 on file in
Borough Clerk's Office

February 6, 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 October 25, 2018.

Mr. Cabrera next announced the one-way in and the one-way out method of ingress and egress in case of emergency.

Mrs. Gould motions, Mr. Thompson seconds that Ordinance No. 1291 be placed on second reading and final passage by title only.

Vote: Gould - Thompson - Cabrera – Yes

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 a hearing now be held on Ordinance No. 1291.

Vote: Gould - Thompson - Cabrera – Yes

After hearing nothing from the public, Mrs. Gould motions and Mr. Thompson seconds that the public hearing on Ordinance No. 1291 now be closed.

Vote: Gould - Thompson - Cabrera – Yes

Mrs. Gould motions, Mr. Thompson seconds that Ordinance No. 1291 be passed on second and final reading and advertised according to law.

Vote: Gould - Thompson - Cabrera – Yes

Mrs. Gould motions, Mr. Thompson seconds that Ordinance No. 1292 be placed on second reading and final passage by title only.

THE CLERK READS THE ORDINANCE BY TITLE:

ORDINANCE NO. 1292

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 32A – ENTITLED FEES, SECTION 32A-1, FEES, GENERAL, OF THE CODE OF THE BOROUGH OF WILDWOOD CREST.

Mrs. Gould motions, Mr. Thompson seconds that a hearing now be held on Ordinance No. 1292.

Vote: Gould - Thompson - Cabrera – Yes

After hearing nothing from the public, Mrs. Gould motions and Mr. Thompson seconds that the public hearing on Ordinance No. 1292 now be closed.

Vote: Gould - Thompson - Cabrera – Yes

Mrs. Gould motions, Mr. Thompson seconds that Ordinance No. 1292 be passed on second reading and final passage by title only.

Vote: Gould - Thompson - Cabrera – Yes

Mrs. Gould motions, Mr. Thompson seconds that Ordinance No. 1293 be placed on second reading and final passage by title only.

THE CLERK READS THE ORDINANCE BY TITLE:

ORDINANCE NO. 1293

AN ORDINANCE TO AMEND SECTION 59-3 OF THE CODE OF THE BOROUGH OF WILDWOOD CREST, KNOWN AS THE “SALARY ORDINANCE,” FIXING AND DETERMINING SALARIES AND COMPENSATIONS OF THE BOROUGH OF WILDWOOD CREST, AND PROVIDING FOR THE RAISING OF THE AMOUNTS THEREOF BY TAXATION AND FOR THE TIME AND METHOD OF PAYMENT

Mrs. Gould motions, Mr. Thompson seconds that a hearing be held on Ordinance No. 1293.

Vote: Gould - Thompson - Cabrera – Yes

After hearing nothing from the public, Mrs. Gould motions and Mr. Thompson seconds that the public hearing on Ordinance No. 1293 now be closed.

Vote: Gould - Thompson - Cabrera – Yes

Mrs. Gould motions, Mr. Thompson seconds that Ordinance No. 1293 be passed on second reading and final passage by title only.

Vote: Gould - Thompson - Cabrera – Yes

THE CLERK READS THE ORDINANCE BY TITLE:

ORDINANCE NO. 1294

ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 11, BRUSH MAINTENANCE, SECTION 11-1 REGULATION, PARAGRAPH “B” TREE LIMBS AND BRANCHES OF THE CODE OF THE BOROUGH OF WILDWOOD CREST

Mrs. Gould motions, Mr. Thompson seconds that Ordinance No. 1294 be passed on first reading, advertised according to law, be brought up for second and final reading and public hearing on February 20, 2019 at 5:30 p.m.

Vote: Gould - Thompson - Cabrera – Yes

THE CLERK READS THE ORDINANCE BY TITLE:

ORDINANCE NO. 1295

ORDINANCE OF THE BOROUGH OF WILDWOOD CREST AMENDING CHAPTER 73, TAXICABS, IN ACCORDANCE WITH THE SHARED SERVICES AGREEMENT BETWEEN THE BOROUGH OF WILDWOOD CREST AND THE CITY OF WILDWOOD REGARDING THE REGULATION OF TAXI-CABS

Mrs. Gould motions, Mr. Thompson seconds that Ordinance No. 1295 be passed on first reading, advertised according to law, be brought up for second and final reading and public hearing on February 20, 2019 at 5:30 p.m.

Vote: Gould - Thompson - Cabrera – Yes

THE CLERK READS THE ORDINANCE BY TITLE:

ORDINANCE NO. 1296

**ORDINANCE OF THE BOROUGH OF WILDWOOD CREST
AMENDING AND SUPPLEMENTING SECTION 79-35 SCHEDULE IV
TIME LIMIT PARKING SPACES OF CHAPTER 79 VEHICLES AND
TRAFFIC OF THE CODE OF THE BOROUGH OF WILDWOOD CREST**

Mrs. Gould motions, Mr. Thompson seconds that Ordinance No. 1296 be passed on first reading, advertised according to law, be brought up for second and final reading and public hearing on February 20, 2019 at 5:30 p.m.

Vote: Gould - Thompson - Cabrera – Yes

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 62-19

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING THE BOROUGH OF WILDWOOD CREST TO ENTER INTO AN INTERLOCAL CONTRACT FOR COOPERATIVE PURCHASING WITH NATIONAL COOPERATIVE PROCUREMENT PARTNERS (NPPGOV)

WHEREAS, N.J.S.A. 52:34-6.2, as amended by P.L. 2011, c.139, authorizes the Borough to purchase goods or to contract for services through the use of a nationally-recognized and accepted cooperative purchasing system that has been developed utilizing a competitive bidding process by another contracting unit within the State of New Jersey, or within any other state, when available; and

WHEREAS, the nationally-recognized National Cooperative Procurement Partners (“NPPGOV”) cooperative purchasing system, located in Seattle, Washington, offers voluntary participation in its cooperative purchasing system for the purchase of goods and services from NPPGOV vendors; and

WHEREAS, it is the desire of the Borough to join the NPPGOV cooperative purchasing system to purchase goods and services available thereunder, in order to make the Borough’s procurement process for certain goods and services more efficient and cost effective.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, that the Mayor is hereby authorized to execute the NPPGOV Interlocal Contract for Cooperative Purchasing.

BE IT FURTHER RESOLVED that the Borough shall be responsible to ensure that the purchase of goods and/or services through the NPPGOV cooperative purchasing system complies with all applicable laws of the State of New Jersey, including the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.).

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. 63-19

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING THE BOROUGH OF WILDWOOD CREST TO ENTER INTO AN INTERLOCAL CONTRACT FOR COOPERATIVE PURCHASING WITH HOUSTON-GALVESTON AREA COUNCIL (H-GAC)

WHEREAS, N.J.S.A. 52:34-6.2, as amended by P.L. 2011, c.139, authorizes the Borough to purchase goods or to contract for services through the use of a nationally-recognized and accepted cooperative purchasing system that has been developed utilizing a competitive bidding process by another contracting unit within the State of New Jersey, or within any other state, when available; and

WHEREAS, the nationally-recognized Houston-Galveston Area Council (“H-GAC”) cooperative purchasing system, located in Houston, Texas, offers voluntary participation in its cooperative purchasing system for the purchase of goods and services from H-GAC vendors; and

WHEREAS, it is the desire of the Borough to join the H-GAC cooperative purchasing system to purchase goods and services available thereunder, in order to make the Borough’s procurement process for certain goods and services more efficient and cost effective.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, that the Mayor is hereby authorized to execute the H-GAC Interlocal Contract for Cooperative Purchasing.

BE IT FURTHER RESOLVED that the Borough shall be responsible to ensure that the purchase of goods and/or services through the H-GAC cooperative purchasing system complies with all applicable laws of the State of New Jersey, including the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.).

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. 64-19

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF
WILDWOOD CREST APPROVING SETTLEMENT OF TAX APPEAL LITIGATION
KNOWN AS L'ATTITUDES ENTERPRISES, LLC, ET AL v. BOROUGH OF
WILDWOOD CREST**

WHEREAS, the Borough of Wildwood Crest is the defendant in litigation entitled L'Attitudes Enterprises, LLC, et als v. Borough of Wildwood Crest, Docket No. 008496-2017 and Docket No. 001227-2018 (the "Litigation"); and

WHEREAS, the Borough Tax Assessor and Conflict Borough Solicitor have recommended that the litigation be settled in accordance with the proposed Stipulation of Settlement attached hereto as Exhibit "A" (the "Stipulation"); and

WHEREAS, the Board of Commissioners desires to settle the Litigation in accordance with the terms of the Stipulation.

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 Borough Solicitor and Tax assessor are hereby authorized and directed to settle the Litigation and to execute a stipulation of settlement in substantially the same form as is attached hereto as EXHIBIT "A" and to take all necessary action to effectuate there terms thereof.

EXHIBIT "A"

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. 65-19

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF
WILDWOOD CREST AUTHORIZING THE ADOPTION OF THE PURCHASING
PROCEDURE GUIDE**

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest wish to adopt a Purchasing Procedure Guide to ensure that services and supplies are encumbered prior to purchase; and

WHEREAS, the QPA, James Craft, has reviewed and recommended the procedures detailed in the Purchasing Procedure Guide.

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 the Purchasing Procedure Guide is now adopted.

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. 66-19

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF
WILDWOOD CREST AUTHORIZING AWARD OF CONTRACT TO CASA PAYROLL
SERVICES FOR PAYROLL PROCESSING SERVICES FOR CY 2019**

WHEREAS, there exists the need for the "Services" of a payroll company to be retained by the Borough to process payroll and all of the 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, **CASA PAYROLL SERVICES** has completed and submitted a Business Entity Disclosure Certification which certifies that **CASA PAYROLL SERVICES** 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 **CASA PAYROLL SERVICES**, who shall be compensated by voucher at the agreed upon hourly

rates, not to exceed \$13,000, 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 **CASA PAYROLL SERVICES** 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. 67-19

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING AWARD OF CONTRACT TO CASA REPORTING SERVICES FOR AFFORDABLE CARE ACT REPORTING SERVICES FOR FILING YEAR 2018

WHEREAS, there exists the need for the "Services" of a reporting company to be retained by the Borough to process ACA Reporting and all of the 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, CASA REPORTING SERVICES has completed and submitted a Business Entity Disclosure Certification which certifies that **CASA REPORTING SERVICES** 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 **CASA REPORTING SERVICES**, 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 **CASA REPORTING SERVICES** 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. 68-19

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING PARTICIPATION IN SOURCEWELL

COOPERATIVE PRICING SYSTEM FOR THE PURCHASE OF LEACH 29 CU. YD. 2R-III REAR LOADER MOUNTED ON CUSTOMER SUPPLIED CHASSIS THROUGH CONTRACT #112014-LEG IN THE AMOUNT OF \$84,526.40

WHEREAS, the Borough of Wildwood Crest published a *Notice of Intent to Award Contract under a National Cooperative Purchasing Agreement – Sourcewell Cooperative Purchasing* to purchase a new **Leach 29 Cu. Yd. 2R- III Rear Loader Mounted on Customer Supplied Chassis** in the Herald of Cape May County on January 29, 2019; and

WHEREAS, said the comment period for this notice expired on February 6, 2019; and

WHEREAS, on December 21, 2018, GranTurk Equipment Co., Inc., supplied a quote for the above referenced Loader in the amount of \$84,526.40; and

WHEREAS, the Borough of Wildwood Crest is allowed to participate in national purchasing cooperative per N.J.S.A 52:34-6.2 (b) P.L. 2001, c.139 which was enacted into law permitting agencies to utilize national purchasing cooperatives; and

WHEREAS, the Borough of Wildwood Crest (ID #18959) entered into the National Joint Powers Alliance (NJPA) Cooperative Pricing System, which formally changed its name to Sourcewell effective June 6, 2018; and

WHEREAS, Sourcewell has a contract with Labrie Enviroquip Group, Contract # 112014-LEG, for Waste & Recycling Vehicles, through 12/16/2019; and

WHEREAS, the Department of Public Works will be using Sourcewell Contract # 112014-LEG to purchase a new Leach 29 Cu. Yd. 2R-III Rear Loader Mounted on Customer Supplied Chassis; and

WHEREAS, it is recommended that the Borough Commissioners approve the purchase of new Leach 29 Cu. Yd. 2R-III Rear Loader Mounted on Customer Supplied Chassis, through the contract with Sourcewell Contract # 112014-LEG in the amount of \$84,526.40; 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, Cape May County, New Jersey, that it approves the purchase of new Leach 29 Cu. Yd. 2R-III Rear Loader Mounted on Customer Supplied Chassis, through the Sourcewell Contract # 112014-LEG in the amount of \$84,526 in accordance with the Sourcewell Cooperative Pricing System Contract.

BE IT FURTHER RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, New Jersey authorizes the purchase of Equipment, in accordance with the Sourcewell Cooperative Pricing System (formerly known as NJPA) and that the Departments are authorized to issue a purchase orders as needed for the necessary items in accordance with the terms of Sourcewell Cooperative Pricing System as per Contract # 112014-LEG.

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. 69-19

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING PARTICIPATION IN SOURCEWELL COOPERATIVE PRICING SYSTEM FOR THE PURCHASE OF 2020 MODEL YEAR PETERBILT 348 TANDEM AXLE CAB & CHASSIS WITH A 62,000 LB. GVW THROUGH CONTRACT #081716-PMC IN THE AMOUNT OF \$110,449.00

WHEREAS, the Borough of Wildwood Crest published a *Notice of Intent to Award Contract under a National Cooperative Purchasing Agreement – Sourcewell Cooperative Purchasing* to purchase a new **2020 Model Year Peterbilt 348 Tandem Axle Cab & Chassis with a 62,000 lb. GVW** in the Herald of Cape May County on January 29, 2019; and

WHEREAS, said the comment period for this notice expired on February 6, 2019; and

WHEREAS, on January 8, 2018, Hunter Truck Co., Inc., supplied a quote for the above referenced Cab & Chassis in the amount of \$110,449.00; and

WHEREAS, the Borough of Wildwood Crest is allowed to participate in national purchasing cooperative per N.J.S.A 52:34-6.2 (b) P.L. 2001, c.139 which was enacted into law permitting agencies to utilize national purchasing cooperatives; and

WHEREAS, the Borough of Wildwood Crest (ID #18959) entered into the National Joint Powers Alliance (NJPA) Cooperative Pricing System, which formally changed its name to Sourcewell effective June 6, 2018; and

WHEREAS, Sourcewell has a contract with Peterbilt, Contract # 081716-PMC, for Class 6, 7, and 8 Chassis with Related Equipment, Accessories and services, through 11/15/2020; and

WHEREAS, the Department of Public Works will be using Sourcewell Contract # 081716-PMC to purchase 2020 model year Peterbilt 348 Tandem axle cab & chassis with a 62,000 lb. GVW; and

WHEREAS, it is recommended that the Borough Commissioners approve the purchase 2020 model year Peterbilt 348 Tandem axle cab & chassis with a 62,000 lb. GVW, through the contract with Sourcewell Contract # 081716-PMC in the amount of \$110,449.00; 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, Cape May County, New Jersey, that it approves the purchase of purchase 2020 model year Peterbilt 348 Tandem axle cab & chassis with a 62,000 lb. GVW # 081716-PMC in the amount of \$110,449.00 in accordance with the Sourcewell Cooperative Pricing System Contract.

BE IT FURTHER RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, New Jersey authorizes the purchase of Equipment, in accordance with the Sourcewell Cooperative Pricing System (formerly known as NJPA) and that the Departments are authorized to issue a purchase orders as needed for the necessary items in accordance with the terms of Sourcewell Cooperative Pricing System as per Contract # 081716-PMC.

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. 70-19

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING SPECIAL EVENTS PERMIT TO DELMOSPORTS LLC

WHEREAS, on Decembr 13, 2018, DelMoSports LLC, 100 E. Rio Grande Avenue, Wildwood, NJ 08260, applied for a Special Events Permit for the purpose of a 5K foot race to be held on April 26, 2019, from 7:00 pm to 8:00 pm, on the Wildwood Crest Bike Path; and

WHEREAS, DelMoSports LLC has supplied all documentation required under Ordinance No. 936, including the requisite Certificate of Insurance, and has further pledged to comply with all applicable rules and regulations pertaining to the conduct of said Special Event; and

WHEREAS, the application has been reviewed by the Board of Commissioners, upon verification by appropriate members of staff as to completeness of the application, scheduling compatibility, etc.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey that the Borough Clerk be and she is hereby authorized and directed to issue a Special Events Permit to DelMoSports LLC, 100 E. Rio Grande Avenue, Wildwood, NJ 08260 for the purpose of a 5K foot race to be held on April 26, 2019, from 7:00 pm to 8:00 pm, on the Wildwood Crest Bike Path.

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. 71-19

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING A MODIFICATION OF ORIGINAL CONTRACT AMOUNT FOR ENGINEERING DESIGN ASSOCIATED WITH THE RECONSTRUCTION OF NEWARK AVENUE

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest authorized a partial award for Professional Services for Engineering Design associated with Newark Avenue, via Resolution No. 1062-17 adopted November 21, 2017, to Marc DeBlasio of DeBlasio and Associates with a partial award of \$70,000.00 of the encumbered \$145,000.00; and

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest authorized the remaining encumbrance award for Professional Services for Engineering Design associated with Newark Avenue, via Resolution No. 133-18 adopted April 11, 2018, to Marc DeBlasio of DeBlasio and Associates with the remaining award of \$75,000.00 of the encumbered \$145,000.00; and

WHEREAS, the Resolution No. 133-18 adopted April 11, 2018 also authorized the Engineering Proposal from Marc DeBlasio of DeBlasio and Associates for the paving of Denver and Stockton Avenues in the amount of \$4,000.00; and

WHEREAS, due to changes in the original scope of services and several Change Orders, the Engineer has requested an additional \$6,500.00 for professional services associated with the following:

- Milling and Paving of Jefferson Avenue from Pacific Avenue
- Preparing and submitting Change Orders relating to work modifications
- NJDOT State Aid Change Orders and contract administration

WHEREAS, it is the desire of the Board of Commissioners of the Borough of Wildwood Crest to modify the amount of the contract by \$6,500.00; 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, State of New Jersey, as follows:

1. That the recital paragraphs set forth above are incorporated herein as if set forth at length.
2. That the terms and conditions of the contract between the Borough of Wildwood Crest and Marc DeBlasio of DeBlasio and Associates authorized by Resolution No. 1062-17 adopted November 21, 2017 and Resolution No. 133-18 adopted April 11, 2018 shall remain in full force and effect, with the sole exception that the amount of the contract shall be increased to a sum not to exceed \$6,500.00 all of which is contingent upon certification from the Chief Financial Officer as to the availability of funds.
3. 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. 72-19
RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING AWARD OF CONTRACT FOR FY2018 NJDCA SMALL CITIES PROGRAM – ADA IMPROVEMENTS TO RAMBLER ROAD STREET END

WHEREAS, a Notice to Bidders was authorized for advertisement by Resolution No. 49-19 on January 2, 2019 for the Borough of Wildwood Crest contract for the FY2018 NJDCA Small Cities Program – ADA Improvements to Rambler Road Street End; and

WHEREAS, Notice to Bidders was advertised in the *Herald of Cape May County* on January 16, 2019 with receipt of sealed bids on January 31, 2019 for the FY2018 NJDCA Small Cities Program – ADA Improvements to Rambler Road Street End pursuant to Local Public Contracts Law N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, Five sealed bid proposals were opened and reviewed by the Bid Review Committee consisting of the Municipal Engineer, Marc DeBlasio, Finance Department member Robert Osborn, Borough Clerk, Patricia Feketics and then forwarded to Borough Solicitor Ronald J. Gelzunas who reviewed the bid proposals and specifications and recommended that the contract for FY2018 NJDCA Small Cities Program – ADA Improvements to Rambler Road Street End be awarded to **Charles Marandino, LLC**, the lowest responsible bidder; and

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest has reviewed the recommendations made by the Bid Review Committee as well as the bid tabulation and recommendation made by the Borough Engineer, dated January 31, 2019 and opinion letter of the Borough Solicitor recommending the contract for FY2018 NJDCA Small Cities Program – ADA Improvements to Rambler Road Street End be awarded to **Charles Marandino, LLC**, the lowest responsible bidder; and

WHEREAS, Charles Marandino, LLC., was lowest responsive bidder in the amount of **\$220,431.25**; and

WHEREAS, the Chief Financial Officer has certified the availability of funds as evidenced below by her signature:

Account Number(s) _____ Amount _____
Account Number(s) _____ Amount _____
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, State of New Jersey, as follows:

1. The above recital paragraphs are incorporated herein as if set forth at length.
2. It is hereby determined to be in the best interest of the Borough of Wildwood Crest to award to Charles Marandino, LLC. the contract for FY2018 NJDCA Small Cities Program – ADA Improvements to Rambler Road Street End in the amount of \$220,431.25.
3. The Mayor and the Borough Clerk, are hereby authorized and empowered to enter into a formal contract with Charles Marandino, LLC., in accordance with this Resolution, Notice to Bidders, specifications and the submitted bid proposal.
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. Prior to the vote, the Mayor discussed the proposed plan for Rambler Road street end and the connector bike path. The Engineer added that the curb line would be moving westward and the project should clean up traffic and bike patterns and the railing would be replaced for aesthetics.
Vote: Gould -- Thompson -- Cabrera – Yes

BILLS: Mrs. Gould motioned, seconded by Mr. Thompson that all bills properly authorized, as submitted, be paid.
Vote: Gould -- Thompson -- Cabrera – Yes

PUBLIC COMMENTS:

Nancy Pietropaoli, 6002 Seaview Avenue, inquired about the ADA Improvements to Rambler Road and if additional handicapped parking spots will be included. The Mayor added he would like to see three more handicapped parking spots added.

DISCUSSION:

NEW BUSINESS:

-Claims Procedure Ordinance- The CFO indicated the current Borough Code of Chapter 21 needs to be updated to remove some restrictions and amend the current procedure for payment of claims. The commissioners agreed and asked that this be added to the next agenda.

-Special Event Ordinance- It has been brought to our attention the JIF requirements for insurance for special events are different than what is currently in our ordinance and that it needs to be amended. The Mayor offered the idea of price tiering based on the event and asked the governing to provide comments to the Administrator or clerk for possible inclusion for introduction.

-Smoking on Beach Ordinance / Drug Free School Zone / Named Parks

Again the governing body stated their stances regarding smoking on the beach: The Mayor was against smoking on the beach and Commissioners Thompson and Gould were for allowing a designated portion. The Solicitor indicated that parks are designated smoke free in the Clean Air Act and that our Drug Free School Zone map shows two parks listed and that all of our current parks need to be identified and included in the parks section of the smoking ordinance. He suggested that this be done in tandem when the ordinance gets introduced for smoking on the beach. He added that the bike path should also be designated as non-smoking. Commissioner Thompson added that we need to keep the Planner for the Zoning Board of Adjustment and Planning Board in mind with respect to marijuana and possible dispensaries. The commissioners would like to have this ready by the second meeting in March.

-Beach and Park signage

The Commissioners looked at the proposed beach and park signage and the Administrator indicated that it is close to going out to bid for the construction.

-NJ Bathing Code

The Mayor indicated that membership prices have increased at the pool due to regulations for the number of lifeguards for a pool over 2,000 square feet.

-Sewer Lateral Specs- The Engineer was requested to draft an ordinance addressing the sanitary sewer main.

-South of Rambler beach access - Rambler North Bike Path / street ends

The Mayor indicated that a normal beach maintenance permit is limited, and the Borough would like to add foot showers and take seating areas easterly. It was pointed out that permits are valid for 5 years and can get 1-5 year extensions. The Engineer added that moving seating easterly will provide better ADA access.

-Analysis of pedestrian crosswalks and street markings – safety review

The Mayor would like Ralph Grassi in Traffic Maintenance to review pedestrian cross walks and signage and to have the Engineer weigh in. Commissioner Thompson would like trees looked at as well with respect to blocking signage.

-Clean Energy Direct Install

The Administrator gave a brief description on the energy savings for several Borough buildings and the overall cost is approximately \$125,000 and the Borough's portion would approximately \$52,000 and payment due at completion. She indicated there would be future cost savings and the Green Team was in favor and would provide a recommendation. If the Borough was interested, there is a contract that will be provided by Hutchinson. The Mayor asked that Hutchinson get in touch with Public works to work out the details and suggested setting up a meeting.

-Sewer Rates

The CFO indicated that the MUA bill was more than anticipated in 2018 and that the rate needs to be increased. The commissioners agreed.

OLD BUSINESS:

-Bulkhead issue- Data collection is complete. Storm water Master Plan is due in about a month.

-Solar Panels- Commissioner Thompson met with the Engineer at several Borough buildings, to include where they will be placed and what to allow, this includes the pool, Crest Pier and Borough hall.

-“Share the Road” campaign- The Administrator indicated she would follow up with the Green Team and Sustainable Jersey and see if there were any funding opportunities.

-Bike Racks- Waiting for an inventory report from Ralph Grassi from Traffic Maintenance.

-County Dispatch-

Commissioner Thompson indicated that the Borough is currently moving forward with moving to County Dispatch and the Chief has met with IT to ensure smooth transition. He further indicated that the Chief has a transition team in place and will be providing weekly updates. The Mayor added that the points of contact are: Chief Joseph McGrath -WCPD and Steve Long – County.

Dominic Travascio, 112 E. Louisville Avenue, inquired about the fee structure for county dispatch and the Administrator indicated it is fixed at \$265,000 for 5 years and it is based on call volume and added that if and when more municipalities join there is a possibility of a decrease.

-Beach boxes-

The Administrator stated that the Borough has gone out two times to bid for beach boxes and both times were unsuccessful. The Borough then approached Wildwood to see if they could supply 50 boxes for our beaches. These boxes would belong to Wildwood and they would be responsible for the placement and removal. The only thing left to discuss are the financial details.

PUBLIC COMMENTARY:

Commissioner Thompson added that he has been approached about providing Wounded Warrior parking spaces in the Borough. He offered that we could explore the possibility of parking spaces in front of their homes.

Hearing nothing further from the public, Mrs. Gould motioned, seconded by Mr. Thompson that the meeting be adjourned. All were in favor and the time was 10:34 a.m.

Dated: February 20, 2019

Patricia A. Feketics, Borough Clerk

