

Note: Complete Meeting Appears  
On 11-19 on file in  
Borough Clerk's Office

June 5, 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.

The Clerk announced that Ordinance No. 1305, which Amends and Supplements Ch. 85 Land Use to Regulate Wireless Communication Facilities in the Public Rights of Way has been tabled.

Mrs. Gould motioned, seconded by Mr. Thompson, that Ordinance No. 1306 be placed on second reading and final passage by title only.

Vote: Gould -- Thompson -- Cabrera -- YES

THE CLERK READS THE FOLLOWING ORDINANCE BY TITLE:

**ORDINANCE NO. 1306**

**AN ORDINANCE AUTHORIZING THE EXECUTION OF A  
MODIFICATION OF A PRE-EXISTING EASEMENT RELATIVE TO  
BLOCK 79 LOT 1.01**

Mrs. Gould motioned, seconded by Mr. Thompson that a public hearing be held on Ordinance No. 1306.

Vote: Gould -- Thompson -- Cabrera -- YES

Hearing nothing from the public, Mrs. Gould motioned, seconded by Mr. Thompson that that the public hearing now be closed.

Vote: Gould -- Thompson -- Cabrera -- YES

Mrs. Gould motioned, seconded by Mr. Thompson that Ordinance No. 1306 be passed on second and final reading and advertised according to law.

Vote: Gould -- Thompson -- Cabrera -- YES

THE CLERK READS THE FOLLOWING ORDINANCE BY TITLE:

**ORDINANCE NO. 1307**

**ORDINANCE OF THE BOROUGH OF WILDWOOD CREST  
AMENDING AND SUPPLEMENTING CHAPTER 56 RECREATION  
COMMISSION OF THE CODE OF THE BOROUGH OF WILDWOOD  
CREST SETTING FEES FOR THE SALE OF MERCHANDISE**

Mrs. Gould motioned, seconded by Mr. Thompson that Ordinance No. 1307 be passed on first reading, advertised according to law, be brought up for second and final reading and public hearing on June 19, 2019 at 5:30 p.m.

Vote: Gould -- Thompson -- Cabrera -- YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

**RESOLUTION NO. 160-19  
RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF  
WILDWOOD CREST AUTHORIZING THE BOROUGH OF WILDWOOD CREST TO  
ENTER INTO A COOPERATIVE PRICING SYSTEM (ESCNJ)**

**WHEREAS**, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

**WHEREAS**, the Educational Services Commission of New Jersey, hereinafter referred to as the "Lead Agency " has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and services; and

**WHEREAS**, on June 5, 2019, the Board of Commissioners of the Borough of Wildwood Crest in the County of Cape May, State of New Jersey duly considered participation in a Cooperative Pricing System for the provision and performance of goods and services.

**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:

**TITLE**

This RESOLUTION shall be known and may be cited as the Cooperative Pricing Resolution of the Borough of Wildwood Crest

**AUTHORITY**

Pursuant to the provisions of *N.J.S.A. 40A:11-11(5)*, the Mayor is hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency.

**CONTRACTING UNIT**

The Lead Agency shall be responsible for complying with the provisions of the *Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.)* and all other provisions of the revised statutes of the State of New Jersey.

**EFFECTIVE DATE**

This resolution shall take effect immediately upon passage.

**CERTIFICATION**

I hereby, certify that the above resolution was adopted by the Board of Commissioners of the Borough of Wildwood Crest at a meeting of said governing body held on June 5, 2019.

BY:

\_\_\_\_\_  
(DON CABRERA, MAYOR)

ATTEST BY:

\_\_\_\_\_  
(PATRICIA A. FEKETICS, 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. 161-19  
RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF  
WILDWOOD CREST AUTHORIZING AMENDMENT TO THE 2019 MUNICIPAL  
BUDGET TO ACCOUNT FOR ADDITIONAL FUNDING FOR THE FY2019 CLEAN  
COMMUNITIES GRANT**

**WHEREAS**, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by any public or private funding source and the amount thereof shall not have been determined at the time of the adoption of the budget; and

**WHEREAS**, said Director may also approve the insertion of any item of appropriation for equal amount; and

**WHEREAS**, the Borough of Wildwood Crest received \$26,200.83 from the State of New Jersey for the FY19 Clean Communities Grant and wishes to amend its 2019 Municipal Budget to include this amount of revenue.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey, does hereby request the Director of the Division of Local Government

services to approve the insertion of an item of revenue in the municipal budget of the Borough of Wildwood Crest for the year 2019 in the sum of \$ 26,200.83 which is now available as a revenue from:

Miscellaneous Revenues  
Special Items of General Revenue Anticipated with  
Prior Written Consent of the Director of the Division  
of Local Government Services - Public and Private  
Revenues Offset with Appropriations:  
Clean Communities Grant FY19 \$..... 26,200.83

**BE IT FURTHER RESOLVED** that a like sum of \$.....26,200.83 is hereby appropriated under the caption of:

GENERAL APPROPRIATIONS  
(a) Operations Excluded from Caps  
Public and Private Programs Offset by Revenues:  
Clean Communities Grant FY19

**BE IT FURTHER RESOLVED** that the Borough CFO is hereby authorized and directed to electronically file this Resolution and applicable submittal form with the Director of the Division of Local Government Services 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. 162-19  
**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING APPROVAL OF NEGATIVE CHANGE ORDER NUMBER 1 & FINAL CLOSE OUT OF 2019 BACK BEACH SAND FILL PROJECT**

**WHEREAS**, Arthur R. Henry, Inc., 3301 Ocean Heights Avenue, Egg Harbor Township, New Jersey 08234 was awarded the contract known as 2019 BACK BEACH SAND FILL PROJECT via Resolution No. 121-19 on April 17, 2019 for \$228,280.00; and

**WHEREAS**, Mott MacDonald, LLC (the Borough’s Coastal Engineer) has reviewed the quantity additions and deletions for various items and approves Change Order No 1 – 2019 BACK BEACH SAND FILL PROJECT with a reduction amount of \$7,818.01, all of which is detailed in the attachment to the Change Order and revising the Contract Price to \$220,461.99 which plan and design is hereby approved; and

**WHEREAS**, on May 1, 2019, the Borough issued check #2496 in the amount of \$16,170.00 made payable to Arthur R. Henry, Inc; and

**WHEREAS**, following reduction for previous aforementioned payment and release of retainage, the amount due the contractor at this time is \$204,291.99.

**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 said Change Order Number 1- 2019 BACK BEACH SAND FILL PROJECT reducing the total contract amount by \$7,818.01 and revising the contract price to \$220,461.99 is hereby approved.

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

1. That the above recital paragraphs are incorporated herein by reference as if set forth at length.
2. That the Mayor and Borough Clerk of the Borough of Wildwood Crest are hereby authorized and directed to execute and attest said change order and final documents on behalf of the Borough of Wildwood Crest and remit \$204,291.99 to close out the 2019 BACK BEACH SAND FILL PROJECT.

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. 163-19  
**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING A CONTRACT AWARD FOR A COMMUNITY DEVELOPMENT CONSULTANT**

**WHEREAS**, the Board of Commissioners of the Borough of Wildwood Crest has determined that there exists the need for the “Extraordinary Unspecifiable Services” of a firm to be retained by the Borough for Community Development Consultant for the performance of duties associated therewith, and more specifically to make application for and administration of a Department of Community Affairs Small Cities Fiscal Year 2020 grant; and

**WHEREAS**, the Borough Clerk received a proposal from Mark Blauer of Blauer Associates, Inc. which was forwarded to a review committee consisting of the Borough Administrator, Municipal Clerk, Chief Financial Officer, Borough Solicitor and Mayor; and

**WHEREAS**, the Review Committee has reviewed the proposal from Mark Blauer of Blauer Associates, Inc. that was submitted and has recommended that the proposal of Mark Blauer of Blauer Associates, Inc. meets the Borough’s needs and that Blauer Associates, Inc. has the professional credentials and abilities to perform the services required of the subject contract; and

**WHEREAS**, under the Local Public Contracts Law, N.J.S.A. 40A:11-1, et. seq., the subject contract would be also be a contract for extraordinary unspecifiable 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 Review Committee has forwarded its recommendation to the Board of Commissioners; and

**WHEREAS**, the Commissioners of the Borough of Wildwood Crest concur with the Review Committee’s recommendation awarding the contract to Blauer Associates, Inc. to make application to the State of New Jersey Department of Community Affairs, Small Cities Community Development Block Grant Program as described 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, 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, instructed, and empowered to execute a Contract with Blauer Associates, Inc., as Community Development Consultant for a term of one (1) year, which contract shall provide for a fee of \$1,800.00 for the submission of any authorized grant application and administrative fees to be paid from the proceeds of any grant funds realized; all of which is more fully described in the attached agreement which is made a part hereof by reference as if fully set forth.
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. 164-19

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST OPPOSING A-4221 PROVISION OF PROTECTION OF PUBLIC RIGHT'S UNDER PUBLIC TRUST DOCTRINE**

**WHEREAS**, the Board of Commissioners of the Borough of Wildwood Crest recognizes the importance and supports public beach access, and

**WHEREAS**, because circumstances in each municipality vary greatly, a municipality is in far better position than the Department of Environmental Protection to determine the proper planning for property within its community; and

**WHEREAS** in cooperation with the NJDEP there have been numerous positive changes in the provision of additional beach access including handicap access in most coastal communities, and

**WHEREAS**, the individual municipalities need to govern their own public beach access in order to effectively and efficiently provide for the health, safety, and welfare of community residents and visitors; and

**WHEREAS**, municipalities are best sensitive to their own particular geography, zoning laws, tourism objectives, and service goals which has resulted in beach tourism economic gains for the State of New Jersey in the billions of dollars annually with millions of daily beach visits by the public each year, and

**WHEREAS**, A-4221, sponsored by Assemblywoman Nancy J. Pinkin, District 18 (Middlesex) and Assemblyman Andrew Zwicker, District 16 (Hunterdon, Mercer, Middlesex, and Somerset) gives oversight and authority to the New Jersey Department of Environmental Protection without the knowledge, personnel or funding to protect the existing beach tourism industry that employs thousands of local people directly and indirectly, and

**WHEREAS**, this law will likely adversely affect ownership rights and private and public properties in negative ways resulting in unnecessary and costly litigation, and

**WHEREAS**, this legislation will create an undue financial burden to municipalities and property owners; and

**NOW, THEREFORE BE IT RESOLVED** by the Board of Commissioners of The Borough of Wildwood Crest that it expresses its strong opposition to A-4221 and urges the Governor to veto this legislation until all outstanding issues have been debated and resolved to the satisfaction of coastal communities.

**BE IT RESOLVED**, that the Borough Clerk is authorized to forward a certified copy of this resolution to the following:

1. Assemblyman Vincent Mazzeo
2. Assemblyman John Armato
3. State Senator Christopher Brown, Esq.
4. State Senator Bob Andrzejczak,
5. Assemblyman R. Bruce Land
6. Assemblyman Matthew W. Milam
7. Senate President Steven M. Sweeney
8. Assembly Speaker Craig J. Coughlin
9. Assemblywoman Nancy J. Pinkin
10. Assemblyman Andrew Zwicker
11. Lieutenant Governor
12. Governor of State of New Jersey
13. League of Municipalities
14. Coastal communities in Atlantic and Cape May Counties.

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. 165-19

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING THE BOROUGH OF WILDWOOD CREST TO ESTABLISH THE "HEATHER ROAD FISHING PIER ADVISORY COMMITTEE"**

**WHEREAS**, the Board of Commissioners of the Borough of Wildwood Crest have determined that it is in the best interests of the residents of the Borough of Wildwood Crest to formally create a "Heather Road Fishing Pier Advisory Committee" (also referenced herein as the Committee") for the purpose(s) set forth below; and

**WHEREAS**, the purpose(s) of the Committee shall be to provide a community initiative to champion ideas and activities that can fully utilize the pier; and

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

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

**WHEREAS**, the Committee shall be comprised of three (3) member residents of the Borough of Wildwood Crest. They shall be appointed by the Board of Commissioners and serve, without compensation, at the pleasure of the Board of Commissioners; and

**WHEREAS**, the following individuals are hereby appointed to voluntarily serve on the Heather Road Fishing Pier Advisory Committee:

<u>Appointee</u>	<u>Term to Expire</u>
Jason Hesley	December 31, 2020
Jamie Peterson	December 31, 2020
Stephen Delmonte	December 31, 2020

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

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

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

1. A "Heather Road Fishing Pier Advisory Committee" is hereby established in and for the Borough, in accordance with the terms and conditions referenced above.
2. The names of the individuals appointed to the "Heather Road Fishing Pier Advisory Committee" shall be provided to the Municipal Clerk and remain on file for inspection.
3. A copy of this Resolution shall remain in the office of the Clerk.

Mrs. Gould 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. 166-19**

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING THE APPOINTMENT OF SARAH STEINER AS COMMUNITY FORESTRY MANAGEMENT PLAN COORDINATOR**

**WHEREAS**, the Board of Commissioners of the Borough of Wildwood Crest adopted a Community Forestry Management Plan via Resolution No. 51-19 on January 2, 2019; and

**WHEREAS**, it is the desire of the Board of Commissioners to appoint Sarah Steiner as Community Forestry Management Plan Coordinator with a yearly stipend of \$2,500.00.

**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, that Sarah Steiner is hereby appointed Community Forestry Management Plan Coordinator for the Borough of Wildwood Crest effective June 5, 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. 167-19**

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

**WHEREAS**, the Wildwood Crest Construction Official has received written approval from the Borough Engineer, DeBlasio & Associates, on April 15, 2019 to refund escrow to Garden State General Construction, Inc. for Street Opening Permit #SO17-1105, Block 20.02/Lot 3 & 4; and

**WHEREAS**, the Wildwood Crest Construction Official has confirmed that all Borough Engineer billings related to Street Opening Application #SO17-1105 are complete; and

**WHEREAS**, Garden State General Construction, Inc., 8 Clermont Drive, Clermont, NJ 08210 made an escrow payment of \$1,000.00 to the Borough of Wildwood Crest on November 10, 2017 for Street Opening Permit for location 5710 Lake Rd., Block 20.02/Lot 3 & 4 and has requested return of the unused escrow balance; and

**WHEREAS**, the escrow used totaled \$641.06 and the Borough of Wildwood Crest Construction Official is recommending the return of the unused escrow fee of \$358.94.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Borough of Wildwood Crest, in the County of Cape May, New Jersey, that the return of the balance of the unused escrow account in the amount of \$358.94 to Garden State General Construction, Inc., 8 Clermont Drive, Clermont, NJ 08210 be and hereby is approved.

**BE IT FURTHER RESOLVED** that Chief Financial Officer is hereby authorized to return the balance of the unused escrow account in the amount of \$358.94 to Garden State General Construction, Inc., 8 Clermont Drive, Clermont, NJ 08210.

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. 168-19**

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

**WHEREAS**, the Wildwood Crest Construction Official has received written approval from the Borough Engineer, DeBlasio & Associates, on March 13, 2019 to refund escrow to Garden State General Construction, Inc. for Street Opening Permit #SO18-0201, Block 9/Lot 13 & 14; and

**WHEREAS**, the Wildwood Crest Construction Official has confirmed that all Borough Engineer billings related to Street Opening Application #SO18-0201 are complete; and

**WHEREAS**, Garden State General Construction, Inc., 8 Clermont Drive, Clermont, NJ 08210 made an escrow payment of \$1,000.00 to the Borough of Wildwood Crest on February 21, 2018 for Street Opening Permit for location 217 West. Buttercup Rd., Block 9/Lot 13 & 14 and has requested return of the unused escrow balance; and

**WHEREAS**, the escrow used totaled \$669.81 and the Borough of Wildwood Crest Construction Official is recommending the return of the unused escrow fee of \$330.19.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Borough of Wildwood Crest, in the County of Cape May, New Jersey, that the return of the balance of the unused escrow account in the amount of \$330.19 to Garden State General Construction, Inc., 8 Clermont Drive, Clermont, NJ 08210 be and hereby is approved.

**BE IT FURTHER RESOLVED** that Chief Financial Officer is hereby authorized to return the balance of the unused escrow account in the amount of \$330.19 to Garden State General Construction, Inc., 8 Clermont Drive, Clermont, NJ 08210.

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. 169-19**

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

**WHEREAS**, the Wildwood Crest Construction Official has received written approval from the Borough Engineer, DeBlasio & Associates, on April 15, 2019 to refund escrow to Garden State General Construction, Inc. for Street Opening Permit #SO18-0301, Block 104/Lot 9.01; and

**WHEREAS**, the Wildwood Crest Construction Official has confirmed that all Borough Engineer billings related to Street Opening Application #SO18-0301 are complete; and

**WHEREAS**, Garden State General Construction, Inc., 8 Clermont Drive, Clermont, NJ 08210 made an escrow payment of \$1,000.00 to the Borough of Wildwood Crest on February 28, 2018 for Street Opening Permit for location 201 E. Farragut Rd. Block 104/Lot 9.01 and has requested return of the unused escrow balance; and

**WHEREAS**, the escrow used totaled \$810.00 and the Borough of Wildwood Crest Construction Official is recommending the return of the unused escrow fee of \$190.00.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Borough of Wildwood Crest, in the County of Cape May, New Jersey, that the return of the balance of the unused escrow account in the

amount of \$190.00 to Garden State General Construction, Inc., 8 Clermont Drive, Clermont, NJ 08210 be and hereby is approved.

**BE IT FURTHER RESOLVED** that Chief Financial Officer is hereby authorized to return the balance of the unused escrow account in the amount of \$190.00 to Garden State General Construction, Inc., 8 Clermont Drive, Clermont, NJ 08210.

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. 170-19**

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING SPECIAL EVENTS PERMIT TO MAGILLA ENTERTAINMENT**

**WHEREAS**, on May 24, 2019, Magilla Entertainment, 42 Broadway Suite 227, New York, NY 10004, applied for a Special Events Permit for the purpose of filming a TV episode of Beachfront Bargain Hunt, from June 11, 2019 through June 14, 2019, at various locations in the Borough of Wildwood Crest; and

**WHEREAS**, Magilla Entertainment 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 Magilla Entertainment, 42 Broadway Suite 227, New York, NY 10004 for the purpose of filming a TV episode of Beachfront Bargain Hunt, from June 11, 2019 through June 14, 2019, at various locations in 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. 171-19**

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING SPECIAL EVENTS PERMIT TO WILDWOOD CREST DOLPHINS SWIM TEAM**

**WHEREAS**, on April 24, 2019, the Wildwood Crest Dolphins Swim Team, 121 W Wisteria Rd, Wildwood Crest, NJ 08260, applied for a Special Events Permit for the purpose of a Swim Race to be held on June 30, 2019, from 7:00 am to 8:00 am, on the Rambler Rd Beach; and

**WHEREAS**, Magilla Entertainment 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 is hereby authorized and directed to issue a Special Events Permit to Magilla Entertainment, 42 Broadway Suite 227, New York, NY 10004 for the purpose of filming a TV episode of Beachfront Bargain Hunt, to be held on from June 11, 2019 through June 14, 2019, at various locations in the Borough of Wildwood Crest, on the Rambler Rd Beach.

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. 172-19**

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING SPECIAL EVENTS PERMIT TO WILDWOOD CREST DOLPHINS SWIM TEAM**

**WHEREAS**, on April 24, 2019, the Wildwood Crest Dolphins Swim Team, 121 W Wisteria Rd, Wildwood Crest, NJ 08260, applied for a Special Events Permit for the purpose of a Paddle Board Race to be held on July 28, 2019, from 7:00 am to 8:00 am, on the Rambler Rd Beach; and



**WHEREAS**, Magilla Entertainment 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 is hereby authorized and directed to issue a Special Events Permit to Magilla Entertainment, 42 Broadway Suite 227, New York, NY 10004 for the purpose of filming a TV episode of Beachfront Bargain Hunt, to be held on from June 11, 2019 through June 14, 2019, at various locations in the Borough of Wildwood Crest, on the Rambler Rd Beach.

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. 173-19**

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING SPECIAL EVENTS PERMIT TO WILDWOOD CREST DOLPHINS SWIM TEAM**

**WHEREAS**, on April 24, 2019, the Wildwood Crest Dolphins Swim Team, 121 W Wisteria Rd, Wildwood Crest, NJ 08260, applied for a Special Events Permit for the purpose of a Swim Race to be held on September 21, 2019, from 9:00 am to 10:00 am, at Sunset Lake; and

**WHEREAS**, Magilla Entertainment 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 Magilla Entertainment, 42 Broadway Suite 227, New York, NY 10004 for the purpose of filming a TV episode of Beachfront Bargain Hunt, to be held on from June 11, 2019 through June 14, 2019, at various locations in the Borough of Wildwood Crest, on the Rambler Rd Beach.

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. 174-19**

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING SALE OF SURPLUS PROPERTY NO LONGER NEEDED FOR PUBLIC USE ON AN ONLINE AUCTION WEBSITE**

**WHEREAS**, the Borough of Wildwood Crest is the owner of certain surplus property no longer needed for public use; and

**WHEREAS**, the Board of Commissioners is desirous of selling said surplus property in an "as is" condition without express or implied warranties.

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

1. The sale of surplus property shall be conducted through GovDeals pursuant to State Contract A83453/T2581 in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with GovDeals are available on line at govdeals.com and also available with the Borough Clerk.
2. The sale will be conducted online between June 17, 2019 and June 21, 2019 and the address of the auction site is GovDeals.com.
3. The sale is being conducted pursuant to LFN2008-9.
4. The list of surplus property to be sold by auction is available on GovDeals.com.
5. The surplus property shall be sold in an "as is" condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.
6. All bidders will be required to pre-register with GovDeals at govdeals.com.
7. The Borough of Wildwood Crest reserves the right to accept or reject any bids submitted.

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

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

**REPORTS:** Mrs. Gould motioned, seconded by Mr. Thompson that all reports received from

**CORRESPONDENCE:**

Robert Belasco, Solicitor for the Planning Board and Zoning Board of Adjustment gave a brief presentation on the pros and cons of consolidating the boards. Some of the positive points for consolidating the boards were: professional savings, a reduction in conflict between boards, improved efficiency and concise development review. The negative points were: more work for the board, fewer members, back log in applications, the boards have different function and there is the possibility for extra meetings as well as possible recusals for Class I and III members. Finally, the Solicitor pointed out that the boards can be consolidated by ordinance; however, if they wanted to revert back to two separate boards, it would have to be done via referendum.

Alan Seijas, Chairperson, Zoning Board of Adjustment, inquired about training for Planning Board members if they were to consolidate. The Secretary to both PB and ZBA indicated that initial training is required within 18 months of appointment. It was also pointed out that the powers of the ZBA are assigned to the PB and that Class I and III members are not permitted to vote on D Variances or appeals. Mr. Seijas indicated that combining the boards would inevitable create a backlog.

Joe Schiff, member of the Planning Board, indicated things were just fine on the Planning Board right now.

Commissioner Thompson indicated that he was concerned with a backlog and having to go to referendum to reverse the consolidation.

After the lengthy discussion, it was decided to leave the boards as is for now.

**PUBLIC COMMENTS:**

N/A

**DISCUSSION:**

**NEW BUSINESS:**

**-FY2020 NJ DOT GRANT APPLICATION-** The Administrator indicated there is a deadline of July 19<sup>th</sup> and that the Engineer indicated that Beach Drive would be ideal to make application.

**-WHYY SEGMENT ON LIFEGUARDS- COMPETITION –** The Public Information Officer indicated that WHYY contacted Chief Johnson of the WCBP about a program / lifestyle magazine entitled “Ought to Know” and they wanted to feature the WCBP and it is essentially a positive piece about what it takes to be a lifeguard and feature the Cape May County Lifeguard Challenge. The commissioners were in agreement and Public Information Officer said more details would be forthcoming and he would share them immediately.

**-PROPOSED SANITARY SEWER ORDINANCE-** A draft has been circulated which clearly defines who owns the lateral from the house to the main and will address connection fees as well as the specs. It has been decided to circulate one more time for review and the Mayor would like the Engineer to review details with regard to new construction.

**-DONATION OF SICK TIME-** Chuck Schlager, conflict labor attorney, was present to give a brief presentation on the idea of enacting a program to donate sick time to fellow employees. The state allows municipalities to adopt this program and there are steps that need to be taken prior to that adoption. Collective bargaining units need to meet and agree, Civil Service needs to approve it and it can then be implemented 30 days after approval. There is a strict eligibility requirement, IRS implications, a detailed plan must address all issues. The Mayor indicated it more work and research are necessary. Commissioner Thompson added that this was an idea brought forth by employees. Lastly, the Administrator indicated there is more work to do on this, they need to meet with collective bargaining units and it will be a costly venture.

**OLD BUSINESS:**

**Referendum permitting one consumption liquor license in business zone-** No movement. A Frequently Asked Question sheet will be circulated.

**Vacancy on the Green Team / PLANNING BOARD**

There are still vacancies on the Green Team and Planning Board.

**-Analysis of pedestrian crosswalks and street markings – safety review** - Additional crosswalks and striping has been done.

**PUBLIC COMMENTS:**

The Mayor once again opened the floor for public commentary.

Commissioner Gould asked that all wreaths be removed from public benches throughout the municipality.

Alan Seijas, chairperson for ZBA, inquired about the canopy at Centennial Park and he was told it suffered wind damage and would be back shortly. The Mayor added that perhaps the Borough should have a spare.

Theresa Campbell, 111 W. Wisteria Road, added that both the PB and ZBA are working just fine and should remain status quo. She added that the parking at the beach block of Wisteria has been changed and Commissioner Thompson indicated it was temporary due to the Old Library wall being repaired and would revert back shortly.

Gary Reiss, 130 E. Stockton Road, inquired about electric bikes and why they aren't legal. The Solicitor addressed the issue indicated it is a motor vehicle issue under Title 39 and there is pending legislation. Lastly, Mr. Reiss indicated there is a camper at an address in the 6800 block of Pacific Avenue.

After hearing nothing further from the public, Mrs. Gould motioned and Mr. Thompson seconded that the meeting be adjourned. All were in favor. The time was 10:38 a.m.

Dated: June 19, 2019

\_\_\_\_\_  
Patricia A. Feketics, Borough Clerk

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_