

Note: Complete Meeting Appears
On 17-19 on file in
Borough Clerk's Office

September 4, 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 READS THE ORDINANCE BY TITLE:

ORDINANCE NO. 1311

**AN ORDINANCE OF THE BOROUGH OF WILDWOOD
CREST, AMENDING AND SUPPLEMENTING CHAPTER
22 ARTICLE II CONSTRUCTION OF THE CODE OF THE
BOROUGH OF WILDWOOD CREST**

Mrs. Gould motioned, Mr. Thompson seconded that the Ordinance be passed on first reading, advertised according to law, be brought up for second and final reading and public hearing on September 18, 2019 at 5:30 pm.

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

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 236-19

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF
WILDWOOD CREST ACCEPTING WORK PERFORMED AND AUTHORIZING
RELEASE OF PERFORMANCE BOND ACCEPTING MAINTENANCE BOND AND
PAYMENT OF FULL CONTRACT AMOUNT FOR THE RECONSTRUCTION OF
NEWARK AVENUE (PACIFIC AVENUE TO THE BEACH) CONTRACT**

WHEREAS, the contract for the **FY2016 & FY2018 N.J.D.O.T. Municipal Aid Program, Reconstruction of Newark Avenue (Pacific Avenue to the Beach)** was awarded to Perna Finnigan, Inc. via Resolution No. 194-18 on June 20, 2018; and

WHEREAS, **Perna Finnigan, Inc.** posted a **Performance Bond No.: 2268993** from **North American Specialty Insurance Company** in the amount of **\$923,369.50** ensuring the Borough of Wildwood Crest; and

WHEREAS, the Borough's project engineer, Marc DeBlasio, P.E., P.P., C.M.E. of DeBlasio & Associates, P.C., by letter dated August 30, 2019 which is incorporated herein, reports to the Borough that **Perna Finnigan, Inc.** has completed the project in substantial conformance with the contract documents including all approved change orders, field modifications and accepted as-built plans; and

WHEREAS, the project engineer further recommends that the Borough release the performance bond, authorize final payment in the amount of **\$21,444.25** and accept the submitted maintenance bond.

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. That the plan and design as set forth in the Specifications prepared by **DeBlasio & Associates, P.C.**, as modified by approved change orders, field modifications and as depicted in the accepted as-built plans for the **FY2016 & FY2018 N.J.D.O.T. Municipal Aid Program, Reconstruction of Newark Avenue (Pacific Avenue to the Beach)** are hereby approved and accepted.

3. That the above improvements performed by **Perna Finnigan, Inc.** are hereby approved and accepted.

4. That the Clerk is hereby authorized to release the performance bond conditioned upon acceptance of the appropriate maintenance bond.

5. That Chief Financial Officer is hereby authorized to release the balance of the contact amount of **\$21,444.25** to **Perna Finnigan, Inc.** less any payment of all professional escrow fees, or other valid and proper adjustments, if any.

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. 237-19

EXTRACT from the minutes of a regular meeting of the Board of Commissioners of the Borough of Wildwood Crest, in the County of Cape May, New Jersey, held at the Municipal Building, 6101 Pacific Avenue, Wildwood Crest, New Jersey, on September 4, 2019, at 9:30 A.M.

PRESENT: GOULD – THOMPSON - CABRERA

ABSENT: NONE

* * *

Mrs. Gould introduced and moved the adoption of the following resolution and

Mr. Thompson seconded the motion:

RESOLUTION NO. _____

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST PROVIDING FOR THE COMBINATION OF CERTAIN ISSUES OF BONDS OF THE BOROUGH OF WILDWOOD CREST, IN THE COUNTY OF CAPE MAY, NEW JERSEY, INTO A SINGLE ISSUE OF GENERAL BONDS AGGREGATING \$6,800,000 IN PRINCIPAL AMOUNT

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

Section 1. Pursuant to the provisions of Section 40A:2-26 of the Local Bond Law of New Jersey, particularly paragraph (f) thereof and in lieu of the sale of more than one issue of bonds as provided for in said Local Bond Law, the several issues of bonds of this local unit described in Section 2 hereof, authorized pursuant to bond ordinances of the local unit heretofore adopted, shall be combined into a single and combined issue of bonds in the principal amount of \$6,800,000.

Section 2. The principal amount of the bonds of the several issues of bonds to be combined into a single issue as above provided, the bond ordinance authorizing each of said several issues described by reference to its title and date of adoption, and the period or average period of usefulness determined in each of said bond ordinances are respectively as follows:

<u>Principal Amount of Bonds</u>	<u>Title of Ordinance and Date of Adoption</u>	<u>Period or Average Period of Usefulness (in Years)</u>
\$720,000 bonds	“Bond ordinance appropriating \$995,000, and authorizing the issuance of \$947,000 bonds or notes of the Borough, for various improvements or purposes authorized to be undertaken by the Borough of Wildwood Crest, in the county of Cape May, New Jersey”, finally adopted on October 22, 2014 (#1198)	11.51

\$2,280,000 bonds	“Bond ordinance appropriating \$2,975,000, and authorizing the issuance of \$2,833,000 bonds or notes of the Borough, for various improvements or purposes authorized to be undertaken by the Borough of Wildwood Crest, in the County of Cape May, New Jersey”, finally adopted on October 5, 2016 (#1244 as amended by #1261)	11
\$3,800,000 bonds	“Bond ordinance appropriating \$4,000,000, and authorizing the issuance of \$3,895,000 bonds or notes of the Borough, for various improvements or purposes authorized to be undertaken by the Borough of Wildwood Crest, in the County of Cape May, New Jersey”, finally adopted on March 20, 2019 (#1299)	11.93

Section 3. The following matters are hereby determined with respect to said combined issue of bonds:

(a) The average period of usefulness, taking into consideration the respective amounts of obligations authorized to be issued pursuant to each of said bond ordinances, respectively, is eleven (11) years.

(b) The bonds of said combined issue shall be designated “General Bonds of 2019” and shall mature within the said average period of usefulness hereinabove determined.

(c) The bonds of said combined issue shall be sold and issued in accordance with the provisions of said Local Bond Law applicable to the sale and issue of a single issue of bonds.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

(a) None of the bonds of the several issues of bonds described in Section 2 hereof has been heretofore sold or issued and the several bond ordinances described in Section 2 hereof have not heretofore been rescinded and now remain in full force and effect as authorizations for the amount of bonds set forth opposite the title of the several bond ordinances described in said Section 2 hereof.

(b) No bonds are authorized by any of the bond ordinances described in Section 2 hereof, except bonds in the amount set opposite the title of said bond ordinances in Section 2 hereof and except \$95,000 (#1299).

(c) The several purposes for the financing of which the bonds described in Section 2 hereof have been authorized to be issued pursuant to the respective bond ordinances described in Section 2 hereof are purposes for which bonds of this local unit may lawfully be issued pursuant to said Local Bond Law and are not purposes for which a deduction may be taken in any annual or supplemental debt statement of the local unit.

Section 5. This resolution shall take effect 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. 238-19

EXTRACT from the minutes of a regular meeting of the Board of Commissioners of the Borough of Wildwood Crest, in the County of Cape May, New Jersey, held at the Municipal Building, 6101 Pacific Avenue, Wildwood Crest, New Jersey, on September 4, 2019, at 930 A.M.

PRESENT: GOULD – THOMPSON - CABRERA

ABSENT: NONE

* * *

Mrs. Gould introduced and moved the adoption of the following resolution and Mr. Thompson

seconded the motion:

RESOLUTION NO. _____

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST DETERMINING THE FORM AND OTHER DETAILS OF \$6,800,000 GENERAL BONDS OF 2019 OF THE BOROUGH OF WILDWOOD CREST, IN THE COUNTY OF CAPE MAY, NEW JERSEY, AND PROVIDING FOR THEIR SALE

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

Terms of Bonds. The \$6,800,000 General Bonds of 2019 (the “Bonds”) of The Borough of Wildwood Crest, in the County of Cape May, New Jersey (the “Borough”), referred to and described in the resolution adopted pursuant to the Local Bond Law of the State of New Jersey, by the Board of Commissioners of the Borough on September 4, 2019, entitled “Resolution providing for the combination of certain issues of bonds of the Borough of Wildwood Crest, in the County of Cape May, New Jersey, into a single issue of General Bonds aggregating \$6,800,000 in principal amount” and authorized by certain bond ordinances of the Borough therein described, shall be dated the date of delivery thereof, shall bear interest payable semi-annually on April 15 and October 15 in each year, commencing April 15, 2020, expressed in a multiple of 1/100th of 1% or a multiple of 1/8 of 1%, shall mature in the principal amount of \$375,000 on October 15, 2020, \$425,000 on October 15, 2021, \$375,000 on October 15, 2022, \$725,000 on October 15, 2023 and \$700,000 on October 15, in each of the years 2024 to 2030, both inclusive, and shall each bear a distinctive number to distinguish it from all other General Bonds of said issue.

Section 1. Book-Entry-Only Bonds. The Bonds shall be issued by means of a book-entry system with no physical distribution of bond certificates made to the public. The Bonds shall be issued in registered form and bond certificates for each maturity will be issued to The Depository Trust Company, New York, New York (“DTC”), registered in the name of its nominee Cede & Co., and immobilized in its custody. A book-entry system will be employed, evidencing ownership of the Bonds in principal amount of \$5,000 or any \$1,000 increment in excess thereof, with transfers of ownership affected on the records of DTC and its participants pursuant to rules and procedures adopted by DTC and its participants. The successful bidder, as a condition to the delivery of the Bonds, will be required to deposit the bond certificates with DTC, registered in the name of Cede & Co. So long as Cede & Co. is the registered owner of the Bonds, principal and redemption price, if any, of and interest on the Bonds will be payable by the Borough or its agent to DTC or its nominee as registered owner of the Bonds. The Bonds shall be executed in the name of the Borough by the manual or facsimile signatures of its Mayor and its Chief Financial Officer, under the seal of the Borough affixed, imprinted or otherwise reproduced thereon and attested by the manual signature of its Borough Clerk.

Section 2. Redemption. (A) The Bonds maturing prior to October 15, 2026 are not subject to redemption prior to maturity at the option of the Borough. The Bonds maturing on or after October 15, 2026 are subject to redemption prior to maturity at the option of the Borough upon notice as described below in whole or in part, in any order of maturity and by lot within a maturity if less than all the Bonds of such maturity are to be

redeemed, on any date on or after October 15, 2025, at a redemption price equal to 100% of the principal amount thereof, together with interest accrued, if any, to the date fixed for redemption.

(B) Notice of redemption shall be given by first-class mail, postage prepaid, to the registered owners of the Bonds or portions thereof to be redeemed, not less than thirty (30) days nor more than sixty (60) days prior to the redemption date, but such mailing shall not be a condition precedent to such redemption and failure so to mail any such notice shall not affect the validity of any proceedings for the redemption of Bonds. If notice of redemption shall have been given as aforesaid, the Bonds or portions thereof specified in said notice shall become due and payable at the redemption price on the redemption date therein designated and if, on the redemption date, moneys for payment of the redemption price of all the Bonds to be redeemed, together with interest to the redemption date, shall be available for such payment on said date, then from and after the redemption date interest on such Bonds shall cease to accrue and become payable. Less than all of a Bond in a denomination in excess of \$5,000 may be so redeemed, and in such case, upon the surrender of such Bond, there shall be issued to the registered owner thereof, without charge therefor, for the unredeemed balance of the principal amount of such Bond, Bonds of like designation, maturity and interest rate in any of the authorized denominations.

Section 3. Form of Bonds. The Bonds shall be in substantially the following form with such changes and modifications as may be required, necessary, convenient or desirable for delivery thereof:

**UNITED STATES OF AMERICA
STATE OF NEW JERSEY
COUNTY OF CAPE MAY**

BOROUGH OF WILDWOOD CREST

GENERAL BOND OF 2019

Number: R – G - ____
Registered Owner: Cede & Co
Principal Amount: \$ _____
Dated Date: October 15, 2019
Interest Rate: _____ %
Maturity Date: October 24, _____
CUSIP Number: 9618138

The **BOROUGH OF WILDWOOD CREST** (the “Borough”), a municipal corporation of the State of New Jersey, situate in the County of Cape May, hereby acknowledges itself indebted and for value received promises to pay to the above-stated Registered Owner or registered assigns, the above-stated Principal Amount on the above-stated Maturity Date upon presentation and surrender of this bond, and to pay to the registered owner hereof interest on such sum, from the date of this bond until it matures or is redeemed, at the above-stated Interest Rate per annum payable semi-annually on April 15 and October 15 in each year, commencing April 15, 2020. Principal or redemption price, if any, of this bond will be paid in lawful money of the United States of America at the office of the Chief Financial Officer, Municipal Building, 6101 Pacific Avenue, Wildwood Crest, New Jersey. Interest on this bond will be payable by check or draft mailed to the registered owner hereof whose name appears on the registration books of the Borough on April 1 and October 1 next preceding each interest payment date.

This bond is transferable only upon the books of the Borough kept for that purpose at the office of the Chief Financial Officer, Municipal Building, 6101 Pacific Avenue, Wildwood Crest, New Jersey (the “Transfer Agent”), by the registered owner hereof in person or by his attorney duly authorized in writing, upon surrender hereof together with a written instrument of transfer satisfactory to the Transfer Agent duly executed by the registered owner or such duly authorized attorney, and thereupon the Borough shall issue in the name of the transferee a new bond or bonds of the same aggregate principal amount and series, designation, maturity and interest rate as the surrendered bond. The Borough, the Transfer Agent and any paying agent of the Borough may treat and consider the person in whose name this bond is registered as the holder and absolute owner hereof for the purpose of receiving payment of, or on account of, the principal and interest due hereon and for all other purposes whatsoever.

This bond is one of an authorized issue of bonds and is issued pursuant to the Local Bond Law of the State of New Jersey, and as provided by resolution of the Board of Commissioners of the Borough, entitled: “Resolution providing for the combination of certain issues of bonds of the Borough of Wildwood Crest, in the County of Cape May, New Jersey, into a single issue of General Bonds aggregating \$6,800,000 in principal amount”, adopted on September 4, 2019 and the bond ordinances referred to therein.

The bonds maturing prior to October 15, 2026, are not subject to redemption prior to maturity at the option of the Borough. The bonds maturing on or after October 15, 2026, are subject to redemption prior to maturity at the option of the Borough upon notice as described below in whole or in part, in any order of maturity and by lot within a maturity if less than all the bonds of such maturity are to be redeemed, on any date on or after October 15, 2025, at a redemption price equal to 100% of the principal amount thereof, together with interest accrued, if any, to the date fixed for redemption.

Notice of redemption shall be given by first-class mail, postage prepaid, to the registered owners of the bonds or portions thereof to be redeemed, not less than thirty (30) days nor more than sixty (60) days prior to the redemption date, but such mailing shall not be a condition precedent to such redemption and failure so to mail any such notice shall not affect the validity of any proceedings for the redemption of bonds. If notice of redemption shall have been given as aforesaid, the bonds or portions thereof specified in said notice shall become due and payable at the redemption price on the redemption date therein designated and if, on the redemption date, moneys for payment of the redemption price of all the bonds to be redeemed, together with interest to the redemption date, shall be available for such payment on said date, then from and after the redemption date interest on such bonds shall cease to accrue and become payable. Less than all of a bond in a denomination in excess of \$5,000 may be so redeemed, and in such case, upon the surrender of such bond, there shall be issued to the registered owner thereof, without charge therefor, for the unredeemed balance of the principal amount of such bond, bonds of like series, designation, maturity and interest rate in any of the authorized denominations.

The full faith and credit of the Borough are hereby irrevocably pledged for the punctual payment of the principal or redemption price, if any, and interest on this bond according to its terms.

It is hereby certified and recited that all conditions, acts and things required by the Constitution or statutes of the State of New Jersey to exist, to have happened or to have been performed precedent to or in the issuance of this bond exist, have happened and have been performed, and that the issue of bonds of which this is one does not exceed any limitation imposed thereon by said Constitution or statutes.

IN WITNESS WHEREOF, the **BOROUGH OF WILDWOOD CREST** has caused this bond to be executed in its name by the manual or facsimile signatures of its Mayor and its Chief Financial Officer, and its corporate seal to be affixed, imprinted or reproduced hereon, and this bond and said seal to be attested by the manual signature of its Borough Clerk and this bond to be dated the above-stated Dated Date.

BOROUGH OF WILDWOOD CREST

(SEAL)

By _____
Mayor

ATTEST:

Borough Clerk

Chief Financial Officer

Section 4. Sale of Bonds and Publication of Notice. The Bonds shall be sold upon electric bids submitted on either Grant Street Group’s MuniAuction website or the PARITY® Electronic Bid System of i-Deal LLC (as shall be determined by the Chief Financial Officer of the Borough after consultation with the Borough auditor and bond counsel) on October 3, 2019 until 11:00 o’clock A.M. (or such other date or time as shall be determined by the Chief Financial Officer of the Borough after consultation with the Borough auditor and bond counsel) and the Borough Clerk is hereby authorized and directed to (a) cause a notice of such sale to be published at least once, the first publication to be at least seven days prior to said sale in the “*Cape May County Herald*”, a newspaper published in the County of Cape May, and circulating in the municipality, and (b) cause a summary of the notice of sale to be published at least once, the first publication to be at least seven days prior to said sale in “*The Bond Buyer*”, a financial newspaper published and circulating in the City of New York, New York.

Section 5. Forms of Notices. Said notice of sale and said summary of notice of sale shall be in substantially the following forms, respectively, with such changes and modifications as may be approved by the Chief Financial Officer of the Borough after consultation with the Borough auditor and bond counsel:

NOTICE OF SALE

THE BOROUGH OF WILDWOOD CREST, IN THE COUNTY OF CAPE MAY, NEW JERSEY

\$6,800,000* GENERAL BONDS OF 2019

ELECTRONIC BIDS will be received by the Chief Financial Officer of the Borough of Wildwood Crest, in the County of Cape May, New Jersey (the “Borough”), via the PARITY® Electronic Bid System (“Parity®”) of i-Deal LLC (“i-Deal”) on **Thursday, October 3, 2019**, until 11:00 a.m., local time at which time they will be publicly announced, for the purchase of \$6,800,000* General Bonds of 2019 (the “Bonds”) of the Borough due on October 15 as follows*:

\$375,000 in 2020, \$425,000 in 2021, \$375,000 in 2022, \$725,000 in 2023 and \$700,000 in each of the years 2024 to 2030, both inclusive.

Payment Dates. The Bonds will be dated the date of delivery thereof and will bear interest at the rate or rates per annum specified by the successful bidder therefor in accordance with this Notice of Sale payable on April 15 and October 15 in each year until maturity or earlier redemption, commencing April 15, 2020. The record dates for the payment of principal of and interest on the Bonds will be the April 1 and October 1 next preceding each such payment date.

Book-Entry Only. The Bonds will be issued in book-entry form only, initially in the name of Cede & Co., as nominee of The Depository Trust Company (“DTC”). Purchasers will not receive certificates representing their interests in the Bonds. Individual purchases will be in the principal amount of \$5,000 or integral multiples of \$1,000 in excess thereof. Payments of principal or redemption price, if any, and interest will be made by the Borough or its agent to DTC for subsequent disbursement to DTC participants to then be remitted to the beneficial owners of the Bonds.

Optional Redemption. The Bonds maturing prior to October 15, 2026, are not subject to redemption prior to their stated maturities. The Bonds maturing on or after October 15, 2026, are subject to redemption prior to their stated maturities at the option of the Borough upon mailed notice, as described in the resolution of the Borough authorizing the Bonds, in whole or in part, in any order of maturity and by lot within a maturity if less than all the Bonds of such maturity are to be redeemed, on any date on or after October 15, 2025, at a redemption price equal to one hundred percent (100%) of the principal amount thereof, together with interest accrued, if any, to the date fixed for redemption.

Bank Qualification. The Bonds **will** be designated as “qualified tax-exempt obligations” for purposes of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.

Interest Rate and Price Parameters. Each bid must specify in a multiple of 1/8th or 1/20th of 1% the rate or rates of interest which the Bonds are to bear. Not more than one rate of interest may be specified for the Bonds of the same maturity. There is no limitation on the number of rates of interest that may be specified. The difference between the highest and the lowest rates of interest specified shall not exceed 3%. No bid shall be considered that offers to pay an amount less than the principal amount of the Bonds offered for sale (i.e., \$6,800,000). Any bid premium must not exceed 8% of the principal amount of the Bonds offered for sale (i.e., \$544,000). The Borough may, and expects to, after the receipt of bids, adjust the maturity schedule of the Bonds, as set forth in more detail below.

Adjustment of Maturity Schedule. The Borough may, and expects to, after the receipt of bids, adjust the maturity schedule of the Bonds, provided however, that (i) no maturity schedule adjustment shall exceed 10% upward or downward of the principal for any maturity as specified herein, (ii) the aggregate adjustment to the maturity schedule shall not exceed 10% upward or downward of the aggregate principal amount of the Bonds offered for sale and (iii) the aggregate principal amount of the Bonds, as adjusted, will not exceed \$6,800,000. The dollar amount bid by the successful bidder shall be adjusted to reflect any adjustments in the aggregate principal amount of the Bonds to be issued. The adjusted bid price will reflect changes in the dollar amount of the underwriter’s discount and the original issue premium or discount, but will not change the per bond underwriter’s discount, as calculated from the original bid, and the initial public offering prices required to be delivered to the Borough.

Basis of Award. The Bonds will be awarded to the bidder on whose bid the total loan may be made at the lowest true interest cost. Such true interest cost shall be computed, as to each bid, by determining the interest rate, compounded semi-annually, necessary to discount the debt service payments to the date of the Bonds and to the price bid. If two (2) or more bidders offer the same lowest true interest cost, then the Bonds will be awarded to one (1) of such bidders selected by lot from

* Preliminary, subject to change.

among all such bidders. The right is reserved to reject any and all bids and, to the extent permitted by law, to waive any irregularity or informality in any bid.

Good Faith Deposit. Each bidder is required to deposit a certified or cashier's or treasurer's check drawn upon a bank or trust company payable to the order of the Borough of Wildwood Crest, in the County of Cape May, New Jersey, for \$136,000 (the "Deposit Amount"). In lieu of the foregoing, a bidder may deliver the Deposit Amount via a wire transfer of immediately available funds to the Borough. Wiring instructions may be obtained by contacting the Borough's Municipal Advisor, Phoenix Advisors, LLC (the "Municipal Advisor") at tracey@muniadvisors.com or 609-291-0130. Such check or wire transfer must be received by the Chief Financial Officer of the Borough at or before 11:00 a.m., eastern time, on the bid date at the Municipal Building, 6101 Pacific Avenue, Wildwood Crest, New Jersey, 08260. No interest on the Deposit Amount will accrue to the successful bidder. The Deposit Amount will be applied in part payment for the Bonds or to secure the Borough from any loss resulting from the failure of the successful bidder to comply with the terms of its bid.

Award and Closing. Award of the Bonds to the successful bidder, or rejection of all bids, is expected to be made promptly after receipt of the bids, but a bidder may not withdraw its bid until after 2:00 p.m., eastern time, of the day of such bid-receipt and then only if such award has not been made prior to the withdrawal. The Bonds will be delivered and shall be paid for in immediately available funds on or about October 24, 2019, at such place in Newark, New Jersey, and on such business day and at such hour, as the undersigned shall fix on five (5) business days' notice to the successful bidder, or at such other place and time as may be agreed upon with the successful bidder.

PARITY. Each bid must be submitted via PARITY®. No bidder will see any other bidder's bid, nor will any bidder see the status of its bid relative to other bids (e.g., whether its bid is a leading bid). To the extent any instructions or directions set forth on PARITY® conflict with this Notice of Sale, the terms of this Notice of Sale shall control. For further information about PARITY®, potential bidders may contact PARITY® at i-Deal at (212) 404-8102. The Township may, but is not obligated to, acknowledge its acceptance in writing of any bid submitted electronically via PARITY®. The bidder further agrees that:

(1) If a bid submitted electronically via PARITY® is accepted by the Township, the terms of this Notice of Sale and the information that is electronically transmitted via PARITY® shall form a contract, and the successful bidder shall be bound by the terms of such contract.

(2) PARITY® is not an agent of the Township, and the Township shall have no liability whatsoever based on any bidder's use of PARITY®, including but not limited to any failure by PARITY® to correctly or timely transmit information provided by the Township or information provided by the bidder.

(3) The Township may choose to discontinue use of electronic bidding via PARITY® by issuing a notification to such effect via TM3 News Services, or by other available means, no later than 3:00 p.m., eastern time, on the last business date prior to the bid date.

(4) Once the bids are communicated electronically via PARITY® to the Township, each bid shall be deemed to be an irrevocable offer to purchase the Bonds on the terms provided in this Notice of Sale.

(5) Each bidder shall be solely responsible to make necessary arrangements to access PARITY® for purposes of submitting its bid in a timely manner and in compliance with the requirements of this Notice of Sale. Neither the Township nor i-Deal shall have any duty or obligation to provide or assure to any bidder, and neither the Township nor i-Deal shall be responsible for the proper operation of, or have any liability for any delays or interruptions of, or any damages caused by, PARITY®. The Township is using PARITY® as a communication mechanism, and not as the Township's agent, to conduct the electronic bidding for the Bonds. By using PARITY®, each bidder agrees to hold the Township harmless for any harm or damages caused to such bidder in connection with its use of PARITY® for bidding on the Bonds.

Change in Federal Tax Law. The successful bidder may at its option refuse to accept the Bonds if prior to their delivery any income tax law of the United States of America shall provide that the interest thereon is taxable, or shall be taxable at a future date, for federal income tax purposes, and in such case the Deposit Amount paid by it will be returned and the successful bidder will be relieved of its contractual obligations arising from the acceptance of its bid.

Bond Insurance Option. If the Bonds qualify for issuance of any policy of municipal bond insurance or commitment therefor at the option of a bidder, any purchase of such insurance or commitment therefor shall be at the sole option and expense of the bidder and any increased costs of issuance of the Bonds resulting by reason of such insurance, unless otherwise paid, shall be paid by such bidder. Any failure of the Bonds to be so insured or of any such policy of insurance to be issued shall not in any way relieve the successful bidder of its contractual obligations arising from the acceptance of its bid for the purchase of the Bonds.

Establishment of Issue Price (10% Test to Apply if Competitive Sale Requirements are Not Satisfied). The successful bidder shall assist the Borough in establishing the issue price of the Bonds and shall execute and deliver to the Borough at closing an “issue price” or similar certificate setting forth the reasonably expected initial offering price to the public or the sales price or prices of the Bonds, together with the supporting pricing wires or equivalent communications, with such modifications as may be appropriate or necessary, in the reasonable judgment of the successful bidder, the Borough and bond counsel to the Borough. The form of such certificate is available from bond counsel to the Borough.

The Borough intends that the provisions of Section 1.148-1(f)(3)(i) of the Treasury Regulations (defining “competitive sale” for purposes of establishing the issue price of the Bonds) (in general, the “Treasury Regulations”) will apply to the initial sale of the Bonds (the “competitive sale requirements”) because: (1) the Borough shall disseminate this Notice of Sale to potential underwriters in a manner that is reasonably designed to reach potential underwriters, (2) all bidders shall have an equal opportunity to bid, (3) the Borough may receive bids from at least three underwriters of municipal bonds who have established industry reputations for underwriting new issuances of municipal bonds and (4) the Borough anticipates awarding the sale of the Bonds to the bidder who submits a firm offer to purchase the Bonds at the highest price (or lowest interest cost), as set forth in this Notice of Sale.

Any bid submitted pursuant to this Notice of Sale shall be considered a firm offer for the purchase of the Bonds, as specified in the bid. Unless a bidder is purchasing the Bonds for its own account and not with a view to distribution or resale to the public, a bidder by submitting its bid represents that it is an underwriter of municipal bonds and notes that has an established industry reputation for underwriting new issuances of municipal bonds and notes.

In the event that the competitive sale requirements are not satisfied, the Borough shall so advise the successful bidder and, unless the successful bidder is purchasing the Bonds for its own account and not with a view to distribution or resale to the public, the Borough shall treat the first price at which ten percent (10%) of a maturity of the Bonds (the “10% test”) is sold to the public as the issue price of that maturity, applied on a maturity-by-maturity basis. The successful bidder shall advise the Borough if any maturity of the Bonds satisfies the 10% test as of the date and time of the award of the Bonds. The Borough will not require bidders to comply with the “hold-the-offering-price rule” described in the Treasury Regulations. Bids will not be subject to cancellation in the event that the competitive sale requirements are not satisfied. Bidders should prepare their bids on the assumption that all of the maturities of the Bonds will be subject to the 10% test in order to establish the issue price of the Bonds.

If the competitive sale requirements are not satisfied (unless the successful bidder is purchasing the Bonds for its own account and not with a view to distribution or resale to the public), then until the 10% test has been satisfied as to each maturity of the Bonds, the successful bidder agrees to promptly report to the Borough the prices at which the unsold Bonds of that maturity have been sold to the public. That reporting obligation shall continue, whether or not the closing date has occurred, until either (i) all Bonds of that maturity have been sold or (ii) the 10% test has been satisfied as to the Bonds of that maturity, provided that, the successful bidder’s reporting obligation after the closing date may be at reasonable periodic intervals or otherwise upon request of the Borough or bond counsel to the Borough.

By submitting a bid, each bidder confirms that: (i) any agreement among underwriters, any selling group agreement and each third-party distribution agreement (to which the bidder is a party) relating to the initial sale of the Bonds to the public, together with the related pricing wires, contains or will contain language obligating each underwriter, each dealer who is a member of the selling group, and each broker-dealer that is a party to such third-party distribution agreement, as applicable, (A) to report the prices at which it sells to the public the unsold Bonds of each maturity allocated to it, whether or not the closing date has occurred, until either all Bonds of that maturity allocated to it have been sold or it is notified by the successful bidder that the 10% test has been satisfied as to the Bonds of that maturity, provided that, the reporting obligation after the closing date may be at reasonable periodic intervals or otherwise upon request of the successful bidder, (B) to promptly notify the successful bidder of any sales of Bonds that, to its knowledge, are made to a purchaser who is a related party to an underwriter participating in the initial sale of the Bonds to the public (each such term being used as defined below) and (C) to acknowledge that, unless otherwise advised by the underwriter, dealer or broker-dealer, the successful bidder shall assume that each order submitted by the underwriter, dealer or broker-dealer is a sale to the public and (ii) any agreement among underwriters or selling group agreement relating to the initial sale of the Bonds to the public, together with the related pricing wires, contains or will contain language obligating each underwriter or dealer that is a party to a third-party distribution agreement to be employed in connection with the initial sale of the Bonds to the public to require each broker-dealer that is a party to such third-party distribution agreement to report the prices at which it sells to the public the unsold Bonds of each maturity allocated to it, whether or not the closing date has occurred, until either all Bonds of that maturity allocated to it have been sold or it is notified by the successful bidder or such underwriter that the 10% test has been satisfied as to the Bonds of that maturity, provided that, the reporting obligation after the closing date may be at reasonable periodic intervals or otherwise upon request of the successful bidder or such underwriter.

Sales of any Bonds to any person that is a related party to an underwriter participating in the initial sale of the Bonds to the public (each such term being used as defined below) shall not constitute sales to the public for purposes of this Notice of Sale. Further, for purposes of this Notice of Sale: (i) “public” means any person other than an underwriter or a related party, (ii)

“underwriter” means (A) the successful bidder, (B) any person that agrees pursuant to a written contract with the successful bidder to form an underwriting syndicate to participate in the initial sale of the Bonds to the public and (C) any person that agrees pursuant to a written contract directly or indirectly with a person described in clause (B) to participate in the initial sale of the Bonds to the public (including a member of a selling group or a party to a third-party distribution agreement participating in the initial sale of the Bonds to the public), (iii) “related party” means any entity if an underwriter and such entity are subject, directly or indirectly, to (I) more than 50% common ownership of the voting power or the total value of their stock, if both entities are corporations (including direct ownership by one corporation of another), (II) more than 50% common ownership of their capital interests or profits interests, if both entities are partnerships (including direct ownership by one partnership of another) or (III) more than 50% common ownership of the value of the outstanding stock of the corporation or the capital interests or profit interests of the partnership, as applicable, if one entity is a corporation and the other entity is a partnership (including direct ownership of the applicable stock or interests by one entity of the other) and (iv) “sale date” means the date that the Bonds are awarded by the Borough to the successful bidder.

CUSIP Numbers. The Borough’s Municipal Advisor will apply for CUSIP identification numbers with respect to the Bonds, but neither the failure to print such number on any Bond nor any error with respect thereto shall constitute cause for the failure or refusal of the successful bidder to accept delivery of and pay for the Bonds. The CUSIP Service Bureau charge for the assignment of CUSIP numbers on the Bonds shall be the responsibility of and shall be paid for by the successful bidder.

Initial and Continuing Disclosure. A preliminary official statement (the “Preliminary Official Statement”) relating to the Bonds is available at www.munihub.com and the Preliminary Official Statement is deemed final as of its date by the Borough for purposes and within the meaning of Rule 15c2-12 of the Securities and Exchange Commission. A final official statement (the “Official Statement”) will be delivered to the successful bidder within seven (7) business days of the award of the Bonds. In order to assist bidders in complying with said Rule 15c2-12, the Borough will undertake to provide certain continuing disclosure as further described in the Preliminary Official Statement.

Legal Opinion and Closing Documents. The successful bidder will be furnished, without cost, with the approving opinion of the law firm of Hawkins Delafield & Wood LLP, bond counsel to the Borough, to the effect that the Bonds are valid and legally binding obligations of the Borough and, unless paid from other sources, are payable from ad valorem taxes levied upon all the taxable property therein without limitation as to rate or amount. The obligations under this Notice of Sale to deliver or accept the Bonds pursuant to this Notice of Sale shall be conditioned on the availability to the successful bidder and delivery at the time of delivery of the Bonds of the said approving opinion and of certificates in form and tenor satisfactory to said law firm evidencing the proper execution and delivery of the Bonds and receipt of payment therefor and including a statement, dated as of the date of such delivery, to the effect that, except as may be disclosed in the Official Statement, there is no litigation pending or (to the knowledge of the signer or signers thereof) threatened relating to the Bonds.

Postponement and Adjustments. The Borough reserves the right to postpone, from time to time, the date and time established for receipt of bids and the right to adjust the maturity schedule for the Bonds. Any such postponement or adjustment will be published on TM3 News Services, or by other available means, not less than twenty-four (24) hours prior to the sale. If any date fixed for the receipt of bids and the sale of the Bonds is postponed, an alternative sale date will be announced via TM3 News Services, or by other available means, at least forty-eight (48) hours prior to such alternative sale date.

Availability of Information. Printed copies of the Preliminary Official Statement, this Notice of Sale and additional information regarding the sale, may be obtained from Hawkins Delafield & Wood LLP, bond counsel to the Borough, One Gateway Center, Newark, New Jersey 07102-5311 (Telephone: 973-642-8584) or the Borough’s Municipal Advisor, Sherry Tracey, 625 Farnsworth Avenue, Bordentown, New Jersey 08505 (Telephone: 609-291-0130).

PATRICIA A. FEKETICS
Borough Clerk

Dated: September 18, 2019

SUMMARY OF NOTICE OF SALE

**THE BOROUGH OF WILDWOOD CREST,
IN THE COUNTY OF CAPE MAY, NEW JERSEY**

\$6,800,000* GENERAL BONDS OF 2019

ELECTRONIC BIDS for the above-described bonds (the “Bonds”) will be received by the Chief Financial Officer of the Borough of Wildwood Crest, in the County of Cape May, New Jersey (the “Borough”), via the PARITY® Electronic Bid System of i-Deal LLC on **Thursday, October 3, 2019**, until 11:00 a.m., eastern time. As described in the full Notice of Sale, a good faith check or a wire transfer must be received by the Chief Financial Officer of the Borough prior to or simultaneously with the submission of a bid. The Bonds shall mature on October 15 as follows*:

\$375,000 in 2020, \$425,000 in 2021, \$375,000 in 2022, \$725,000 in 2023 and \$700,000 in each of the years 2024 to 2030, both inclusive.

The Bonds will be dated the date of delivery thereof and will bear interest payable on April 15 and October 15 in each year until maturity or earlier redemption, commencing April 15, 2012, at the rate or rates per annum specified, in multiples of 1/8 or 1/20 of 1%, by the successful bidder in accordance with the full Notice of Sale. The Bonds will be issued in book-entry form only and will be designated as “qualified tax-exempt obligations” for purposes of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended. The Bonds are subject to redemption in accordance with the full Notice of Sale.

Copies of the full Notice of Sale and the Preliminary Official Statement are available at www.munihub.com and may also be obtained by contacting Hawkins Delafield & Wood LLP, bond counsel to the Borough, One Gateway Center, Newark, New Jersey 07102-5311 (Telephone: 973-642-8584) or the Borough’s Municipal Advisor, Phoenix Advisors, LLC, Sherry Tracey, 625 Farnsworth Avenue, Bordentown, New Jersey 08505 (Telephone: 609-291-0130).

PATRICIA A. FEKETICS
Borough Clerk

Dated: September 18, 2019

* Preliminary, subject to change.

Section 6. Additional Matters Contained in Bonds. The Chief Financial Officer is hereby authorized and, if necessary or advisable in the opinion of Hawkins Delafield & Wood LLP, directed (a) to cause the applicable CUSIP numbers (if any) assigned for each of said bonds by the CUSIP Service Bureau of Standard & Poor's Corporation of New York, New York, to be printed on the Bonds, and (b) to cause, in the event that the Bonds shall qualify for issuance of any policy of municipal bond insurance, at the option of the purchaser thereof, such legend or reference (if any) of such insurance to be printed (at the expense of such purchaser) on the Bonds in such form as shall be satisfactory to Hawkins Delafield & Wood LLP.

Section 7. Delivery of Related Documents. Upon the date of issue of the Bonds, being the date of delivery of the Bonds to the successful bidder and the payment of the purchase price thereof in accordance with the contract of sale, the Chief Financial Officer is hereby authorized and directed, as of the date of issue, to deliver to said bidder (a) an arbitrage and use of proceeds certificate with respect to the Bonds in such form as shall be satisfactory to Hawkins Delafield & Wood LLP under and for the purposes of Section 148 of the Internal Revenue Code of 1986, as amended to said date of issue (the "Code"), (b) an undertaking to provide continuing disclosure in order to assist said bidder in complying with Rule 15c2-12 of the Securities and Exchange Commission ("Rule 15c2-12") in a form satisfactory to Hawkins Delafield & Wood LLP and (c) such other documents as may be useful, necessary, convenient or desirable in connection with the issuance of the Bonds.

Section 8. Delegation of Power to Award Bonds. The Board of Commissioners of the Borough, as the governing body thereof, does by this resolution designate the Chief Financial Officer of the Borough, or such other Borough official as may be deemed appropriate (the "Chief Financial Officer"), to sell and award the Bonds in accordance with the advertised terms of public sale. The Chief Financial Officer or other Borough official making such sale shall report in writing to this governing body at its next meeting thereafter as to the principal amount, interest rate and maturities of the Bonds sold, the price obtained and the name of the purchaser. The Chief Financial Officer or other Borough official is hereby further authorized and directed to do and accomplish all matters and things necessary or desirable to accomplish the sale of the Bonds including, after consultation with the Borough auditor and bond counsel, (a) adjusting the maturity schedule of the Bonds and (b) postponing and rescheduling from time to time the sale of the Bonds in accordance with the provisions set forth in the notice of sale and as provided by law.

Section 9. Bank-Qualified Designation. The Bonds are hereby designated as "qualified tax-exempt obligations" pursuant to and for the purposes of Section 265(b)(3) of the Code, or to the extent the Bonds refund other obligations of the Borough, the Bonds are "qualified tax-exempt obligations" pursuant to Section 265(b)(3)(D)(iii) of the Code. Not more than \$10,000,000 of obligations, including the Bonds, of the Borough and all subordinate entities thereof are expected to be designated by the Borough for purposes of Section 265(b)(3) of the Code. As of the date hereof, the reasonably anticipated amount of tax-exempt obligations (other than private activity bonds, as referred to and defined in Section 141 of the Code and current refundings of other obligations of the Borough), which will be issued by the Borough and all subordinate entities thereof during the 2019 calendar year does not exceed \$10,000,000.

Section 10. Preliminary Official Statement. All action taken to date by the officials, employees and agents of the Borough with respect to the issuance of the Bonds, including the preparation of a Preliminary Official Statement with respect thereto be and the same hereby are approved, ratified, adopted and confirmed and the Chief Financial Officer of the Borough is hereby authorized to deliver said Preliminary Official Statement for its use in the sale, resale and distribution of the Bonds. The Chief Financial Officer of the Borough or such other Borough official as may be appropriate is hereby authorized and directed to deem said Preliminary Official Statement final as of its date for purposes and within the meaning of Rule 15c2-12.

Section 11. Final Official Statement. The execution, delivery and dissemination of a final Official Statement in substantially the same form as said Preliminary Official Statement with such changes, insertions and omissions as may be approved by the Chief Financial Officer of the Borough with respect to the issuance of the Bonds by and on behalf of the Borough, is hereby authorized, and the Chief Financial Officer of the Borough or such other Borough official as may be deemed appropriate is hereby authorized and directed to execute the same in the name and on behalf of the Board of Commissioners and is further authorized to deliver said final Official Statement in executed form for its use in the sale, resale and distribution of the Bonds. The execution of said final Official Statement by the Chief Financial Officer of the Borough or such other Borough official as may be deemed appropriate shall be conclusive evidence of any approval required hereby.

Section 12. Actions to be Taken on Behalf of the Borough. The Borough Administrator, the Chief Financial Officer of the Borough and the Borough Clerk are hereby authorized to do all matters necessary, useful, convenient or desirable to accomplish the sale and delivery of the Bonds, including without limitation matters relating to the provision of electronic bids for the Bonds and the obtaining of a credit rating for the Bonds.

Section 13. Prior Action. All action heretofore taken by Borough officials and professionals relating to the sale of the Bonds is hereby ratified, confirmed, adopted and approved.

Section 14. Effective Date. This resolution shall take effect immediately.

The foregoing resolution was adopted by the following vote:

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. 239-19
**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF
WILDWOOD CREST AUTHORIZING FIREWORKS DISPLAY AT SEAFARER'S
CELEBRATION ON SATURDAY, SEPTEMBER 21, 2019**

WHEREAS, the Borough of Wildwood Crest annually sponsors an event known as “Seafarers’ Celebration;” and

WHEREAS, it is the desire of the Board of Commissioners that a fireworks display be incorporated as a finale to the 2019 Seafarers’ Celebration on September 21, 2019; and

WHEREAS, it is the desire of the Board of Commissioners to set forth policies and procedures for the implementation of said fireworks display; 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. A fireworks display is hereby authorized as a finale to the Seafarers' Celebration on Saturday, September 21, 2019, commencing approximately 9:00 p.m.
2. The fireworks exhibitor shall comply with any and all State of New Jersey Fire Code Regulations as apply to fireworks displays, as well as all Municipal Excess Liability Joint Insurance Fund requirements.
3. The fireworks exhibitor shall supply the Borough of Wildwood Crest with a Certificate of Liability Insurance in an amount not less than \$1,000,000, naming the Borough of Wildwood Crest as an additional insured.
4. The fireworks exhibitor shall execute an Indemnification and Hold Harmless Agreement on behalf of the Borough of Wildwood Crest.
5. The Borough of Wildwood Crest Recreation Supervisor, or his designee, shall coordinate the display, with the Borough Fire Official and the Fireworks Exhibitor, to the extent necessary to insure compliance with the foregoing, as well as any other required safeguards as provided by the Borough Fire Official to fully protect the public health, safety and welfare.
6. The Commissioner of Public Works and Facilities is hereby authorized to execute a contract with Schaefer Fireworks, Inc. in the not to exceed amount of \$7,000.00.

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. 240-19

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING A REIMBURSEMENT AGREEMENT WITH BOROUGH MECHANICS FOR USE OF PERSONAL TOOLS

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest, recognizes that Borough Mechanics ("Employees") employed in the Department of Public Works utilize personal tools in the performance of their daily duties; and

WHEREAS, the Commissioners desire to execute a "Reimbursement Agreement" to compensate said Employees of the Borough for the use of their personal tools.

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 Mayor and the Borough Clerk are hereby authorized and instructed to execute the attached "Reimbursement Agreement" which is hereby approved.

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. 241-19

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

WHEREAS, ALEJANDRA CAMACHO, had cause to utilize Emergency Medical Services of the Borough of Wildwood Crest; and

WHEREAS, ALEJANDRA CAMACHO, paid \$759.00 check #0098 and Cigna paid \$452.37 and State Farm paid \$112.52 and Alejandra Camacho was only responsible for \$28.13; and ALEJANDRA CAMACHO was refunded \$452.37 from the Borough of Wildwood Crest with check #47418 dated 1/24/19; and

WHEREAS, Cape Medical Billing indicated that a refund of \$278.50 was owed to ALEJANDRA CAMACHO for overpayment.

NOW, THEREFORE, BE IT RESOLVED that the Chief Financial Officer is hereby authorized to issue a refund of overpaid Emergency Medical Services in the amount of \$278.50 to ALEJANDRA CAMACHO.

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. 242-19

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING USE OF COMPETITIVE CONTRACTING AND ADVERTISEMENT OF NOTICE FOR REQUEST FOR PROPOSALS FOR THE SOLAR POWER PURCHASE AGREEMENT

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 use of competitive contracting is hereby authorized, pursuant to N.J.S.A 40A:11-4.3(a) and N.J.S.A 40A:11-4.1(k) for specialized goods and services that the Borough of Wildwood Crest desires to be contracted for the **SOLAR POWER PURCHASE AGREEMENT**.

BE IT FURTHER RESOLVED by the Board of Commissioners, that the Borough Clerk is hereby authorized to advertise a Notice for Requests for Proposals in both *The Herald of Cape May County* issue of (Wednesday) September 11, 2019 as well as *The Press of Atlantic City* issue of (Friday) September 6, 2019, for the **SOLAR POWER PURCHASE AGREEMENT**.

BE IT FURTHER RESOLVED Sealed proposals will be received by the Opening Committee in the Municipal Court Room, Wildwood Crest Borough Hall, on **September 26, 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:

SOLAR POWER PURCHASE AGREEMENT

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. 243-19

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING NEGOTIATED CONTRACT AFTER NO BIDS HAVE BEEN RECEIVED ON TWO OCCASIONS FOR BEACH IDENTIFICATION SIGNS AND PARK SIGNS

WHAREAS, the Borough of Wildwood Crest has advertised for bids for Beach Identification Signs and Park Signs pursuant to N.J.S.A 40A:11-4 of the Local Public Contracts Law on two occasions; and

WHAREAS, on both occasions no bids were received by the Borough of Wildwood Crest Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, in the County of Cape May, New Jersey, that the Borough of Wildwood Crest is hereby authorized to negotiate a contract for Beach Identification Signs and Park Signs pursuant to N.J.S.A 40A:11-5(3) of the Local Public Contracts 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. 244-19

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

WHEREAS, on August 15, 2019, DelMoSports LLC, 251 Ranger Rd Unit 7, Cape May, NJ 08204, applied for a Special Events Permit for the purpose of the CREST BEST RUN FEST RACES to be held on October 12th and 13th, 2019, at Centennial Park, the Bike Path and various streets in the Borough of Wildwood Crest; and

WHEREAS, DelMoSports LLC has supplied all documentation required under Ordinance No. 1304, 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.; and

WHEREAS, in the spirit of supporting tourism for the Wildwoods and the Wildwood Crest Community, the Commissioners have agreed to waive Police support fees and any additional special event fees.

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, 251 Ranger Rd Unit 7, Cape May, NJ 08204 for the purpose of the CREST BEST RUN FEST RACES to be held on October 12th and 13th, 2019, at Centennial Park, the Bike Path and various streets in the Borough of Wildwood Crest and to waive Police support fees and any additional special event fees.

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. 245-19

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE
BOROUGH OF WILDWOOD CREST AUTHORIZING SPECIAL EVENTS PERMIT TO
ANNA LARKIN**

WHEREAS, on August 19, 2019, Anna Larkin, 123 6th Ave, Roebling, NJ 08554, applied for a Special Events Permit for the purpose of a Wedding to be held on September 28, 2019, from 1:00 pm to 3:00 pm, on the Beach at Syracuse-Preston Avenues; and

WHEREAS, DelMoSports LLC has supplied all documentation required under Ordinance No. 1304, 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, 251 Ranger Rd Unit 7, Cape May, NJ 08204 for the purpose of the CREST BEST RUN FEST RACES to be held on October 12th and 13th, 2019, from 1:00 pm to 3:00 pm, at Centennial Park, the Bike Path and various streets 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. 246-19

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF
WILDWOOD CREST AUTHORIZING A LICENSING AGREEMENT BETWEEN
BOROUGH OF WILDWOOD CREST AND GREATER WILDWOOD SOCCER LEAGUE
FOR USE OF THE WASHINGTON AVENUE FIELD**

WHEREAS, the Greater Wildwood Soccer League has requested to use the Wildwood Crest municipal field on Washington Avenue for soccer practice and games during the reconstruction and maintenance of the Wildwood Crest School District field; and

WHEREAS, the Greater Wildwood Soccer League desires to enter into a license agreement to use the Washington Avenue Field and the Board of Commissioners does herewith agree to enter into a licensing agreement with Greater Wildwood Soccer League for a license for the non-exclusive right to use the Licensed Property known as the Washington Avenue Field when not being utilized by Wildwood Crest School District.

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 recital paragraphs set forth above are incorporated herein as if set forth at length.
2. That a license for the non-exclusive right to use the Licensed Property known as the Washington Avenue Field in the Borough of Wildwood Crest is hereby granted to Greater Wildwood Soccer League for the period commencing September 4, 2019 and ending October 31, 2019, when not being utilized by Wildwood Crest School District. The specific days and hours of permitted use, and all other conditions, which shall affect, change or modify this license shall be contained in said License Agreement as Schedule "A", a copy of which is attached hereto and made a part hereof.
3. License is subject to the use of the Licensed Property as a Temporary Debris Management Area and has been designated as such by the NJDEP, and may be used for such purposes by State of New Jersey or other governmental agency.
4. The Mayor and the Borough Clerk be and they are hereby authorized and directed to execute and attest said license agreement on behalf of the Borough.

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. 247-19

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING REFUND FOR PIER PLAYMATES CAMP FOR \$260.00

WHEREAS, State of New Jersey, Department of Children and Families enrolled Camper John Scholz in both the First and Second Sessions of Pier Playmates day camp; and

WHEREAS, State of New Jersey, Department of Children and Families submitted payment in the amount of \$685.00 for Sessions I and II via Check # 2002439; and

WHEREAS, State of New Jersey, Department of Children and Families has indicated that the Camper was relocated and was not able to attend Session II and has requested the \$260.00 for the time he was not able to attend camp.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Commissioners of the Borough of Wildwood Crest, County of Cape May, State of New Jersey, the Chief Financial Officer is hereby authorized to execute said refund in the amount of \$260.00 to:

Treasurer State of New Jersey
DCPP
3150 Route 9 South
Rio Grande, NJ 08242

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

CORRESPONDENCE:

-Parking Meters south of Rambler Road on Atlantic Avenue: There was an analysis done on the potential loss of revenue and it would be rather significant and would have to be made up elsewhere. The commissioners agreed to leave as is.

-Alex Bauer, Zoning Officer, presentation on Updating Zoning Office and the Permitting Process: Mr. Bauer was delayed and will present later in meeting.

PUBLIC COMMENTS:

Theresa Campbell, 111 W. Wisteria Road wanted to know more about the Crest Best Run Fest signs on the beach and who authorized them. The Mayor indicated it was a Wildwood Crest event run by Delmosports, LLC and we authorized them.

Dennis Travascio, 112 E. Louisville Avenue, inquired about Resolutions 2 and 3 and the CFO indicated that the debt is new and old. Mr. Travascio then wanted further detail on the Crest Best Run Fest and monies paid. The Mayor indicated that the funding started with the Tourism Commission and the money is channeled for off season tourism to allow the motels and businesses to extend their season.

Susan Benner, 107 E. Buttercup Road, indicated that she was coming back to participate in the Crest Best Run Fest in October.

The CFO then gave a brief description of our Bond Rating to the audience, as per the Mayor's suggestion, and how we are currently an AA3.

-Alex Bauer, Zoning Officer, presentation on Updating Zoning Office and the Permitting Process

Mr. Bauer gave a brief bio and then elaborated that he would like to see changes in both the Land Use Ordinances to mitigate enforcement action and Policies and Procedures Manual for the new forms he would like to institute. He created a checklist to assist in the plan review. The Administrator indicated the new checklist could be a cost saving measure for contractors.

The Mayor added that he would like the Engineer to review construction plans as well as the Planning Board and further suggested the checklist be online. The commissioners also agreed to have the Zoning Board of Adjustment weigh in on the measures. Lastly, the Mayor suggested changes to Ch. 39 to regulate the job of the Zoning Officer and changes to Ch. 85 for tighter language in Land Use.

The Administrator suggested inviting the public for commentary on the proposed changes for their feedback.

Theresa Campbell, 111 W. Wisteria Road, indicated she has 60 x 125-foot lot and can't seem to do anything with it. Mr. Bauer instructed Ms. Campbell to make an application and she will get a determination.

DISCUSSION:

NEW BUSINESS:

N/A.

Solicitor described the area from 18 inches from the curb is sometimes referred to as a "parking strip" and is used to ensure people can park and exit their car. He indicated that an ordinance will help to stop the concreting of the Borough so there is a twofold positive effect, it looks better and helps with drainage. He pointed out that Taylor Design Group should be consulted as well. The Commissioners recognized that flood prone areas are often difficult to have sodding in the public rights of way. The Solicitor indicated that homeowners could should between stone, pavers or grass as opposed to concrete.

The Solicitor indicated this would amend the current ordinance to regulate parking on the west side of New Jersey Avenue along Sunset Lake for trailers, box trucks, etc.

The Commissioners agreed this ordinance needed more discussion and thought and maybe limiting the speed reduction from May 1st to October 1st. They recognized the need to slow the traffic pattern. Commissioner Gould also suggested making Atlanta Avenue one way going East. Commissioner Thompson requested Traffic Maintenance to measure the road. The Mayor wanted to start with a traffic calming pattern before introducing an ordinance amendment.

OLD BUSINESS:

-Draft Ordinance for Ch. 63 Sidewalks: NO MOVEMENT

-Draft Prohibiting parking of certain vehicles: NO MOVEMENT

-Draft for Reduced Speed Along Sunset Lake and Bayview Drive: NO MOVEMENT

-Prohibited Right Turn on Red Signal at Rambler Road – NO MOVEMENT

-Sunset Lake Bathroom: NO MOVEMENT

-Donation of Sick Time- NO MOVEMENT

-Washington Avenue Lot/Field: NO MOVEMENT

-Parking for RVs – NO MOVEMENT

-Old Library- NO MOVEMENT

-Faux Lawn→ to Green Team and Planning Board: NO MOVEMENT

-Referendum permitting one consumption liquor license in business zone- NO MOVEMENT

-Cross Walks on Atlantic Avenue- NO MOVEMENT

PUBLIC COMMENTS:

The Mayor once again opened the floor for public commentary.

Theresa Campbell, 111 W. Wisteria Road, indicated that the traffic races down West Wisteria and asked for additional signs to slow it down. Ms. Campbell indicated Patch Oil is constantly going down her street. Commissioner Thompson pointed out that there are patrols on Park Blvd. everyday and trucks take side streets for business. The Administrator indicated she would reach out to Patch Oil.

Commissioner Gould brought up parking of RVs and perhaps they should be moved to a storage unit.

Gary Reiss, 130 E. Stockton Road, wanted to know if and when the decision will be made with regard to parking of RVs. Commissioner Thompson indicated that he believes that they should be allowed and only saw a problem with the current ordinance wording of "housed in a garage" and it should be repealed. The Mayor added a sample ordinance has been circulated and asked for feedback.

Lastly, Mrs. Gould requested that the September 18th meeting scheduled for 5:30 p.m. be moved to 9:30 a.m. Both Commissioner Thompson and Mayor Cabrera agreed they could accommodate the request and the Clerk indicated she would take care of the Change of Meeting Time notification.

Prior to adjournment, Mrs. Gould motioned, seconded by Mr. Thompson that the Board of Commissioners go into Closed Session.

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

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 248-19

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING EXECUTIVE/CLOSED SESSION IN ACCORDANCE WITH THE PROVISIONS OF THE OPEN PUBLIC MEETINGS ACT, SPECIFICALLY N.J.S.A. 10:4-12(B)

WHEREAS, the Open Public Meetings Act (N.J.S.A. 10:4-6 et. seq.) requires all meetings of the Board of Commissioners of the Borough of Wildwood Crest to be held in public, except that N.J.S.A. 10:4-12(b) sets forth nine (9) types of matters that may lawfully be discussed in "Executive or Closed Session," i.e., without the public being permitted to attend; and

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest has determined that one (1) issue(s) is/are permitted by N.J.S.A. 10:4-12(b) to be discussed without the public in attendance to be discussed during the Executive or Closed Session to be held on **Wednesday, September 4, 2019** at 9:30 A.M.; and

WHEREAS, the nine (9) exceptions to public meetings set forth in N.J.S.A. 10:4-12(b) are listed below, and next to each exception is a box within which the number of issues to be privately discussed that fall within that exception shall be written, and after each exception is a space where additional information that will disclose as much information about the discussion as possible without undermining the purpose of the exception shall be written:

_____ **"(1) Any matter which, by express provision of Federal law, State statute or rule of court shall be rendered confidential or excluded from public discussion."** The legal citation to the provision(s) at issue is: _____ and the nature of the matter, described as specifically as possible without undermining the need for confidentiality is _____

_____ **"(2) Any matter in which the release of information would impair a right to receive funds from the state or federal government."** The nature of the matter, described as specifically as possible without undermining the need for confidentiality is _____

_____ **"(3) Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection,**

rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly." The nature of the matter, described as specifically as possible without undermining the need for confidentiality is

“(4) Any collective bargaining agreement, or the terms and conditions of which are proposed for inclusion in any collective bargaining agreement, including the negotiation of terms and conditions with employees or representatives of employees of the public body.” The collective bargaining contract(s) discussed are between the Borough and

_____ x _____
“(5) Any matter involving the purchase, lease or acquisition of real property with public funds, the setting of bank rates or investment of public funds where it could adversely affect the public interest if discussion of such matters were disclosed.” The nature of the matter, described as specifically as possible without undermining the need for confidentiality is

“(6) Any tactics and techniques utilized in protecting the safety and property of the public provided that their disclosure could impair such protection. Any investigations of violations or possible violations of the law.” The nature of the matter, described as specifically as possible without undermining the need for confidentiality is

“(7) Any pending or anticipated litigation or contract negotiation in which the public body is or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer.” The parties to and docket numbers of each item of litigation and/or the parties to each contract discussed and the nature of the discussion, described as specifically as possible without undermining the need for confidentiality is potential contract negotiations and more specifically is potential acquisition of property

“(8) Any matter involving the employment, appointment, termination of employment, terms and conditions or employment, evaluation of the performance, promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all individual employees or appointees whose rights could be adversely affected request, in writing, that such matter or matters be discussed at a public meeting.” Subject to the balancing of the public's interest and the employee's privacy rights under *South Jersey Publishing Co. v. New Jersey Expressway Authority*, 124 N.J. 478, the employee(s) and nature of the discussion, described as specifically as possible without undermining the need for confidentiality are _____.

“(9) Any deliberation of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party as a result of an act or omission for which the responding party bears responsibility.” The nature of the matter, described as specifically as possible without undermining the need for confidentiality is

WHEREAS, the Board of Commissioners shall reconvene the public meeting at the conclusion of the authorized closed or executive session, which may or may not include formal action as a result of the discussion(s) held.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, assembled in public session on the date of the meeting of the governing body set forth herein above, that a closed session shall be held for the discussion of matters relating to the specific items designated above involving the Borough of Wildwood Crest. The governing body shall convene a closed session discussion immediately upon passage of this resolution and it is anticipated that the deliberations conducted in closed session shall be disclosed to the public upon conclusion of the matter and/or after determination of the Board of Commissioners that the public interest will no longer be served by such confidentiality and that the meeting will return to open session at the conclusion of the discussion and formal action may be taken if/as authorized.

BE IT FURTHER RESOLVED that the Municipal Clerk, at the present public meeting, shall read aloud enough of this resolution so that members of the public in attendance can understand, as precisely as possible, the nature of the matters that will be privately discussed.

BE IT FURTHER RESOLVED that the Municipal Clerk, on the next business day following this meeting, shall furnish a copy of this resolution to any member of the public who requests one at the fees authorized by N.J.S.A. 47:1A-1, et. seq.

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

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

After returning to Open Session and hearing nothing further, Mr. Cabrera motioned and Mrs. Gould seconded that the meeting be adjourned. All were in favor. The time was 11:12 a.m.

Dated: September 18, 2019

Patricia A. Feketics, Borough Clerk

