

Note: Complete Meeting Appears
On Borough of Wildwood Crest Facebook page by date
And on disc by date

January 19, 2022

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 at Municipal Hall at 9:30 a.m. On roll call the following answered to their names:

Schiff - Franco - 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 Herald of Cape May County and The Press on October 13, 2021 as well as Notice of Change of Meeting Place / Time to same publications on December 30, 2021 and Notice of Change of Meeting Place to same publications on January 6, 2022.

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

The Mayor noted for the record that that this meeting was open to the public in accordance with Executive Orders and there is no longer a limit restriction for indoor gatherings and that the meeting could be streamed online at Borough's Facebook page or Youtube.

Mr. Franco motioned, Mr. Schiff seconded that Ordinance No. 1369 be placed on second and final reading by title only.

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE INTRODUCED ORDINANCE BY TITLE:

ORDINANCE NO. 1369

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

Mr. Franco motioned, Mr. Schiff seconded that a hearing now be held on Ordinance No. 1369.

Vote: Schiff - Franco – Cabrera – YES

Hearing nothing from the public, Mr. Franco motioned, Mr. Schiff seconded that the hearing on Ordinance No. 1369 now be closed.

Vote: Schiff - Franco – Cabrera – YES

Mr. Franco motioned, Mr. Schiff seconded that Ordinance No. 1369 be passed on second and final reading and advertised according to law.

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE INTRODUCED ORDINANCE BY TITLE:

ORDINANCE NO. 1370

BOND ORDINANCE APPROPRIATING \$7,500,000, AND AUTHORIZING THE ISSUANCE OF \$6,931,961 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.

Mr. Franco motioned, Mr. Schiff seconded that Ordinance No. 1370 be passed on first reading, advertised according to law, be brought up for second and final reading and public hearing on February 16, 2022 at 5:30 p.m.

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE INTRODUCED ORDINANCE BY TITLE:

**ORDINANCE NO. 1371
ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER 41, LITTER, OF THE CODE OF THE
BOROUGH OF WILDWOOD CREST TO PROHIBIT THE
RELEASE OF BALLOONS**

Mr. Franco motioned, Mr. Schiff seconded that Ordinance No. 1371 be passed on first reading, advertised according to law, be brought up for second and final reading and public hearing on February 2, 2022 at 9:30 a.m.

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

**RESOLUTION NO. 22-84
RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF
WILDWOOD CREST APPROVING THE 2022 TEMPORARY CAPITAL BUDGET**

WHEREAS, the local capital budget for the year 2022 has not been adopted; and

WHEREAS, it is desired to approve a temporary capital budget prior to said adoption of the capital budget section;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey, that the following temporary capital budget of 2022 be made:

		ABSTAIN { NONE
RECORDED		
VOTE	AYES { Schiff Franco Cabrera	NAYS { NONE ABSENT { NONE

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services.

Mr. Franco motions, Mr. Schiff seconds that the foregoing resolution be adopted.

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

**RESOLUTION NO. 22-85
RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF
WILDWOOD CREST AUTHORIZING EXECUTION OF A STATE AID AGREEMENT
WITH THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR
CONSTRUCTION OF THE HEREFORD INLET TO CAPE MAY INLET, NEW JERSEY
HURRICANE AND STORM DAMAGE REDUCTION PROJECT (#6040-WC-1)**

WHEREAS, construction of the Hereford Inlet to Cape May Inlet, New Jersey Hurricane and Storm Damage Reduction Project, hereinafter referred to as the “Project”, was authorized by Section 1401(3) of the Water Resources Development Act of 2016, Public Law 114-322; and

WHEREAS, the New Jersey Department of Environmental Protection, as the non-Federal sponsor, and the Army Corps of Engineers entered into a Project Partnership Agreement on January 17, 2017 for the initial construction of storm damage reduction measures in the City of North Wildwood, City of Wildwood, Borough of Wildwood Crest and Township of Lower, pursuant to the requirements of Disaster Relief Appropriations Act of 2013, and for periodic renourishment, operation, and maintenance of the Project; and

WHEREAS, the New Jersey Department of Environmental Protection and the Borough of Wildwood Crest desire to enter into this State Aid Agreement, annexed hereto as Exhibit A, for the initial construction of this project; and

WHEREAS, the periodic renourishment portion of the Project is authorized for fifty years from the start of initial construction, at a four-year renourishment cycle, each renourishment being subject to subsequent State Aid Agreements; and

WHEREAS, the Department has the full authority to perform all of its responsibilities for the Project under New Jersey State Law PL 92, c. 148; PL 95, c. 164 and N.J.S.A. 12:6A-1, *et seq.*; and

WHEREAS, the Borough of Wildwood Crest has the full authority to perform all of its responsibilities for the Project under N.J.S.A. §§ 40:56-1, *et seq.*, 40:69A-1, *et seq.*, and 40A:12-1, *et seq.* and the applicable municipal code, and the Mayor and Borough Clerk are duly authorized to execute this State Aid Agreement; and

WHEREAS, once any portion of the Project is complete, the Borough of Wildwood Crest will be responsible for all routine operations, maintenance and associated costs of the Project in the Borough between periodic renourishment of the Project; and

WHEREAS, the Board of Commissioners deems it prudent and advisable to authorize execution of the State Aid Agreement between the New Jersey Department of Environmental Protection and the Borough of Wildwood Crest for the Construction Of The Hereford Inlet To Cape May Inlet, New Jersey Hurricane And Storm Damage Reduction Project.

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. All of the statements of the preamble are incorporated herein by this reference thereto as though the same were set forth at length.
2. The Mayor and Borough Clerk are authorized to execute a State Aid Agreement for the Construction of the Hereford Inlet to Cape May Inlet, New Jersey Hurricane and Storm Damage Reduction Project.
3. The State Aid Agreement shall be annexed to and made part of this Resolution.

Mr. Franco motions, Mr. Schiff seconds that the foregoing resolution be adopted.

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 22-86

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING A LICENSING AGREEMENT BETWEEN BOROUGH OF WILDWOOD CREST AND RICHARD E. PIERSON CONSTRUCTION COMPANY, INC FOR CONSTRUCTION ACTIVITIES IN CONNECTION WITH CMCMUA ROSEMARY ROAD PUMP STATION BULKHEAD REPLACEMENT

WHEREAS, the Borough is the owner of certain real property with improvements and facilities located thereon, including but not limited to bulkheading, pier, piers, pilings and docks masonry walkways, lawn and landscaping areas together with irrigation systems, commonly known as Veterans Park, located in the Borough of Wildwood Crest designated as Lot 11 and 11.01, in Block 49 on the municipal tax map of the Borough of Wildwood Crest (collectively the “Borough Property”); and

WHEREAS, the Borough Property is located adjacent to the Cape May County Municipal Utilities Authority (“CMCMUA”) Rosemary Road Pump Station operated by the CMCMUA located on Lots 1, 2, 1.01 and 2.01 in Block 49 together with other improvements located thereon, including but not limited to the Pump Station (“CMCMUA Property”); and

WHEREAS, CMCMUA has awarded a contract for bulkhead replacement on CMCMUA Property to RICHARD E. PIERSON CONSTRUCTION COMPANY, INC. the Licensee; and

WHEREAS, Licensee desires to utilize a portion of the Borough’s Property on which to conduct construction activities related to the bulkhead replacement on CMCMUA Property which is depicted on the aerial image and tax sheet attached hereto as Exhibit “A” (hereinafter referred to as the “Licensed Area”); and,

WHEREAS, the Borough desires to grant to Licensee, a license for the right to use the Licensed area on the Borough Property in accordance with the terms and conditions set forth herein.

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 Veterans Park, located in the Borough of Wildwood Crest designated as Lot 11 and 11.01, in Block 49 on the municipal tax map of the Borough of Wildwood Crest is hereby granted to RICHARD E. PIERSON CONSTRUCTION COMPANY, INC. to utilize the Licensed Area to conduct construction activities related to the work to be performed on CMCMUA property.
3. The Mayor and the Borough Clerk are hereby authorized and directed to execute and attest said license agreement on behalf of the Borough.

Mr. Franco motions, Mr. Schiff seconds that the foregoing resolution be adopted.

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 22-87

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST EXERCISING OPTION TO EXTEND ONE YEAR EXTENSION OF CONTRACT FOR AUTHORIZED ON-SITE INSPECTIONS AND PLAN REVIEW AGENCIES FOR THE FOLLOWING SUBCODES: PLUMBING, ELECTRICAL, FIRE PROTECTION AND BUILDING

WHEREAS, on December 9, 2020, the Borough of Wildwood Crest authorized Resolution No. 2020-331 for the award of contract for authorized on-site inspections and plan review agencies for the following subcodes: Plumbing, Electrical, Fire Protection and Building; and

WHEREAS, the aforementioned Agreement expired on December 31, 2021; and

WHEREAS, the aforementioned Agreement provides for extensions from year-to-year by mutual agreement and resolution, with the last renewal to expire no later than December 31, 2023.

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. All of the statements of the preamble are repeated and incorporated herein by this reference thereto as though the same were set forth at length.

2. By this Resolution, the Borough of Wildwood Crest hereby does exercise a one-year extension in the aforementioned Agreement.

Mr. Franco motions, Mr. Schiff seconds that the foregoing resolution be adopted.

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 22-88

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING APPOINTMENT OF RONALD HARWOOD AS OFFICE OF EMERGENCY MANAGEMENT COORDINATOR FOR CY2022

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest desire to re-appoint Ronald Harwood as Office of Emergency Management Coordinator for CY2022; and

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

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

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

Mr. Schiff motions, Mr. Franco seconds that the foregoing resolution be adopted.

Vote: Schiff - Franco – Cabrera – YES

BILLS: Mr. Franco motioned and Mr. Schiff seconded that all bills properly authorized, as submitted, be paid.

Vote: Schiff - Franco – Cabrera – YES

REPORTS: Mr. Schiff motioned and Mr. Franco seconded all reports received from the Court Administrator, Chief Financial Officer, Tax Collector, Chief of Police, Supervisor for the Recreation Department, Construction Official, Emergency Services Coordinator for the EMS and the Wildwood Crest Volunteer Fire Company Chief for the month ending December 31, 2021 be accepted as presented.

Vote: Schiff - Franco – Cabrera – YES

MINUTES: Mr. Franco motioned and Mr. Schiff seconded all minutes from the regularly scheduled Commission meetings dated November 24, 2021 and December 8, 2021 be approved as presented.

Vote: Schiff - Franco – Cabrera – YES

ADMINISTRATOR’S REPORT:

January 19, 2022

COVID-19 UPDATE

The Cape May County Health Department has been providing weekly updates on COVID cases within the County. According to the county, the rate of transmission is continuing to fall. The website covidactnow.org measured the transmission rate in the County at 1.05 compared to last week at 1.23. Anytime the RT is above 1.0 it can be said the spread of COVID-19 is increasing. If the RT continues this trend and dips below 1.0 new cases will be declining locally at that point. The Cape May County Department of Health continues to offer multiple COVID vaccine clinics every week to provide options for County residents. These clinics provide initial doses and booster shots of the Moderna and Johnson & Johnson vaccine. Please visit the Cape May County Health Department’s website for locations and times.

ONGOING AND UPCOMING PROJECTS

Beach End Bump Outs

We have re-submitted our application to Open Spaces to obtain special recreational funding in the amount of \$2.5M for the ongoing construction of beach bump outs south of Rambler. The Open Spaces Board has made their recommendation for this funding amount to the County Commissioners. Once their 45-day comment period is up the funding award can be made. We also received 2 DCA Small Cities grants towards this project totaling close to \$800,000 as well as a \$50,000 DCA recreation grant for this project.

Pacific Avenue

As everyone is aware, South State has commenced work on the concrete portion of this County project. Work is expected to proceed until May 13th from Rambler to St. Louis. The second phase of the project will take place in fall of 2022 with a scheduled completion prior to Labor Day 2023. Pertinent information regarding the County’s project will be posted on the Borough’s website as we receive it.

Scoop Taylor

This project is complete with the exception of the installation of the shelter which is scheduled to arrive on or about February 1st. This project received fiscal year 2020 Small Cities ADA grant funding.

Higbee Field

Our contractor is currently completing construction on a new home dugout and improvements to the field house including 2 new bathrooms. As you will recall, this project is being completed in two (2) phases. The first phase including the replacement of the visitor dugout and concession stand that were damaged from a windstorm. The cost of construction from phase 1 was covered by our insurance. Phase 2 construction is being funded inhouse.

Herford Inlet to Cape May Inlet Beach and Dune Construction

The required state aid agreement between us and the New Jersey Department of Environmental Protection has been authorized. Once all four participating municipalities have done so, the state will complete negotiations for all necessary easements and the Army Corps will finalize their construction plans and forward to us for review and comment. It is expected that the US Army Corps will begin construction in the fall of 2023. As a side note, we did receive word yesterday that our efforts to obtain a CAFRA permit for storage units for the beach patrol in an adjacent area of this project would not be affected by this project.

New Jersey Avenue

Nothing new to report at this time as the County’s reconstruction of New Jersey Avenue has been delayed due the Pacific Avenue project delay.

Sunset Lake- State Channel Dredging

We are working the NJDOT to have the State dredge their state channel and have requested that they move the channel to follow the shoreline. This would move the channel more into Wildwood Crest providing better navigation in appropriate areas and would financially benefit the Crest’s taxpayers.

ENGINEER’S REPORT:

Grant Applications

1. Fiscal Year 2022 NJDOT Municipal Aid Program
 - The Borough was notified by the NJDOT that the \$196,025.00 was allocated for the Reconstruction of Syracuse Avenue.
2. FEMA Flood Mitigation Assistance (BRIC)
 - The Borough is proposing to construct one (1) bayside storm sewer pump station, install bay outfall SCADA control valves and associated storm sewer improvements in the north west section of the Borough.

- Our office has met with Jim Rutala to develop the application submission, which is due November 30, 2021.
- 3. Fiscal Year 2022 NJDCA Small Cities Program
 - The Borough has decided to submit a grant application for ADA beach access improvements-phase 2 (Louisville Avenue to Toledo Road).
 - Our office successfully provided the supporting engineering report to Mark Blauer on September 2nd.
- 4. Cape May County Open Space Board – Coastal Recreational Enhancements
 - The Borough has decided to submit a grant application for ADA beach access improvements-phase 2 (Orchid Road to Jefferson Avenue).
 - In support of the grant application, our office transmitted the grant application to Cape May County on December 15, 2020.
 - The County has indicated preliminary favorability and requested additional information.
 - The Borough provided a supplemental presentation to the CMCOSB on September 28th and a final decision is anticipated in late November/early December.

Capital Projects

1. Pacific Avenue Storm Sewer Improvements and Borough Street Improvements
 - The bid was awarded to Asphalt Paving Systems in the amount of \$5,767,600.00.
 - The Borough has approved a Change Order for improvements on Washington Avenue and various streets.
 - All concrete work is complete and paving has begun on Washington Avenue.
2. Fiscal Year 2021 NJDCA Small Cities Program
 - The Borough has decided to submit a grant application for ADA beach access improvements-phase 1 (Orchid Road to Toledo Road).
 - On June 22nd, the Borough was notified that a \$400,000.00 grant was allocated for the project.
 - Our office is currently in the design phase and bidding is scheduled for February, 2022.
3. Reconstruction of Beach Avenue and Stanton Road
 - The Borough was notified that a grant in the amount of \$155,000.00 was allocated for the reconstruction of Beach Avenue from Crocus Road to Forget-Me-Not Road.
 - The Borough has been notified by the NJDOT that a grant in the amount of \$185,000.00 was allocated for the reconstruction of Stanton Road from the Beach to New Jersey Avenue.
 - The contractor has completed all of the improvements on Stanton Road.
 - The watermain installation on Beach Avenue is complete.
 - The contractor is currently installing 1” water main services.
 - All concrete work on Beach Avenue is 50% complete.
4. FY2020 NJDCA Small Cities Grant Application-Scoop Taylor Park
 - The contract was awarded to Command Company, Inc. in the amount of \$257,750.00.
 - All site work has been completed.
 - The remaining item is the installation of the Gazebo, which is scheduled to be delivered the week of January 31st.
5. Beach Street End Public Access Improvements – Phase 1
 - The contract was awarded to Fred M. Schiavone Construction, Inc. in the amount of \$1,250,022.60.
 - All work is complete and we are in the process of project closeout.
6. Fiscal Year 2019 NJDCA Small Cities Program – Renovations to the Old Library
 - The bid opening occurred on November 24, 2021 and the apparent low bidder was Joseph Porretta Builders, Inc. in the amount of \$1,918,713.00 for the Base Bid, Alternate Bid No. 1 and Alternate Bid No. 2.
 - A pre-construction meeting occurred on December 16, 2021.
 - The review and approval of submittals is ongoing and the contractor has mobilized to the site to start demolition.

CORRESPONDENCE:

-Trash removal during snow storm – The Mayor received an email acknowledging what a great job Public Works did during the recent snow storm and how Marcus M. and Carmen B. went out of their way to help an elderly couple.

PUBLIC COMMENTARY: N/A

DISCUSSION:

NEW BUSINESS –

-Merge Planning Board / Zoning Board - Robert Belasco

Consolidation of Planning and Zoning Boards

1. The power to consolidate Municipal Planning and Zoning Boards is regulated by State statute. Initially enacted in 1985.
 - a. **N.J.S.A. 40:55D-25(c)(2)** – “In a municipality having a population of 15,000 or less, a nine-member planning board, if so provided by ordinance, shall exercise, to the same extent and subject to the same restrictions, all the powers of a board of adjustment; but the Class I [Mayor or Designee] and the Class III members [Member of Governing Body] shall not participate in the consideration of applications for development which involve relief pursuant [N.J.S.A. 40:55D-70(d)].”
 - i. **N.J.S.A. 40:55D-70(d) relief** = Use Variances, Expansions of Non-conforming Uses, Conditional Use Variances, Floor Area Ratio, Density, and Building Height which exceeds 10ft. or 10% of permitted building height.
2. Consolidation of the Boards by Ordinance results in the dissolution of the Zoning Board of Adjustment, and the Planning Board then subsumes the powers of the Zoning Board.
 - a. The power to hear zoning interpretations, ‘D’ Variances, Administrative Appeals)
3. The Planning Board is a 9-member board with two alternates. A consolidated land use board can increase the number of alternates from 2 to 4. N.J.S.A. 40:55D-23.1
 - a. Alternates cannot act in the place of Class I and III members who are disqualified from voting on relief sought under N.J.S.A. 40:55D-70(d).

Pros of Consolidation

1. Professional Savings
2. Elimination of conflict between Boards and enacted zoning changes
3. Improved Efficiency
4. One stop shop

Cons of Consolidation

1. Potential attendance issues
2. Potential for more work and/or longer meetings for planning board meetings
3. Potential need for special meetings
4. Many Municipalities throughout New Jersey have elected to consolidate planning boards.
 - a. North Wildwood, Wildwood, and West Wildwood all have consolidated land use boards.
5. Volume of Applications in 2021:
 - a. North Wildwood: 26 Applications
 - b. Wildwood: 30 Applications
 - c. West Wildwood: 1 Application
 - d. Wildwood Crest Planning Board: 6 Applications
 - e. Wildwood Crest Zoning Board: 9 Applications

Process to recreate Zoning Board of Adjustment (if necessary)

1. Also regulated by State statute, N.J.S.A. 40:55D-25(e).
 - a. Subject to voter referendum permitting the reconstitution of the Board.
 - b. Ordinance required in order to initiate the process and establish the public question.

After the presentation, the governing body agreed that both ZBA and PB were great boards with strong members. The way to effectuate the change is via dissolving the ZBA and having the PB absorb the duties. The solicitor for the PB and ZBA indicated the statute was clear on the process.

Patrick Davenport, PB Chair, commended Solicitor Belasco on thorough presentation. He indicated that the Planning Board is responsible for the Master Plan and maintaining a consistent vision working with the Borough Planner and that the learning experience is constant. Furthermore, having one board may have less turnover with more seasoned members looking to learn and this will ultimately yield a stronger board. Lastly, Chairman Davenport added that both boards are very good.

Commissioner Schiff thanked the Planning Board members for their service.

The Mayor asked for a summary of pros / cons to be sent to members of both the ZBA and PB and that their positions are respected.

Solicitor Belasco added that if the governing body were to move forward with the draft ordinance to dissolve the ZBA, that timing must be considered. He added that currently, there are 3 ZBA applications to be held in February and that they were already advertised. The

commissioners were in agreement. The governing body would await the crafted letter for review before being sent to members of the Zoning Board of Adjustment and Planning Board.

-Electric Vehicle Ordinance: The Administrator explained that P.L. 2021, c. 171 was signed into law and requires EVSE and Make-ready parking spaces be designated as a permitted accessory use in all zoning or use districts and establishes associated installation and parking requirements. Commissioner Schiff inquired about charging customers for their charge and the Administrator indicated it is possible and the borough pays up front and gets reimbursed through an app. The mayor asked the solicitor to put the draft ordinance in circulation for consideration.

-Construction Ordinance: Rick Allen, Construction Official, pointed out some areas that need to be addressed with respect to site maintenance, signage and compliance. He stressed the need for signage on projects to display emergency contact information and permit number, etc. It was suggested that contractors need to be made aware of the upcoming regulations that will be enforced. The Mayor asked the Solicitor to have a draft of the proposed ordinance circulated to the governing body for review.

-Proposed Floodplain Ordinance: The Construction Official gave a brief overview of the proposed ordinance to be adopted statewide. He noted that there were areas in the proposed ordinance that needed clarification to include the definition of “substantial improvement” and look back timeline. He noted there is an additional Flood Plain Permit, application, fee and a file to store for the lookback time. He further indicated that there will be a challenge to educate the public on the new ordinance details and there will be an enforceability issue. The Mayor added that this ordinance, in its current form, needs more clarification and understanding for the governing body and for homeowners. The administrator noted that CRS rating could be at risk. They agreed that it was not ready to be sent to the state for review before introduction.

OLD BUSINESS – No movement on any issue below.

- Washington Avenue Flooding Issues:
- Flood Mitigation:
- Bulkhead Ordinance / Grading Lot
- Referendum permitting one consumption liquor license in business zone:
- Park Blvd. Pumping Station- application for FEMA Pre Disaster Mitigation Pump Stations:

PUBLIC COMMENTARY:

Commissioner Schiff thanked Joe Bond, Ron Harwood and Brian Melchiorre for their assistance at a structure on Rambler Road that sustained wind damage and how they secured the structure to prevent anyone from getting hurt.

There being no further business, Mr. Schiff motioned and Mr. Franco seconded that the meeting be adjourned. All were in favor. The time was 10:52 a.m.

Dated: February 16, 2022

Patricia A. Feketics, Borough Clerk

