

Note: Meeting Appears
On Borough of Wildwood Crest Facebook page and You tube by date.

January 25, 2023

The Deputy 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 Borough Hall at 5:00 p.m. On roll call the following answered to their names:

Schiff - Franco – Cabrera (Telephonic)- YES

Mr. Franco 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 December 7, 2022.

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

The Deputy Mayor indicated that the meeting was being streamed online via the Borough's Facebook page and youtube channel due to scheduling conflicts and if there were any questions, please call the Clerk.

SWEARING IN OF THREE FULL TIME POLICE OFFICERS:

Trayvon Young, Cole Pettit, Jacob Robb

Mr. Schiff motions, Mr. Franco seconds that Ordinance No. 1391 be placed on second reading and final passage by title only.

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE ORDINANCE BY TITLE:

**ORDINANCE NO. 1391
ORDINANCE OF THE BOROUGH OF WILDWOOD CREST
AMENDING SECTION 85-69 LANDSCAPING IN ALL ZONES OF
CHAPTER 85 OF THE BOROUGH OF WILDWOOD CREST LAND
DEVELOPMENT ORDINANCE**

Mr. Schiff motions, Mr. Cabrera seconds that a public hearing now be held on Ordinance No. 1391.

Vote: Schiff - Franco – Cabrera – YES

Mr. Schiff motions, Mr. Cabrera seconds that a public hearing now be closed on Ordinance No. 1391.

Vote: Schiff - Franco – Cabrera – YES

Mr. Schiff motions, Mr. Cabrera seconds that Ordinance No. 1391 be passed on second and final reading and advertised according to law.

Vote: Schiff - Franco – Cabrera – YES

Mr. Schiff motions, Mr. Cabrera seconds that Ordinance No. 1392 be placed on second reading and final passage by title only.

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE ORDINANCE BY TITLE:

**ORDINANCE NO. 1392
ORDINANCE OF THE BOROUGH OF WILDWOOD CREST
AMENDING SECTION 85-89 PARKING, LOADING, STORAGE, AND
RECYCLING REQUIREMENTS OF CHAPTER 85 OF THE BOROUGH
OF WILDWOOD CREST LAND DEVELOPMENT ORDINANCE**

Mr. Schiff motions, Mr. Cabrera seconds that a public hearing now be held on Ordinance No. 1392.

Vote: Schiff - Franco – Cabrera – YES

Mr. Schiff motions, Mr. Cabrera seconds that a public hearing now be closed on Ordinance No. 1392.

Vote: Schiff - Franco – Cabrera – YES

Mr. Schiff motions, Mr. Cabrera seconds that Ordinance No. 1392 be passed on second and final reading and advertised according to law.

Vote: Schiff - Franco – Cabrera – YES

Mr. Schiff motions, Mr. Cabrera seconds that Ordinance No. 1393 be placed on second reading and final passage by title only.

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE ORDINANCE BY TITLE:

ORDINANCE NO. 1393

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 32A –ENTITLED FEES, SECTION 32A-1, FEES, GENERAL, OF THE CODE OF THE BOROUGH OF WILDWOOD CREST TO PROVIDE FOR BEACH BOX RENTAL FEES

Mr. Schiff motions, Mr. Cabrera seconds that a public hearing now be held on Ordinance No. 1393.

Vote: Schiff - Franco – Cabrera – YES

Dave McWilliams, New Jersey Avenue, inquired about the number of boxes and if the borough has finally reached its limit. The mayor responded that there are 500 doors, and this is the final number. Also, the fee went from \$450.00 to \$480.00

Mr. Schiff motions, Mr. Cabrera seconds that a public hearing now be closed on Ordinance No. 1393.

Vote: Schiff - Franco – Cabrera – YES

Mr. Schiff motions, Mr. Cabrera seconds that Ordinance No. 1393 be passed on second and final reading and advertised according to law.

Vote: Schiff - Franco – Cabrera – YES

Mr. Schiff motions, Mr. Cabrera seconds that Ordinance No. 1394 be placed on second reading and final passage by title only.

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE ORDINANCE BY TITLE:

ORDINANCE NO. 1394

ORDINANCE OF THE BOROUGH OF WILDWOOD CREST AMENDING SECTION 85-74 VEHICULAR ACCESS TO PRIVATE PROPERTY OF THE BOROUGH OF WILDWOOD CREST LAND DEVELOPMENT ORDINANCE REGULATING CURB CUTS

Mr. Schiff motions, Mr. Cabrera seconds that a public hearing now be held on Ordinance No. 1394.

Vote: Schiff - Franco – Cabrera – YES

Mr. Schiff motions, Mr. Cabrera seconds that a public hearing now be closed on Ordinance No. 1394.

Vote: Schiff - Franco – Cabrera – YES

Mr. Schiff motions, Mr. Cabrera seconds that Ordinance No. 1394 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. 1395

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

Mr. Schiff motions, Mr. Cabrera seconds that Ordinance No. 1395 be passed on first reading, advertised according to law, be brought up on second and final reading and public hearing on February 8, 2023 at 9:30 a.m..

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:
RESOLUTION NO. 23-52

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AMENDING CREATIVE ARTS COUNCIL RESOLUTION NO. 22-57 TO ALLOW FOR ONE (1) MEMBER FROM THE GREEN TEAM AND (5) RESIDENT MEMBERS AND AUTHORIZING THE APPOINTMENT OF KERI MIKULSKI AND AUTHORIZING ALL MEMBERS TO TERMS EXPIRING DECEMBER 31, 2024

WHEREAS, the Board of Commissioners adopted Resolution No. 21-201 on June 9, 2021 establishing the composition of the Wildwood Crest Creative Arts Council; and

WHEREAS, the Board of Commissioners adopted Resolution No. 22-57 on January 4, 2022 establishing the composition of the Wildwood Crest Creative Arts Council; and

WHEREAS, the Board of Commissioners wish to amend the committee to allow for the six member team to be:

- 1- Member of the Borough of Wildwood Crest Green Team
- 5- Residents of Borough of Wildwood Crest

WHEREAS, the Board of Commissioners wish to appoint Keri Mikulski to the Creative Arts Council with term expiring on December 31, 2024; and

WHEREAS, the Board of Commissioners desire to have all Creative Council members to have the same expiration date and authorize extending all members with a term expiring December 31, 2024.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey that Creative Arts Council shall now consist of 1 Member from the Green Team and 5 Residents of the Borough of Wildwood Crest.

BE IT FURTHER RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey that KERI MIKULSKI is hereby appointed as a Resident Member of the Creative Arts Council with a term expiring on December 31, 2024.

BE IT FURTHER RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey that Green Team Member Patricia MacQueen, Resident Member Colleen Ferraro, Resident Member Linda Ennis, Resident Member Christine Casiello and Resident Member Carmen Cusella shall all have terms expiring December 31, 2024

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:
RESOLUTION NO. 23-53

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING SUPPORT FROM LOCAL GOVERNING BODY AUTHORIZING THE FY2023 LOCAL RECREATION IMPROVEMENT GRANT (LRIG) APPLICATION FUNDED BY THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS

WHEREAS, the New Jersey Department of Community Affairs is offering the Local Recreation Improvement Grant (LRIG); and

WHEREAS, The Local Recreation Improvement Grant is a competitive grant that supports improvement and repair of public recreation facilities including local parks, municipal recreation centers, and local stadiums; and

WHEREAS, ensuring public access to community facilities is imperative given the current strain on communities confronting the COVID-19 pandemic; and

WHEREAS, access to outdoor recreation and community resources is critical for mental and physical health, particularly for those residents with limited or no other access to quality outdoor space or private recreational opportunities. Assisting local units in achieving unmet recreational obligations addresses these equity considerations, meeting the needs of communities that have been placed under substantial stress due to the lack of quality recreational facilities and spaces; and

WHEREAS, Local Recreation Improvement Grant funds will be allocated to each grant recipient to help cover costs associated with updating community centers, playgrounds, pools, fields, walking or bicycle trails, rail trails, multi-sport courts, and recreational facilities; one-time personnel costs directly related to improvements; project development professional services costs; equipment costs including playground and recreation facilities equipment; and environmental remediation costs required to prepare recreation sites for use; and

WHEREAS, the Local Recreation Improvement Grant (LRIG) exists to: Fund improvements to recreational facilities; Provide quality outdoor recreational space to underserved, communities, particularly in this time of heightened need; and assist local units in achieving unmet recreational obligations; and

WHEREAS, the Borough of Wildwood Crest strives to save tax dollars, assure clean land, air, and water, improve working and living environments; and

WHEREAS, the Borough of Wildwood Crest wishes to apply for funding through the NJDCA Local Recreation Improvement Grant; and

WHEREAS, the NJDCA Local Recreation Improvement Grant prioritizes unfunded projects and those that include a local match component; this project has a local match component in that the Borough of Wildwood Crest is committed to funding any cost in excess of the grant; and

WHEREAS, the Borough of Wildwood Crest desires to apply for and obtain a grant from the NJDCA for approximately \$100,000 for improvements to (Sunrise Park).

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

1. The Governing Body of the Borough of Wildwood Crest does hereby authorize the application for this NJDCA Local Recreation Improvement Grant application; and
2. Recognizes and accepts that the NJDCA may offer a lesser or greater amount and therefore, upon receipt of the fully executed agreement from the NJDCA, does further authorize the expenditure of funds pursuant to the terms of the agreement between the Borough of Wildwood Crest and the NJDCA; and
3. Any cost in excess of the grant will be funded by the Borough of Wildwood Crest.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit a grant application for the NJDCA Local Recreation Improvement Grant on behalf of the Borough of Wildwood Crest with a support date of January 16, 2023.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Wildwood Crest and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 23-54

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING EXECUTION OF LEASE AGREEMENT AND ACCOMPANYING DOCUMENTS WITH ENTERPRISE FLEET MANAGEMENT UNDER NATIONAL COOPERATIVE SOURCEWELL

WHEREAS, the Borough of Wildwood Crest authorized expenditure to lease vehicles through Enterprise Fleet Management under National Cooperative Sourcewell Contract # 030122-EFM by Resolution 22-329 pursuant to N.J.S.A 40A:11-12A and N.J.A.C. 5:34-7.29(c), which permits the Borough, by resolution and without advertising for bids, to purchase goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

WHEREAS, the Borough of Wildwood Crest now desires to authorize the execution of the all necessary documents in connection with the lease of the vehicles from Enterprise Fleet Management which are attached hereto.

NOW THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Borough of Wildwood Crest, in the County of Cape May, State of New Jersey, that the Mayor, and Borough Clerk are authorized to execute the attached Lease Agreement, Consignment Agreement, Credit Application, Maintenance Management Agreement, Power of Attorney, Assignment Agreement, and Consignment Agreement in the form attached hereto which are hereby approved.

BE IT FURTHER RESOLVED, BE IT FURTHER RESOLVED, that any and all acts of the Mayor and Borough Clerk, which would have been authorized by the foregoing Resolutions except that such acts were taken prior to the adoption of this Resolution, are hereby severally authorized, ratified, confirmed and adopted as acts in the name and on behalf of the Borough.

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 23-55

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING THE AUCTION OF ABANDONED VEHICLES ON AN ONLINE AUCTION WEBSITE

WHEREAS, the procedure for disposition of abandoned vehicles in the possession of a municipality is set forth in N.J.S.A. 39:10A-1 et seq.; and

WHEREAS, N.J.S.A. 39:10A-1 provides that when such vehicles remain unclaimed by the owner of record or security interest holder for more than 20 days they may be sold at public auction; and

WHEREAS, the Wildwood Crest Police Department has requested that the abandoned vehicles in Schedule A, attached to this resolution, be sold at auction and proper notice of sale advertised.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, in the County of Cape May and State of New Jersey, that said items be forthwith advertised for public sale pursuant to the provisions of N.J.S.A. 39:10A-1 et seq.

BE IT FURTHER RESOLVED that said vehicles be sold at a public sale to the highest bidder through a contracted government on-line auction service, GovDeals, Inc., the auction site being accessible at www.govdeals.com with the terms and conditions of said contract being available for public view on the GovDeals, Inc. website and in the Office of the Borough Clerk. The Borough will reserve the right to reject any and all bids.

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 23-56

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING AN AGREEMENT FOR SHARED SERVICES BETWEEN THE COUNTY OF CAPE MAY AND THE BOROUGH OF WILDWOOD CREST FOR THE MAINTENANCE AND REPAIR OF CERTAIN TRAFFIC SIGNALS WITHIN THE BOROUGH OF WILDWOOD CREST

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, et seq. (the "Act") authorizes and encourages local governmental units to enter into agreements for the pooling of resources and sharing of services, with an aim of reducing property taxes through the reduction of local expenses; and

WHEREAS, the Borough has requested that the County assume responsibility for maintenance and repair of certain signal-controlled traffic intersections or flashing beacon installations within the Borough that are Borough-owned; and

WHEREAS, the County finds itself in a position where it can accommodate the Borough's request in this regard in a manner that is consistent with the purposes of the Act; and

WHEREAS, the County is willing, as a matter of comity and cooperation, to undertake these responsibilities, under certain terms and conditions; and

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. The above recital paragraphs are incorporated herein as if set forth at length.
2. The Mayor and Borough Clerk are hereby authorized and empowered to execute the Shared Services Agreement with the County of Cape May for the maintenance and repair of certain traffic signals within the Borough of Wildwood Crest.
3. The Agreement shall take effect upon the adoption of resolutions by all parties thereto, and execution of the Agreement by the authorized persons as set forth in the resolutions.

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 23-57

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST ACCEPTING WORK PERFORMED AND AUTHORIZING RELEASE OF PERFORMANCE BOND AND ACCEPTING MAINTENANCE BOND FOR THE FY2020 NJDCA SMALL CITIES PROGRAM – ADA IMPROVEMENTS TO SCOOP TAYLOR PARK CONTRACT

WHEREAS, the contract for the **FY2020 NJDCA SMALL CITIES PROGRAM – ADA IMPROVEMENTS TO SCOOP TAYLOR PARK** was awarded to **COMMAND CO., INC.** via Resolution No. 21-204 on June 9, 2021; and

WHEREAS, **Command Co., Inc.** posted a **Performance Bond No.: HICNE-10-239-0857** from **Hudson Insurance Company** in the amount of **\$257,750.00** 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 January 13, 2023 which is incorporated herein, reports to the Borough that **Command Co., 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 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 **FY2020 NJDCA SMALL CITIES PROGRAM – ADA IMPROVEMENTS TO SCOOP TAYLOR PARK** are hereby approved and accepted.
3. That the above improvements performed by **Command Co., 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.

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 23-58

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING ADVERTISEMENT OF A NOTICE TO BIDDERS FOR LEASE OF THE CREST ARTS PAVILION CAFE

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 Clerk is hereby authorized to advertise a Notice to Bidders in *The Herald of Cape May County* on February 1, 2023.

BE IT FURTHER RESOLVED Sealed bids will be received by the Bid Opening Committee in the Municipal Court Room, Wildwood Crest Borough Hall, on **Wednesday, March 1, 2023 at 10:30 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:

**SPECIFICATIONS & GENERAL REQUIREMENTS
FOR LEASE OF THE CREST ART PAVILION CAFÉ
BOROUGH LEASE AGREEMENT #2023-001**

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 23-59

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING EXPENDITURE TO HOME DEPOT TO PURCHASE LUMBER UNDER STATE CONTRACT #18-FLEET-00234 FOR BEACH WALKWAYS

WHEREAS, pursuant to N.J.S.A 40A:11-12A and N.J.A.C. 5:34-7.29(c), the Borough may, by resolution and without advertising for bids, purchase goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

WHEREAS, the procurement of goods and services through a state cooperative purchasing program is considered to be an open and fair process under the New Jersey Pay-To-Play Law N.J.S.A 19:44A-20.4 et seq.; and

WHEREAS, Home Depot (State Contract # 18-FLEET-00234 M8001) 21 Indian Trail Road, Cape May Court House, NJ 08210 has all the necessary Lumber, Material and Accessories; and

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

Account Number(s) C-04-55-138-8A3 Amount \$ 53,885.00 Signature _____

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Borough of Wildwood Crest, in the County of Cape May, that the Borough is authorized to fund the expenditure to purchase Lumber based upon the price quote received on January 17, 2023 from Home Depot (State Contract # 18-FLEET-00234 M8001) in an amount not to exceed \$53,885.00.

BE IT FURTHER RESOLVED, by the Board of Commissioners of the Borough of Wildwood Crest, in the County of Cape May, that the Borough is authorized to fund the expenditure to purchase Lumber based upon the price quote received on January 17, 2023 from Home Depot using (State Contract number 18-FLEET-00234 M8001) in an amount not to exceed \$53,885.00.

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 23-60

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING EXPENDITURE TO MRC TO PURCHASE A SHADE STRUCTURE UNDER STATE CONTRACT #16-FLEET-00121 FOR TENNIS COURT SHELTER

WHEREAS, pursuant to N.J.S.A 40A:11-12A and N.J.A.C. 5:34-7.29(c), the Borough may, by resolution and without advertising for bids, purchase goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

WHEREAS, the procurement of goods and services through a state cooperative purchasing program is considered to be an open and fair process under the New Jersey Pay-To-Play Law N.J.S.A 19:44A-20.4 et seq.; and

WHEREAS, MRC (State Contract #16-FLEET-00121) P.O. Box 106, Spring Lake, New Jersey 07762 has all the necessary Equipment, Material and Accessories; and

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

Account Number(s) C-04-55-137-0D1 Amount \$ 41,186.00 Signature _____

NOW THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Borough of Wildwood Crest, in the County of Cape May, that the Borough is authorized to fund the expenditure to purchase a Shade Structure for Tennis Courts based upon the price quote \$41,186.00 on January 11, 2023 from MRC (State Contract # 16-FLEET-00121) in an amount not to exceed \$41,186.00.

BE IT FURTHER RESOLVED, by the Board of Commissioners of the Borough of Wildwood Crest, in the County of Cape May, that the Borough is authorized to fund the expenditure to purchase a Shade Structure for Tennis Courts based upon the price quote \$41,186.00 on January 11, 2023 from MRC using (STATE Contract number 16-FLEET-00121) in an amount not to exceed \$41,186.00.

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 23-61

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST REJECTING ALL BIDS IN RESPONSE TO THE BEACH PATROL HEADQUARTERS RENOVATIONS CONTRACT

WHEREAS, on January 19, 2023, a single bid was received for the BEACH PATROL HEADQUARTERS RENOVATIONS from Straga Brothers, Inc.; and

WHEREAS, the Notice to Bidders, as advertised on December 14, 2022 in both *The Press of Atlantic City* and *The Herald of Cape May County* via Resolution No. #22-337, which was authorized on December 7, 2022, reserved the right of the Board of Commissioners to reject any or all bids, and N.J.S.A. 40A:11-13.2(a) and (b) further provides that a contracting unit may reject all bids if the lowest bid exceeds the cost estimates for the goods or services and/or the contracting unit's appropriation for the goods or services; and

WHEREAS, the single bid received from Straga Brothers, Inc. was reviewed by the Borough Bid Opening Committee and Borough Solicitor and determined that the bid submitted by Straga Brothers, Inc. for services exceeded the Engineer's Estimate for this project; and

WHEREAS, the Bid Opening Committee and Borough Solicitor have recommended to the Board of Commissioners to reject the Bid from Straga Brothers, Inc. based upon the forgoing reasons.

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. The above recital paragraphs are incorporated herein as if set forth at length.
2. The sole bid received from Straga Brothers, Inc. for the BEACH PATROL HEADQUARTERS RENOVATIONS is hereby deemed nonresponsive and rejected, and is further rejected pursuant to N.J.S.A. 40A:11-13.2(a) and (b).

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 23-62

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING PARTICIPATION IN THE ACMJIF SAFETY INCENTIVE PROGRAM FOR 2023

NOW THEREFORE BE IT RESOLVED, the Board of Commissioners of the Borough of Wildwood Crest, in the County of Cape May, New Jersey, that a "JIF SAFETY CONTRACT" with the ATLANTIC COUNTY MUNICIPAL JOINT INSURANCE FUND is hereby authorized and approved for participation in the annual Safety Incentive Program.

BE IT FURTHER RESOLVED, that all designated and currently named Department Heads, specifically representing: POLICE, RECREATION, PUBLIC WORKS, AMBULANCE/RESCUE, AND ADMINISTRATION are authorized, directed, and empowered to execute that portion of the contract which evidences participation in the aforesaid Safety Incentive Program as well as compliance with all requirements appertaining thereto.

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 23-63

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING RE-ADVERTISEMENT OF NOTICE TO BIDDERS FOR LIFEGUARD RENOVATION BUILDING

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, Cape May County, New Jersey, that the Borough Clerk is hereby authorized to re-advertise a Notice to Bidders in *The Herald of Cape May County* and *The Press of Atlantic City* on February 1, 2023.

BE IT FURTHER RESOLVED that the plan and design as set forth in the Specifications on file in the Borough for the **LIFEGUARD RENOVATION BUILDING** is hereby approved.

BE IT FURTHER RESOLVED Sealed proposal bids will be received by the Bid Opening Committee in the Commissioners Meeting Room, Wildwood Crest Borough Hall, on **Wednesday, March 1, 2023 at 10:00am**, 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:

LIFEGUARD RENOVATION BUILDING

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 23-64

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING AN AGREEMENT FOR SHARED SERVICES BETWEEN THE BOROUGH OF WILDWOOD CREST, CITY OF WILDWOOD AND WILDWOOD WATER UTILITY FOR THE CONTRACT KNOWN AS BEACH STREET END PUBLIC ACCESS IMPROVEMENTS – PHASE 2 (ORCHID ROAD TO TOLEDO ROAD)

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 *et seq.* (the "Act"), authorizes local units of this State to enter into agreements with any other local unit or units to provide or receive any shared service that each local unit participating in the agreement is empowered to provide or receive in its own jurisdiction; and

WHEREAS, the Wildwood Water Utility is a self-liquidating municipal utility owned by the City of Wildwood pursuant to N.J.S.A. 40A:2-45; and

WHEREAS, the Wildwood Water Utility is the owner of the Water Utility's infrastructure including pipes, mains and other related infrastructure located beneath the public roads, streets and other places within the boundaries of the Borough (the "Utility Infrastructure"); and

WHEREAS the Borough and the City jointly desire to coordinate during the Borough's repair and reconstruction of the Borough's public roads, streets and other places within the boundaries of the Borough, the installation, repair and replacement when necessary of Wildwood Water Utility pipes, mains and other related infrastructure located beneath the public roads, streets and other places within the boundary of the Borough during such Borough road reconstruction and maintenance projects; and

WHEREAS, the Borough desires to contract for construction of street end beach bump outs from **Orchid Road to Toledo Road** known as the "Beach Street End Public Access Improvements – Phase 2" in the Borough which will include "Borough Improvements" to the street ends and improvements to Wildwood Water Utility infrastructure which are hereinafter referred to the "City's Improvements" collectively referred to as the "Project"; and

WHEREAS, the Parties have each duly authorized their proper officials to enter into and execute this Agreement through the accompanying Resolutions attached hereto as Exhibits "A" and "B" respectively.

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. The above recital paragraphs are incorporated herein as if set forth at length.
2. The Mayor and Borough Clerk are hereby authorized and empowered to execute the Shared Services Agreement with the City of Wildwood and Wildwood Water Utility for the contract known as Beach Street End Public Access Improvements – Phase 2 (Orchid Road to Toledo Road).
3. The Agreement shall take effect upon the adoption of resolutions by all parties thereto, and execution of the Agreement by the authorized persons as set forth in the resolutions.

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

Vote: Schiff - Franco – Cabrera – YES

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

Vote: Schiff - Franco – Cabrera – YES

REPORTS: Mr. Schiff motions, and Mr. Franco seconded that 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, 2022 be accepted as presented.

Vote: Schiff - Franco – Cabrera – YES

MINUTES: Mr. Schiff motions, and Mr. Franco seconded that all minutes from the Commission meetings dated December 28, 2022 and January 4, 2023 be approved as presented.

Vote: Schiff - Franco – Cabrera – YES

ADMINISTRATOR'S REPORT: N/A

ENGINEER'S REPORT:

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 Ocean Avenue and Washington Avenue and various streets.
 - Our office is in the process of preparing a Change Order to replace the Cardinal Avenue sanitary sewer from Seaview Avenue to Pacific Avenue for Winter 2022/Spring 2023 construction.
2. **FY 2023 NJDOT Municipal Aid Program – Reconstruction of Orchid Road**
 - The Borough has been allotted a \$170,085.00 grant from the NJDOT.
 - Our office submitted a proposal on December 1, 2022 to design the project. Upon authorization from the Township, we are prepared to start work immediately.
3. **NJDEP CAFRA Permit for Beachfront Improvements, Sand Back Passing and Dune Maintenance Activities**
 - The application has been submitted and deemed administratively complete.
 - The application has been deemed complete for public comment period.
 - The public comment period will begin with publication in the DEP Bulletin on February 1, 2023. The public comment period will continue for 30 calendar days until March 2, 2023.
4. **Fiscal Year 2019 NJDCA Small Cities Program – Renovations to the Crest Arts Pavilion**
 - 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.
 - The contractor is waiting for a few remaining items to be delivered. Supply chain issues have delayed completion. The project is substantially complete with the exception of miscellaneous electrical components and punchlist items. The contractor is installing materials as they arrive.
5. **Fiscal Year 2022 NJDOT Municipal Aid Program – Reconstruction of Syracuse Avenue**
 - The Borough was notified by the NJDOT that \$196,025.00 was allocated for the Reconstruction of Syracuse Avenue.
 - The bid opening occurred on October 19, 2022 and the apparent low bidder was Asphalt Paving Systems, Inc. in the amount of \$2,193,300.00.
 - All pipe work is completed on the 100 Block of Syracuse Avenue.
 - The concrete work will be completed on the 100 Block this week.
6. **Beach Patrol Headquarter Renovations**
 - The bid opening occurred on January 19, 2023. The apparent low bidder was Straga Brothers, Inc.
 - Due to the fact that the bid exceeded the Engineer's Estimate we recommend the bids be rejected and readvertised for public bidding.
7. **Beach Street End Public Access Improvements – Phase 2**
 - Survey is complete, the design is in progress and construction is scheduled for Winter 2022/Spring 2023.
 - The project was advertised for public bid on January 11, 2023 and the bid opening is scheduled for February 1, 2023 at 10:00 a.m.
8. **Von Savage Pool – Pool and Roof Repairs**
 - Our office is currently finalizing the bid documents and are scheduled for bidding in February 2023.
9. **Public Works Roof Repairs**
 - Our office is currently finalizing the bid documents and are scheduled for bidding in March 2023.
10. **Sunset Lake Hydrographic Survey & Dredging Feasibility Report**
 - Survey and mapping have been completed.
 - The final report and estimate of construction cost was submitted to the Borough on December 20, 2022.

CORRESPONDENCE:

PUBLIC COMMENTARY: N/A

DISCUSSION:

NEW BUSINESS: n/a

OLD BUSINESS:

- Back Beach Excavation:** No movement.
- Flood Mitigation Projects:** No movement.
- Dredging:** No movement.
- CAFRA Permit:** The Mayor indicated the permit was administratively complete, but there may be minor additions.
- Phase 2 Beach Bump outs** – Can be removed.
- NJ Avenue infrastructure pre-county:** No movement.
- Major reconstructing streets plan:** No movement.
- North / South street line striping / pedestrian cross walks:** No movement.
- Pool roof and resurfacing:** No movement.
- PW roof:** No movement.
- Borough hall exterior and addition – office moves:** No movement.
- Bayside outfalls and capacity / bulkhead repairs / replacement:** No movement.
- Arts Pavilion Exterior – with CMCOS:** No movement.
- Washington / Seaview – beach outfalls and capacity:** No movement.
- Seating in lieu of barricades at Centennial Park:** Commissioner Schiff indicated there have been meetings on this and it is in the works.
- Update Landscaping and add lighting in Business district -NJ** No movement.
- Dumpsters / Trash receptacles:** No movement.
- Allowing dogs on the beach / certain times:** No movement.

PUBLIC COMMENTARY:

Tim Price, Marlton and East Miami Avenue, inquired about charging stations. The borough received grants for several chargers and they will be at several locations around the borough.

Commissioner Comments:

Mayor Cabrera: He thanked everyone for accommodating him telephonically for the meeting and congratulated the new officers and wished them well.

Commissioner Franco: He echoed the same for the new officers and extended condolences to the family of Cliff Glenn.

Commissioner Schiff: He agreed with his fellow commissioners and was humbled to swear in new officers and wished them well.

Hearing nothing further, Mr. Schiff motioned and Mr. Franco seconded that the meeting be adjourned. Both were in favor. The time was 5:32 pm.

Dated: January 25, 2023

Patricia A. Feketics, Borough Clerk

