

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

January 4, 2023

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 Borough 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 December 7, 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 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.

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 23-01

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING APPOINTMENT OF RONALD GELZUNAS AS THE BOROUGH SOLICITOR AND APPROVAL OF PROFESSIONAL SERVICE CONTRACT FOR CY 2023

WHEREAS, there exists the need for the professional services of a Borough Solicitor, to be retained by the Borough for the performance of legal services and related duties associates therewith as directed by the authorized representatives of the Borough of Wildwood Crest, all as more specifically set forth in the attached Agreement which is made a part hereof by reference as if fully set forth; and

WHEREAS, the Commissioners of the Borough of Wildwood Crest desire to appoint Ronald Gelzunas, Esquire to serve as the Solicitor for the Borough of Wildwood Crest; and

WHEREAS, this contract is awarded without competitive bidding in accordance with the provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq. as an authorized exception to the public bidding as a Professional Services Contract; and

WHEREAS, under the Local Public Contracts Law, N.J.S.A. 40A:11-1, et. seq., the subject contract would be a contract for professional services because:

1. Professional services of the type herein sought are of such a nature as to require a high degree to trust and confidence in the individual providing the service and may require the creation of a confidential or fiduciary relationship between that individual and the Borough;

2. The services required are highly specialized or technical in nature;

3. The services require peculiar ability and skill, and demand a high degree of specialized knowledge or expertise;

4. The services are such that their relative worth must be judged by subjective considerations that are not susceptible of valuation by competitive bidding;

5. The individual or entity who will provide these services has demonstrated competence and particular expertise in the services required;

6. The individual or entity who will perform these services is held to and fully adheres to the strict ethical standards that govern the involved profession;

7. The services include advise to and consultation with the municipality that require both knowledge and judgment on the part of the individual or entity providing services, as well as the confidence of the municipal officials, such that competitive bidding is not feasible or practical;

8. The services to be provided are such that their nature, scope and duration are not capable of precise measurement, but rather require a flexibility and discretion that render competitive bidding impractical and inefficient; and

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

Account Number(s) _____ Amount _____ Signature _____

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

1. The above recital paragraphs are incorporated herein as if set forth at length.
2. That Ronald Gelzunas is hereby appointed as Borough of Wildwood Crest Solicitor and the above described contract for professional services is hereby approved.
3. The award of this contract is contingent upon compliance with the New Jersey Pay to Play Law as set forth in N.J.S.A. 19:44A-1; production of the Business Entity Disclosure Certificate, Affirmative Action Compliance Notice, New Jersey Certificate of Employee Information Report, New Jersey Business Registration Certificate and proof of insurance as required in the contract and certification from the Chief Financial Officer as to the availability of funds.
4. That the Mayor and Borough Clerk are hereby authorized and empowered to enter into a contract for calendar year 2021, with Ronald J. Gelzunas, who shall be compensated by voucher on the basis of a “not to exceed” amount of \$91,874.00 annually.
5. That a Notice of Award shall be published in *The Herald of Cape May County* as required by law within ten (10) days of passage of this Resolution, which notice shall state that this Resolution and the contract are on file and available for public inspection in the office of the Borough Clerk.

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. 23-02

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING SIGNATORIES FOR VARIOUS BOROUGH OF WILDWOOD CREST ACCOUNTS

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 Francine B. Springer, Chief Financial Officer, be the custodian of the following accounts:

CREST SAVINGS BANK

<u>Account Number</u>	<u>Account Name</u>
54-902507-3	Borough of Wildwood Crest Lien Redemption Account
54-901556-1	Borough of Wildwood Crest Current Account
54-901557-9	Borough of Wildwood Crest Disbursement Account
54-901560-3	Borough of Wildwood Crest Trust Escrow Account
54-901559-5	Borough of Wildwood Crest Recreation Trust Account
54-901561-1	Borough of Wildwood Crest Police Forfeiture Account
54-901564-5	Borough of Wildwood Crest Animal Control Account
53-181178-5	Borough of Wildwood Crest Unemployment Trust Account
54-100167-6	Borough of Wildwood Crest General Capital Fund
54-901558-7	Borough of Wildwood Crest Payroll Account
54-904337-3	Borough of Wildwood Crest Flexible Spending Account
54-902576-8	Borough of Wildwood Crest Uniform Construction Code
99-006342-2	Borough of Wildwood Crest Affordable Housing Trust Fund
99-009896-4	Borough of Wildwood Crest Beach Box Account

STATE OF NEW JERSEY CASH MANAGEMENT FUND (NON-STATE)

000075590-171 Borough of Wildwood Crest GENL AC

NEW JERSEY ASSET & REBATE MANAGEMENT

NJ ARM – Account #280-00

BE IT FURTHER RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, in the County of Cape May and State of New Jersey, that the municipal officials listed hereinbelow are hereby designated as signatories on the above listed accounts (excluding Alexa Campilango on the Payroll Account) when necessary or required as follows:

Francine B. Springer

and

Alexa Campilango

Don Cabrera or Joseph Franco, Jr. or Joseph M. Schiff
and

Patricia A. Feketics or Victoria Mason

BE IT FURTHER RESOLVED that Francine B. Springer, Don Cabrera, Joseph Franco, Jr., Joseph M. Schiff, and Patricia A. Feketics are hereby designated as the authorized signatories on the Borough of Wildwood Crest Payroll Account (No. 54-901558-7).

BE IT FURTHER RESOLVED that Francine B. Springer, Lyndsey Herman and Alexa Campilango are hereby designated as the authorized signatory of the Borough of Wildwood Crest Lien Redemption Account (No. 54-902507-3).

Lyndsey Herman

BE IT FURTHER RESOLVED that Patricia A. Feketics and Francine B. Springer are hereby designated as the authorized signatory of the Borough of Wildwood Crest Borough Election Account (No. 54-900478-9).

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. 23-03

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST DESIGNATING OFFICIAL NEWSPAPERS

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest in the County of Cape May, and State of New Jersey, that, in accordance with the provisions of N.J.S.A. 40:53-1 et seq. *the Herald of Cape May County* and *the Press of Atlantic City* be designated as the official newspapers of the Borough of Wildwood Crest, in the County of Cape May, and State of New Jersey, and all ordinances, resolutions, or other public notices which the Borough of Wildwood Crest may required by law to publish, where the manner of publication is not otherwise specifically provided, shall be published in any one or both of the said newspapers.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey, that *the Herald of Cape May County* and *the Press of Atlantic City* are hereby designated the official newspapers of the Borough of Wildwood Crest.

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. 23-04

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING ADOPTION OF THE 2023 TEMPORARY BUDGET

WHEREAS, N.J.S.A. 40A:4-19 authorizes, by resolution of the governing body prior to January 31 of the fiscal year, adoption of temporary appropriations of not more than TWENTY-SIX AND ONE-QUARTER PERCENT (26.25%) of the total appropriations made for all purposes in the budget for the preceding fiscal year excluding, in both instances, appropriations made for interest and debt redemption charges, capital improvement fund and public assistance; and

WHEREAS, the total temporary appropriations to be created by this resolution amount to \$ 9,936,000.00, said amount being inclusive of not more than TWENTY-SIX AND ONE-QUARTER PERCENT (26.25%) of the total of those appropriations as fully authorized hereinabove.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey, that the amount of \$9,936,000.00 be and the same shall hereby constitute the 2023 Temporary Appropriations:

PUBLIC AFFAIRS & PUBLIC SAFETY DIRECTOR'S OFFICE

SALARIES & WAGES.....\$ 7,000.00
OTHER EXPENSES..... 700.00

FIRE DEPARTMENT

SALARIES & WAGES..... 1,500.00
OTHER EXPENSES..... 100,000.00

POLICE

SALARIES & WAGES..... 675,000.00
OTHER EXPENSES..... 90,000.00

DISPATCH SERVICES (SHARED SERVICES)

OTHER EXPENSES..... 70,000.00

EMERGENCY MANAGEMENT	
SALARIES & WAGES.....	0.00
OTHER EXPENSES.....	3,000.00
MUNICIPAL COURT	
SALARIES & WAGES.....	32,000.00
OTHER EXPENSES.....	2,000.00
SERVICE OF AMBULANCE	
SALARIES & WAGES.....	170,000.00
OTHER EXPENSES.....	20,000.00
ANIMAL CONTROL	
OTHER EXPENSES.....	15,000.00
LIFEGUARDS	
SALARIES & WAGES.....	10,000.00
OTHER EXPENSES.....	35,000.00
FIRE OFFICIAL	
SALARIES & WAGES.....	45,000.00
OTHER EXPENSES.....	5,000.00
LOCAL CODE ENFORCEMENT	
SALARIES & WAGES.....	17,000.00
OTHER EXPENSES.....	3,250.00
TRAFFIC MAINTENANCE	
SALARIES & WAGES.....	47,000.00
OTHER EXPENSES.....	13,000.00
INFORMATION TECHNOLOGY	30,000.00
REVENUE & FINANCE DIRECTOR'S OFFICE	
SALARIES & WAGES..... \$	7,000.00
OTHER EXPENSES.....	700.00
FINANCIAL ADMINISTRATION	
SALARIES & WAGES.....	105,000.00
OTHER EXPENSES.....	50,000.00
ASSESSMENT OF TAXES	
SALARIES & WAGES.....	13,000.00
OTHER EXPENSES.....	3,000.00
COLLECTION OF TAXES	
SALARIES & WAGES.....	45,000.00
OTHER EXPENSES.....	9,000.00
INSURANCE	
GROUP INSURANCE FOR EMPLOYEES	705,335.00
OTHER INSURANCE.....	130,000.00
BOROUGH ADMINISTRATION	
SALARIES & WAGES.....	100,000.00
OTHER EXPENSES.....	22,000.00
CODIFICATION	
OTHER EXPENSES.....	3,000.00
UTILITIES BILLING	
OTHER EXPENSES.....	5,000.00
CONSTRUCTION OFFICE	
SALARIES & WAGES.....	60,000.00
OTHER EXPENSES.....	8,000.00
LAND USE ADMINISTRATION	
SALARIES & WAGES.....	16,000.00
OTHER EXPENSES.....	30,000.00
WEDDING FEES	
SALARIES & WAGES.....	750.00

GREEN TEAM		
OTHER EXPENSES		5,000.00
PUBLIC WORKS DIRECTOR'S OFFICE		
SALARIES & WAGES.....	\$	8,000.00
OTHER EXPENSES		800.00
PUBLIC WORKS		
SALARIES & WAGES.....		150,000.00
OTHER EXPENSES		42,000.00
UTILITIES		
NATURAL GAS		40,000.00
ELECTRIC.....		50,000.00
FUEL OIL		65,000.00
STREET LIGHTING		55,000.00
LANDFILL		
OTHER EXPENSES		100,000.00
CMC MUA CHARGES		
OTHER EXPENSES		30,000.00
WATER		
OTHER EXPENSES		45,000.00
COMMUNICATIONS		
OTHER EXPENSES		40,000.00
ENGINEER		
OTHER EXPENSES		50,000.00
LEGAL		
OTHER EXPENSES	\$	50,000.00
BEACH MAINTENANCE		
SALARIES & WAGES.....		5,000.00
OTHER EXPENSES		21,000.00
SANITATION		
SALARIES & WAGES.....		130,000.00
OTHER EXPENSES		14,500.00
RECREATION		
SALARIES & WAGES.....		125,000.00
OTHER EXPENSES		15,000.00
TOURISM		
SALARIES & WAGES.....		15,000.00
OTHER EXPENSES		50,000.00
SEWERAGE		
SALARIES & WAGES.....		38,000.00
OTHER EXPENSES		19,000.00
PARKS AND BUILDINGS		
SALARIES & WAGES.....		60,000.00
OTHER EXPENSES		70,000.00
RECREATION BUILDINGS		
OTHER EXPENSES		60,000.00
FLEET MAINTENANCE		
SALARIES & WAGES.....	\$	67,000.00
OTHER EXPENSES		70,000.00
STATUTORY EXPENSES		
SOCIAL SECURITY		165,000.00
UNEMPLOYMENT INSURANCE.....		0.00
DEFINED CONTRIBUTION RETIREMENT PLAN.....		500.00
PUBLIC EMPLOYEES RETIREMENT SYSTEM.....		512,238.00
POLICE AND FIREMEN'S RETIREMENT SYSTEM.....		602,727.00
CAPITAL IMPROVEMENTS		
EMERGENCY SANITARY AND STORM SEWER REPAIRS		35,000.00
ACQUISITION OF VEHICLES AND EQUIPMENT		300,000.00

PURCHASE OF BEACH BOXES.....	30,000.00
TOTAL APPROPRIATIONS EXCLUDING CAPITAL IMPROVEMENT FUND, INTEREST AND DEBT REDEMPTION CHARGES AND PUBLIC ASSISTANCE.....	\$ 5,840,000.00
CAPITAL IMPROVEMENT	
CAPITAL IMPROVEMENT FUND	0.00
INTEREST AND DEBT REDEMPTION CHARGES	
INTEREST AND PRINCIPAL ON BONDS AND LOANS.....	4,096,000.00
TOTAL TEMPORARY APPROPRIATIONS (ALL PAGES).....	\$ <u>9,936,000.00</u>

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. 23-05
RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF
WILDWOOD CREST ADOPTING THE 2023 CASH MANAGEMENT PLAN OF THE
BOROUGH OF WILDWOOD CREST**

WHEREAS, pursuant to the provisions of N.J.S.A. 40A:5-14, the Borough of Wildwood Crest shall adopt a Cash Management Plan and shall deposit its funds in accordance with the provisions of said Plan; and

WHEREAS, the Cash Management Plan shall include the designation of a depository or depositories as provided in Section 4 of P.L. 1970, c.236; and

WHEREAS, the Cash Management Plan shall be designed to assure to the extent practicable the investment of local funds in interest bearing accounts and may be modified from time to time in order to reflect changes in federal or state law or regulations; and

WHEREAS, the Cash Management Plan shall be subject to the annual audit conducted pursuant to N.J.S.A. 40A:5-4.

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

1. The above recital paragraphs are incorporated herein by as if set forth at length.
2. The Cash Management Plan for the Borough of Wildwood Crest is hereby adopted.
3. A copy of the Cash Management Plan is attached hereto and made a part hereof.

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. 23-06
RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF
WILDWOOD CREST DESIGNATING JASON HESLEY TO REPRESENT THE
BOROUGH OF WILDWOOD CREST WITH TAX APPEALS FOR CY2023**

WHEREAS, by direction of the Cape May County Board of Taxation, adopted pursuant to the terms and provisions of N.J.A.C. 18:12A-1.6(d), any and all tax appeals seeking either increases or decreases of Tax Assessment which shall be submitted to the Cape May County Board of Taxation by the various municipalities which are situated in the County of Cape May are required to, as a prerequisite to their filing, be authorized by a Resolution of the Tax District involved; and

WHEREAS, upon being appraised of said fact, the Tax Assessor of the Borough of Wildwood Crest requested that a Resolution authorizing the execution of such tax appeals by the Tax Assessor of the Borough of Wildwood Crest be authorized by the governing body of the Borough of Wildwood Crest so that disposition of the same may be made by the Cape May County Board of Taxation.

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. That Jason Hesley, Tax Assessor of the Borough of Wildwood Crest, is hereby authorized to both pursue and defend to completion Tax Appeals on behalf of the Borough of Wildwood Crest for either increase or

decreases in Tax Assessments for the calendar year 2023, for disposition by the Cape May County Board of Taxation.

2. That Patricia A. Feketics, Borough Clerk of the Borough of Wildwood Crest, is instructed to direct certified copies of this Resolution to the following persons or agencies:

- A. Jason Hesley, Tax Assessor of the Borough of Wildwood Crest;
- B. Lyndsey Herman, Tax Collector of the Borough of Wildwood Crest; and
- C. Cape May County Board of Taxation.

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. 23-07

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING THE TAX COLLECTOR TO CONDUCT A TAX TITLE LIEN SALE IN CY2023

WHEREAS, N.J.S.A. 54:5-19 requires the governing body by Resolution to empower the Tax Collector to conduct a tax sale in 2023 for properties with unpaid taxes, sewer and /or other municipal charges or charges in arrears from the prior fiscal year, as well as temporarily hold out of tax sale certain properties that comply with specifically defined conditions and circumstances; and

WHEREAS, there are properties with delinquent charges as noted above, as well as certain properties as designated on the 2023 tax sale list which comply with said conditions and circumstances to be temporarily withheld from the tax sale for 2022 taxes, sewer and other municipal charges.

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 Tax Collector be empowered to conduct a tax sale in 2023 as referenced above, and temporarily hold out of the tax sale any such property which conforms to the specifically defined conditions and circumstances as promulgated in N.J.S.A. 54:5-19 and/or any other provision of New Jersey Statutory Law.

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. 23-08

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING THE INTEREST RATE, GRACE PERIOD AND YEAR-END PENALTY FOR TAXES/SEWER FEES IN CY2023

WHEREAS, N.J.S.A. 54:4-67 et seq. permits the governing body to fix the rate of interest to be charged for the nonpayment of taxes, sewer or other municipal charges.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Borough of Wildwood Crest, the rate of interest on unpaid taxes and sewer shall be eight (8) percent per annum on the first one thousand five hundred dollars (\$1,500.00) of delinquency and eighteen (18) percent per annum on any amount in excess of one thousand five hundred dollars (\$1,500.00) to be calculated from the date the tax, sewer or other municipal charges were payable until the date of actual payment. No interest shall be charged if payment is made on or before the tenth (10th) calendar day following the date upon which the same is payable.

BE IT FURTHER RESOLVED, in addition to the interest provided above, all delinquencies in excess of ten thousand dollars (\$10,000.00) which are not paid prior to the end of the year will be subject to a year-end penalty of six (6) percent.

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. 23-09

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING CANCELLATION OF 2022 TAX AND/OR SEWER BALANCES OF \$5.00 OR LESS

WHEREAS, N.J.S.A. 40A:5-17 allows for the cancellation of property tax overpayments or delinquent amounts of five (5) dollars or less; and

WHEREAS, there also exists a need to apply the same provision as promulgated in N.J.S.A. 40A:5-17 to the cancellation of municipal sewer overpayments and delinquencies of five (5) dollars or less.

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 Tax Collector is hereby authorized to cancel without any further action on the part of the Board of Commissioners, any property tax and/or municipal sewer overpayments and/or delinquencies of \$5.00 or less.

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. 23-10

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING THE APPOINTMENT OF RONALD GELZUNAS AS MUNICIPAL PROSECUTOR FOR THE BOROUGH OF WILDWOOD CREST

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest desires to re-appoint Ronald Gelzunas as Municipal Prosecutor for one (1) year term pursuant to the provisions of N.J.S.A. 2B:25-4; and

WHEREAS, the Borough of Wildwood Crest and the City of North Wildwood entered into a Shared Services Agreement for Municipal Court Services on September 18, 2018 for a period commencing January 1, 2019 through December 31, 2023; and

WHEREAS, said agreement stipulates the City of North Wildwood hereby agrees to provide, at its costs and expense, all usual and ordinary judicial and administrative services to Wildwood Crest including the physical court facilities, the services of the North Wildwood Municipal Court Judge, Municipal Prosecutor, Municipal Public Defender, and other court staffing and equipment, as required by statute and by the Supreme Court of New Jersey, for so long as the agreement remains in effect.

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 Ronald Gelzunas, Esquire, 100 East Lavender Road, Wildwood Crest, New Jersey, be and is hereby re-appointed as the Municipal Prosecutor of the Borough of Wildwood Crest in accordance with and pursuant to N.J.S.A. 2B:25-4 for a term of one year commencing effective immediately and expiring December 31, 2023.

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. 23-11

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING THE APPOINTMENT OF SETH FUSCELLARO AS MUNICIPAL PUBLIC DEFENDER FOR THE BOROUGH OF WILDWOOD CREST

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest desires to re-appoint Seth Fuscellaro as Municipal Public Defender for one (1) year term pursuant to the provisions of N.J.S.A. 2B:24-3; and

WHEREAS, the Borough of Wildwood Crest and the City of North Wildwood entered into a Shared Services Agreement for Municipal Court Services on September 18, 2018 for a period commencing January 1, 2019 through December 31, 2023; and

WHEREAS, said agreement stipulates the City of North Wildwood hereby agrees to provide, at its costs and expense, all usual and ordinary judicial and administrative services to Wildwood Crest including the physical court facilities, the services of the North Wildwood Municipal Court Judge, Municipal Prosecutor, Municipal Public Defender, and other court staffing and equipment, as required by statute and by the Supreme Court of New Jersey, for so long as the agreement remains in effect.

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 Seth Fuscellaro, Esquire, 100 East Rio Grande Avenue, Wildwood Crest, New Jersey, be and is hereby re-appointed as the Municipal Public Defender of the Borough of Wildwood Crest in accordance with and pursuant to N.J.S.A. 2B:24-3 for a term of one year commencing effective immediately and expiring December 31, 2023.

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. 23-12

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING FRANCINE SPRINGER AND ALEXA

CAMPILANGO TO CONTINUE AS CUSTODIANS OF PETTY CASH FOR THE WILDWOOD CREST ADMINISTRATIVE OFFICES AT THE NTE SUM OF \$250.00

WHEREAS, on January 4, 2022, via Resolution No. 22-18, Francine B. Springer (Chief Financial Officer) and Alexa Campilango (Accountant) were designated as Custodians of Petty Cash for the Wildwood Crest Administrative Offices; and

WHEREAS, it is the desire of the Board of Commissioners of the Borough of Wildwood Crest to have Francine B. Springer and Alexa Campilango serve as Custodians of Petty Cash; and

WHEREAS, Francine B. Springer is bonded in the amount of \$1,000,000.00 by virtue of a surety bond.

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, hereby authorizes that Francine B. Springer and Alexa Campilango continue to serve as Custodians of petty cash for the Administrative offices of the Borough of Wildwood Crest at the not to exceed sum of \$250.00 and directs that two copies of this resolution be filed with the Division of Local Government Services, New Jersey Department of Community Affairs for approval.

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. 23-13

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING ROBERT LLOYD TO CONTINUE AS CUSTODIAN OF PETTY CASH FOR THE WILDWOOD CREST POLICE DEPARTMENT AT THE NTE SUM OF \$200.00

WHEREAS, on January 4, 2022, via Resolution No. 22-19, Robert Lloyd was designated as Custodian of Petty Cash for the Wildwood Crest Police Department; and

WHEREAS, it is the desire of the Board of Commissioners of the Borough of Wildwood Crest to have Chief Robert Lloyd continue to serve as Custodian of Petty Cash for the Wildwood Crest Police Department Petty Cash fund at the NTE sum of \$200.00.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May and State of New Jersey, hereby authorizes that Robert Lloyd continue to serve as Custodian of petty cash for the Wildwood Crest Police Department at the not to exceed sum of \$200.00 and directs that two copies of this resolution be filed with the Division of Local Government Services, New Jersey Department of Community Affairs for approval.

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. 23-14

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING A PROFESSIONAL SERVICES CONTRACT WITH WILLIAM G. BLANEY, ESQUIRE, AS SPECIAL LABOR COUNSEL FOR CY 2023

WHEREAS, the Borough of Wildwood Crest requires the professional services of a law firm specializing in labor relations in the field of collective bargaining negotiations, personnel administration, and employer-employee relations in an employee administrative proceeding and litigation and any other legal matter that may be assigned; and

WHEREAS, the Local Public Contracts Law provides for the entering into of a contract for professional services pursuant to R.S.40A:11-5(1)(a), without advertising for competitive bidding; and

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest has determined that **William G. Blaney, Esquire**, and the law firm of Blaney & Karavan, P.C. or Successor Firm, of Avalon, New Jersey is qualified to perform the said work and it is desired to enter a professional contract with them for said services pursuant to law, and to provide for the advertising of a notice pursuant to law; and

WHEREAS, under the Local Public Contracts Law, N.J.S.A. 40A:11-1, et. seq., the subject contract would be a contract for professional services because:

1. Professional services of the type herein sought are of such a nature as to require a high degree to trust and confidence in the individual providing the service and may require the creation of a confidential or fiduciary relationship between that individual and the Borough;
2. The services required are highly specialized or technical in nature;

3. The services require peculiar ability and skill, and demand a high degree of specialized knowledge or expertise;

4. The services are such that their relative worth must be judged by subjective considerations that are not susceptible of valuation by competitive bidding;

5. The individual or entity who will provide these services has demonstrated competence and particular expertise in the services required;

6. The individual or entity who will perform these services is held to and fully adheres to the strict ethical standards that govern the involved profession;

7. The services include advise to and consultation with the municipality that require both knowledge and judgment on the part of the individual or entity providing services, as well as the confidence of the municipal officials, such that competitive bidding is not feasible or practical;

8. The services to be provided are such that their nature, scope and duration are not capable of precise measurement, but rather require a flexibility and discretion that render competitive bidding impractical and inefficient; and

WHEREAS, the 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. The above recital paragraphs are incorporated herein as if set forth at length.

2. **William G. Blaney, Esquire** and the law firm of Blaney & Karavan, P.C. or Successor Firm of Avalon, New Jersey is hereby retained as Special Counsel as a professional labor negotiator to provide specialized professional services in the field of collective bargaining negotiations, personnel administration, employee disciplinary actions, and employer-employee relations and litigation and any other legal matter that may be assigned for the period January 1, 2023 through December 31, 2023. The said professional services to be received shall be “as directed” by the Borough of Wildwood Crest from time to time.

3. The award of this contract is contingent upon compliance with the New Jersey Pay to Play Law as set forth in N.J.S.A. 19:44A-1; production of the Business Entity Disclosure Certificate, Affirmative Action Compliance Notice, New Jersey Certificate of Employee Information Report, New Jersey Business Registration Certificate and proof of insurance as required in the contract and certification from the Chief Financial Officer as to the availability of funds.

4. The Mayor and Borough Clerk are hereby authorized and empowered to enter into a contract with **William G. Blaney, Esquire**, of the law firm of Blaney & Karavan, P.C. or Successor Firm for a term of the period indicated above, which contract shall provide for payment at the hourly rate of **one hundred forty (\$140.00) dollars per hour** not to exceed the amount of \$80,000.00 annually.

5. That a Notice of Award shall be published in *The Herald of Cape May County* as required by law within ten (10) days of passage of this Resolution, which notice shall state that this Resolution and the contract are on file and available for public inspection in the office of the Borough Clerk.

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. 23-15

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING AWARD OF CONTRACT TO ANIMAL CONTROL OF SOUTH JERSEY FOR ANIMAL CONTROL SERVICES IN THE BOROUGH FOR CY 2023 AT THE NTE AMOUNT OF \$10,800

WHEREAS, there exists the need for an ANIMAL CONTROL OFFICER AND SERVICES to be retained by the Borough for the performance of animal control, animal cruelty investigation, wildlife removal and road kill disposal services and related duties associated therewith, as directed by the authorized representatives of the Borough of Wildwood Crest, all as more specifically set forth in the attached Agreement which is made a part hereof by reference as if fully set forth; and

WHEREAS, ANIMAL CONTROL OF SOUTH JERSEY has completed and submitted a Business Entity Disclosure Certification which certifies that ANIMAL CONTROL OF SOUTH JERSEY will not make any reportable contributions pursuant to N.J.S.A. 19:44A-1 commencing January 1, 2023 to any political committee or candidate through the term of this contract, 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, New Jersey, as follows:

1. The above recital paragraphs are incorporated herein as if set forth at length.
2. That the contract is awarded as a competitive contract with price and other factors most advantageous for the Borough of Wildwood Crest for the period of January 1, 2023 through December 31, 2023.
3. The Mayor and Borough Clerk are hereby authorized and empowered to enter into the attached agreement with ANIMAL CONTROL OF SOUTH JERSEY who shall be compensated by voucher at the agreed upon rate of Nine Hundred (\$900) Dollars per month for a total of Ten Thousand Eight Hundred (\$10,800), WITH NO ADDITIONAL Callout Fee for After Hours, Holidays and Weekends.
4. The award of this contract is contingent upon production of the Business Entity Disclosure Certificate, Affirmative Action Compliance Notice, New Jersey Certificate of Employee Information Report, New Jersey Business Registration Certificate and proof of insurance as required in the contract and certification from the Chief Financial Officer as to the availability of funds.
5. That a Notice of Award shall be published in *The Herald of Cape May County* as required by law within ten (10) days of passage of this Resolution, which notice shall state that this Resolution and the contract are on file and available for public inspection in the office of the Borough Clerk.

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

Account Number (s) _____ Amount _____ Signature _____

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. 23-16

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING PROFESSIONAL SERVICES CONTRACT WITH STEVEN SECARE FOR SERVICES AS HEARING OFFICER FOR CY2023

WHEREAS, there exists the need for the “Professional Services” of a HEARING OFFICER, to be retained by the Borough for all Department of Personnel (a/k/a Civil Service) disciplinary action hearings and related duties associated therewith as directed by the authorized representatives of the Borough of Wildwood Crest, all as more specifically set forth in the attached Agreement which is made a part hereof by reference as if fully set forth; and

WHEREAS, this contract is awarded without competitive bidding in accordance with the provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq. as an authorized exception to the public bidding as a Professional Services Contract; and

WHEREAS, under the Local Public Contracts Law, N.J.S.A. 40A:11-1, et. seq., the subject contract would be a contract for professional services because:

1. Professional services of the type herein sought are of such a nature as to require a high degree to trust and confidence in the individual providing the service and may require the creation of a confidential or fiduciary relationship between that individual and the Borough;
2. The services required are highly specialized or technical in nature;
3. The services require peculiar ability and skill, and demand a high degree of specialized knowledge or expertise;
4. The services are such that their relative worth must be judged by subjective considerations that are not susceptible of valuation by competitive bidding;
5. The individual or entity who will provide these services has demonstrated competence and particular expertise in the services required;
6. The individual or entity who will perform these services is held to and fully adheres to the strict ethical standards that govern the involved profession;
7. The services include advise to and consultation with the municipality that require both knowledge and judgment on the part of the individual or entity providing services, as well as the confidence of the municipal officials, such that competitive bidding is not feasible or practical;
8. The services to be provided are such that their nature, scope and duration are not capable of precise measurement, but rather require a flexibility and discretion that render competitive bidding impractical and inefficient; and

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

Account Number(s) _____ Amount _____ Signature _____

WHEREAS, Steven Secare, Esq. has completed and submitted a Business Entity Disclosure Certification which certifies that he will not make any reportable contributions pursuant to N.J.S.A. 19:44A-1 commencing January 1, 2023 to any political committee or candidate through the term of this contract.

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

1. The above recital paragraphs are incorporated herein as if set forth at length.
2. The award of this contract is contingent upon compliance with the New Jersey Pay to Play Law as set forth in N.J.S.A. 19:44A-1; production of the Business Entity Disclosure Certificate, Affirmative Action Compliance Notice, New Jersey Certificate of Employee Information Report, New Jersey Business Registration Certificate and proof of insurance as required in the contract and certification from the Chief Financial Officer as to the availability of funds.
3. That the Mayor and Borough Clerk are hereby authorized and empowered to enter into the attached agreement effective immediately through December 31, 2023, with Steven Secare, Esq. who shall be compensated by voucher at the agreed upon rate of \$150.00 per hour, not to exceed \$9,500.
4. That a Notice of Award shall be published in *The Herald of Cape May County* as required by law within ten (10) days of passage of this Resolution, which notice shall state that this Resolution and the contract are on file and available for public inspection in the office of the Borough Clerk.

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. 23-17

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING A PROFESSIONAL SERVICES CONTRACT WITH MICHAEL A. JEDZINIAK OF CARLUCCIO, LEONE, DIMON, DOYLE & SACKS, LLC, AS SPECIAL COUNSEL FOR COAH RELATED MATTERS FOR CY2023

WHEREAS, there exists the need for the “Professional Services” of SPECIAL COUNSEL, to be retained by the Borough to assist the Borough and its legal counsel in helping the Borough address its responsibilities with respect to its affordable-housing obligations in any proceeding involving (a) a New Jersey court of competent jurisdiction, and/or (b) the New Jersey Council on Affordable Housing (“COAH”), and all as more specifically set forth in the attached Agreement which is made a part hereof by reference as if fully set forth; and

WHEREAS, this contract is awarded without competitive bidding in accordance with the provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq. as an authorized exception to the public bidding as a Professional Services Contract; and

WHEREAS, under the Local Public Contracts Law, N.J.S.A. 40A:11-1, et. seq., the subject contract would be a contract for professional services because:

1. Professional services of the type herein sought are of such a nature as to require a high degree to trust and confidence in the individual providing the service and may require the creation of a confidential or fiduciary relationship between that individual and the Borough;
2. The services required are highly specialized or technical in nature;
3. The services require peculiar ability and skill, and demand a high degree of specialized knowledge or expertise;
4. The services are such that their relative worth must be judged by subjective considerations that are not susceptible of valuation by competitive bidding;
5. The individual or entity who will provide these services has demonstrated competence and particular expertise in the services required;
6. The individual or entity who will perform these services is held to and fully adheres to the strict ethical standards that govern the involved profession;
7. The services include advise to and consultation with the municipality that require both knowledge and judgment on the part of the individual or entity providing services, as well as the confidence of the municipal officials, such that competitive bidding is not feasible or practical;

8. The services to be provided are such that their nature, scope and duration are not capable of precise measurement, but rather require a flexibility and discretion that render competitive bidding impractical and inefficient; and

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

Account Number(s) _____ Amount _____ Signature _____

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

1. The above recital paragraphs are incorporated herein as if set forth at length.

2. The award of this contract is contingent upon compliance with the New Jersey Pay to Play Law as set forth in N.J.S.A. 19:44A-1; production of the Business Entity Disclosure Certificate, Affirmative Action Compliance Notice, New Jersey Certificate of Employee Information Report, New Jersey Business Registration Certificate and proof of insurance as required in the contract and certification from the Chief Financial Officer as to the availability of funds.

3. That the Mayor and Borough Clerk are hereby authorized and empowered to enter into the attached agreement effective January 1, 2023 through December 31, 2023, with **MICHAEL A. JEDZINIAK OF CARLUCCIO, LEONE, DIMON, DOYLE & SACKS ,LLC** who shall be compensated by voucher at the agreed upon hourly rates, not to exceed Five Thousand Dollars (\$5,000).

4. That a Notice of Award shall be published in *The Herald of Cape May County* as required by law within ten (10) days of passage of this Resolution, which notice shall state that this Resolution and the contract are on file and available for public inspection in the office of the Borough Clerk.

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. 23-18

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING A PROFESSIONAL SERVICES CONTRACT WITH HAWKINS, DELAFIELD & WOOD, LLP, AS BOND COUNSEL FOR CY2023

WHEREAS, the Borough of Wildwood Crest requires the professional services of a Law Firm to assist the municipality with the selling of bonds, or bond anticipation notes, for financing the cost of the capital improvement program and for the rendering of legal opinions related thereto; and

WHEREAS, it is desired to employ a professional, pursuant to law, who is duly trained, experienced and specialized in the area of municipal bonds; and

WHEREAS, this contract is awarded without competitive bidding in accordance with the provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq. as an authorized exception to the public bidding as a Professional Services Contract; and

WHEREAS, under the Local Public Contracts Law, N.J.S.A. 40A:11-1, et. seq., the subject contract would be a contract for professional services because:

1. Professional services of the type herein sought are of such a nature as to require a high degree to trust and confidence in the individual providing the service and may require the creation of a confidential or fiduciary relationship between that individual and the Borough;

2. The services required are highly specialized or technical in nature;

3. The services require peculiar ability and skill, and demand a high degree of specialized knowledge or expertise;

4. The services are such that their relative worth must be judged by subjective considerations that are not susceptible of valuation by competitive bidding;

5. The individual or entity who will provide these services has demonstrated competence and particular expertise in the services required;

6. The individual or entity who will perform these services is held to and fully adheres to the strict ethical standards that govern the involved profession;

7. The services include advise to and consultation with the municipality that require both knowledge and judgment on the part of the individual or entity providing services, as well as the confidence of the municipal officials, such that competitive bidding is not feasible or practical;

8. The services to be provided are such that their nature, scope and duration are not capable of precise measurement, but rather require a flexibility and discretion that render competitive bidding impractical and inefficient; and

WHEREAS, the Borough has determined that the firm of Hawkins, Delafield & Wood is qualified to perform the said work and it is desired to enter a professional contract with them for said services pursuant to law, and to provide for the advertising of a notice pursuant to law; and

WHEREAS, Hawkins, Delafield & Wood has completed and submitted a Business Entity Disclosure Certification which certifies that Hawkins, Delafield & Wood will not make any reportable contributions pursuant to N.J.S.A. 19:44A-1 commencing January 1, 2023 to any political committee or candidate through the term of this contract.

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. The above recital paragraphs are incorporated herein as if set forth at length.
2. Hawkins, Delafield & Wood is hereby retained as Bond Counsel to provide specialized professional services in the field of municipal bond work. The said professional services to be received shall be “as directed” by the Borough of Wildwood Crest from time to time.
3. The Mayor and Borough Clerk are hereby authorized and directed to enter into a contract with Hawkins, Delafield & Wood for specialized professional services as Bond Counsel for a term of one (1) year, which contract shall provide for fees to be calculated as set forth in the letter of Hawkins, Delafield & Wood dated November 11, 2022 and attached hereto, contingent upon certification from the Chief Financial Officer as to the availability of funds for specific municipal bond work, if applicable.
4. The award of this contract is contingent upon compliance with the New Jersey Pay to Play Law as set forth in N.J.S.A. 19:44A-1; production of the Business Entity Disclosure Certificate, Affirmative Action Compliance Notice, New Jersey Certificate of Employee Information Report, New Jersey Business Registration Certificate and proof of insurance as required in the contract; a copy of these documents shall be kept on file in the office of the Borough Clerk.
5. That a Notice of Award shall be published in *The Herald of Cape May County* as required by law within ten (10) days of passage of this Resolution, which notice shall state that this Resolution and the contract are on file and available for public inspection in the office of the Borough Clerk.

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. 23-19

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING PROFESSIONAL SERVICES CONTRACT WITH DANZIGER & MARKHOFF LLP FOR ACTUARIAL SERVICES FOR FYE 2022

WHEREAS, there exists the need for the “Professional Services” of GASB-75 ACTUARIAL SERVICES, to be retained by the Borough for all ACCOUNTING AND FINANCIAL REPORTING FOR POSTEMPLOYMENT BENEFITS OTHER THAN PENSION and related duties associated therewith as directed by the authorized representatives of the Borough of Wildwood Crest, all as more specifically set forth in the attached Agreement which is made a part hereof by reference as if fully set forth; and

WHEREAS, this contract is awarded without competitive bidding in accordance with the provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq. as an authorized exception to the public bidding as a Professional Services Contract; and

WHEREAS, under the Local Public Contracts Law, N.J.S.A. 40A:11-1, et. seq., the subject contract would be a contract for professional services because:

1. Professional services of the type herein sought are of such a nature as to require a high degree of trust and confidence in the individual providing the service and may require the creation of a confidential or fiduciary relationship between that individual and the Borough;
2. The services required are highly specialized or technical in nature;
3. The services require peculiar ability and skill, and demand a high degree of specialized knowledge or expertise;
4. The services are such that their relative worth must be judged by subjective considerations that are not susceptible of valuation by competitive bidding;
5. The individual or entity who will provide these services has demonstrated competence and particular expertise in the services required;

6. The individual or entity who will perform these services is held to and fully adheres to the strict ethical standards that govern the involved profession;

7. The services include advise to and consultation with the municipality that require both knowledge and judgment on the part of the individual or entity providing services, as well as the confidence of the municipal officials, such that competitive bidding is not feasible or practical;

8. The services to be provided are such that their nature, scope and duration are not capable of precise measurement, but rather require a flexibility and discretion that render competitive bidding impractical and inefficient; and

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

Account Number(s) _____ Amount _____ Signature _____

WHEREAS, DANZIGER & MARKHOFF, LLP. has completed and submitted a Business Entity Disclosure Certification which certifies that he will not make any reportable contributions pursuant to N.J.S.A. 19:44A-1 commencing January 1, 2023 to any political committee or candidate through the term of this contract.

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

1. The above recital paragraphs are incorporated herein as if set forth at length.

2. The award of this contract is contingent upon compliance with the New Jersey Pay to Play Law as set forth in N.J.S.A. 19:44A-1; production of the Business Entity Disclosure Certificate, Affirmative Action Compliance Notice, New Jersey Certificate of Employee Information Report, New Jersey Business Registration Certificate and proof of insurance as required in the contract and certification from the Chief Financial Officer as to the availability of funds.

3. That the Mayor and Borough Clerk are hereby authorized and empowered to enter into the attached agreement effective immediately through December 31, 2023, with Danziger & Markhoff LLP who shall be compensated by voucher at the agreed upon rate of not to exceed \$3,700.00 (for FYE 12/31/2022, "Full" GASB # 75 valuation is required.)

4. That a Notice of Award shall be published in *The Herald of Cape May County* as required by law within ten (10) days of passage of this Resolution, which notice shall state that this Resolution and the contract are on file and available for public inspection in the office of the Borough Clerk.

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. 23-20

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING AWARD OF EUS CONTRACT WITH CONTEMPORARY TECHNOLOGY, INC., FOR NETWORK SUPPORT/INFORMATION TECHNOLOGY SPECIALIST AT NTE SUM OF \$89,000 FOR CY 2023 (MUNICIPAL I.T. AT NTE SUM OF \$59,000 AND PUBLIC SAFETY I.T. AT THE NTE SUM OF \$30,000)

WHEREAS, there exists the need for the "Extraordinary Unspecifiable Services" of a NETWORK SUPPORT / INFORMATION TECHNOLOGY SPECIALIST, to be retained by the Borough for all hardware and software systems for internal operation as directed by the authorized representatives of the Borough of Wildwood Crest, all as more specifically set forth in the attached Agreement which is made a part hereof by reference as if fully set forth; and

WHEREAS, The Contract is awarded without competitive bidding as a "Extraordinary Unspecifiable Service" under the provisions of the Local Public Contracts Law pursuant to N.J.S.A. 40A:11-5 which states that no local unit shall be required to advertise for bids for services which are of such a qualitative nature as will not reasonably permit the drawing of specifications or the receipt of competitive bids, all of which classification the aforesaid contract falls within; and

WHEREAS, under the Local Public Contracts Law, N.J.S.A. 40A:11-1, et. seq., the subject contract would be a contract for Extraordinary Unspecifiable Services because the service requires unique artistic design skills and abilities that are of a qualitative nature; and

WHEREAS, **Contemporary Technologies, Inc.** has completed and submitted a Business Entity Disclosure Certification which certifies that he will not make any reportable contributions pursuant to N.J.S.A. 19:44A-1 commencing January 1, 2023 to any political committee or candidate through the term of this contract.

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

Account Number(s) _____ Amount \$59,000 Signature _____
Account Number(s) _____ Amount \$30,000 Signature _____

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

1. That the allegations of the preamble hereto are incorporated herein as if fully set forth.
2. That the Commissioner of Revenue & Finance and Borough Clerk are hereby authorized and empowered to execute the attached agreement with **Contemporary Technologies, Inc.**, who shall be compensated by voucher at the agreed upon rate of \$95.00 per hour, and \$160.00 per hour for emergency call outs and unplanned assistance between 11:00 p.m. and 8:00 a.m., not to exceed \$59,000 (municipal) and not to exceed \$30,000 (Public Safety), contingent upon certification from the Chief Financial Officer as to the availability of funds, and whose rate/fee structure are contained in the aforesaid Agreement and said "Independent Contractor" shall be required to comply with this Resolution, and the attached Agreement. Said Network Support / Information Technology Specialist is further required to comply with all other conditions/provisions of law or regulation applicable to a "Extraordinary Unspecified Contractor," including but not limited to procuring/maintaining sufficient insurance coverages necessary to fully protect the interests of the Borough in each and every instance relative to performance under this contract. This contract is awarded pursuant to N.J.S.A. 40A:11-5(dd) which states "The provision or performance of goods or services for the support or maintenance of proprietary computer hardware and software, except that this provision shall not be utilized to acquire or upgrade non-proprietary hardware or to acquire or update non-proprietary software."
3. The award of this contract is contingent upon compliance with the New Jersey Pay to Play Law as set forth in N.J.S.A. 19:44A-1; production of the Business Entity Disclosure Certificate, Affirmative Action Compliance Notice, New Jersey Certificate of Employee Information Report, New Jersey Business Registration Certificate and proof of insurance as required in the contract and certification from the Chief Financial Officer as to the availability of funds; a copy of these documents shall be kept on file in the office of the Borough Clerk.
4. That a copy of the specific items appertaining to the award of this contract shall be published in a Notice of Award in *The Herald of Cape May County* as required by law within ten (10) days of passage of the Resolution authorizing same.

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. 23-21

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING PROFESSIONAL SERVICES CONTRACT WITH MARC DEBLASIO OF DEBLASIO & ASSOCIATES AS MUNICIPAL ENGINEER FOR CY2023

WHEREAS, there exists the need for "Professional Services" for a MUNICIPAL ENGINEER, to be retained by the Borough for the performance of engineering work and related duties associated therewith as directed by the authorized representatives of the Borough of Wildwood Crest, all as more specifically set forth in the attached Agreement which is made a part hereof by reference as if fully set forth; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A: 1-11, et seq.) requires that the Resolution authorizing the award of contracts for "Professional Services" without competitive bids must be publicly advertised; and

WHEREAS, this contract was not awarded through a "fair and open process," but does meet all of the criteria required by the provisions of N.J.S.A. 19:44A-20.4, et seq. for said award; and

WHEREAS, the Borough has determined that Marc DeBlasio of DeBlasio & Associates located in Wildwood, New Jersey is qualified to perform said work and it is desired to enter a professional contract with DeBlasio & Associates for said services pursuant to law, and to provide for the advertising of a notice pursuant to law; and

WHEREAS, the firm DeBlasio & Associates, has completed and submitted a Business Entity Disclosure Certification which certifies that DeBlasio & Associates, will not make any reportable contributions pursuant to N.J.S.A. 19:44A-1 commencing January 1, 2023 to any political committee or candidate through the term of this contract.

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. The above recital paragraphs are incorporated herein as if fully set forth.
2. The Commissioner of Public Works and Borough Clerk are hereby authorized, instructed, and empowered to execute the attached agreement with **DeBlasio & Associates**, who shall be compensated by voucher

at the agreed upon hourly rates, contingent upon certification below from the Chief Financial Officer as to the availability of funds, and whose rate/fee structure are contained in the aforesaid Agreement and said "Independent Contractor" shall be required to comply with this Resolution, and the attached Agreement. Said Borough Engineer is further required to comply with all other conditions/provisions of law or regulation applicable to a "Professional Services Contractor," including but not limited to procuring/maintaining sufficient insurance coverages necessary to fully protect the interests of the Borough in each and every instance relative to performance under this contract.

3. The award of this contract is contingent upon compliance with the New Jersey Pay to Play Law as set forth in N.J.S.A. 19:44A-1; production of the Business Entity Disclosure Certificate, Affirmative Action Compliance Notice, New Jersey Certificate of Employee Information Report, New Jersey Business Registration Certificate and proof of insurance as required in the contract and certification from the Chief Financial Officer as to the availability of funds; a copy of these documents shall be kept on file in the office of the Borough Clerk.

4. That a Notice of Award shall be published in *The Herald of Cape May County* as required by law within ten (10) days of passage of this Resolution, which notice shall state that this Resolution and the contract are on file and available for public inspection in the office of the Borough Clerk.

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. 23-22

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING A PROFESSIONAL SERVICES CONTRACT WITH FORD, SCOTT & ASSOCIATES, LLC AS BOROUGH AUDITOR FOR CY2023

WHEREAS, there exists the need for the "Professional Services" of a BOROUGH AUDITOR, to be retained by the Borough for the performance of auditing/accounting work and related duties associates therewith as directed by the authorized representatives of the Borough of Wildwood Crest, all as more specifically set forth in the attached Agreement which is made a part hereof by reference as if fully set forth; and

WHEREAS, this contract is awarded without competitive bidding in accordance with the provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-1, et. seq. as an authorized exception to the public bidding as a Professional Services Contract; and

WHEREAS, under the Local Public Contracts Law, N.J.S.A. 40A:11-1, et. seq., the subject contract would be a contract for professional services because:

1. Professional services of the type herein sought are of such a nature as to require a high degree to trust and confidence in the individual providing the service and may require the creation of a confidential or fiduciary relationship between that individual and the Borough;

2. The services required are highly specialized or technical in nature;

3. The services require peculiar ability and skill, and demand a high degree of specialized knowledge or expertise;

4. The services are such that their relative worth must be judged by subjective considerations that are not susceptible of valuation by competitive bidding;

5. The individual or entity who will provide these services has demonstrated competence and particular expertise in the services required;

6. The individual or entity who will perform these services is held to and fully adheres to the strict ethical standards that govern the involved profession;

7. The services include advise to and consultation with the municipality that require both knowledge and judgment on the part of the individual or entity providing services, as well as the confidence of the municipal officials, such that competitive bidding is not feasible or practical;

8. The services to be provided are such that their nature, scope and duration are not capable of precise measurement, but rather require a flexibility and discretion that render competitive bidding impractical and inefficient; and

WHEREAS, the Commissioners of the Borough of Wildwood Crest desire to award a Professional Services Contract to **MICHAEL S. GARCIA, RMA, and the firm of Ford Scott Associates, LLC** as Borough Auditor; and

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

Account Number(s) _____ Amount _____ Signature _____

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

1. The above recital paragraphs are incorporated herein as if set forth at length.
2. That the Mayor and Borough Clerk are hereby authorized and empowered to execute the attached agreement with **MICHAEL S. GARCIA, RMA, of the firm of Ford Scott Associates, LLC**, who shall be compensated by voucher at the agreed upon hourly rates, contingent upon certification from the Chief Financial Officer as to the availability of funds, as well as the governing body setting sufficient funds in the 2023 Municipal Budget, in accordance with the proposal dated, **November 1, 2022**, attached hereto, at a not to exceed **amount of \$36,500**, and whose rate/fee structure are contained in the aforesaid Agreement and said “Independent Contractor” shall be required to comply with this Resolution, and the attached Agreement. Said Auditor is further required to comply with all other conditions/provisions of law or regulation applicable to a “Professional Services Contractor,” including but not limited to procuring/maintaining sufficient insurance coverages necessary to fully protect the interests of the Borough in each and every instance relative to performance under this contract.
3. The award of this contract is contingent upon compliance with the New Jersey Pay to Play Law as set forth in N.J.S.A. 19:44A-1; production of the Business Entity Disclosure Certificate, Affirmative Action Compliance Notice, New Jersey Certificate of Employee Information Report, New Jersey Business Registration Certificate and proof of insurance as required in the contract and certification from the Chief Financial Officer as to the availability of funds; a copy of these documents shall be kept on file in the office of the Borough Clerk.
4. That a copy of the specific items appertaining to the award of this contract shall be published in a Notice of Award in *The Herald of Cape May County* as required by law within ten (10) days of passage of the Resolution authorizing same.

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. 23-23

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING AWARD OF PROFESSIONAL SERVICES CONTRACT WITH SCOTT TAYLOR OF TAYLOR DESIGN GROUP TO PERFORM SERVICES AS PLANNING BOARD PLANNER FOR CY2023 AT NTE SUM OF \$9,500

WHEREAS, there exists the need for “Professional Services” for Professional Planning and Architecture Services on an as-needed basis for the Planning Board of the Borough of Wildwood Crest, and

WHEREAS, this contract is awarded without competitive bidding in accordance with the provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-1, et. seq. as an authorized exception to the public bidding as a Professional Services Contract; and

WHEREAS, under the Local Public Contracts Law, N.J.S.A. 40A:11-1, et. seq., the subject contract would be a contract for professional services because:

1. Professional services of the type herein sought are of such a nature as to require a high degree of trust and confidence in the individual providing the service and may require the creation of a confidential or fiduciary relationship between that individual and the Borough;
2. The services required are highly specialized or technical in nature;
3. The services require peculiar ability and skill, and demand a high degree of specialized knowledge or expertise;
4. The services are such that their relative worth must be judged by subjective considerations that are not susceptible of valuation by competitive bidding;
5. The individual or entity who will provide these services has demonstrated competence and particular expertise in the services required;
6. The individual or entity who will perform these services is held to and fully adheres to the strict ethical standards that govern the involved profession;
7. The services include advise to and consultation with the municipality that require both knowledge and judgment on the part of the individual or entity providing services, as well as the confidence of the municipal officials, such that competitive bidding is not feasible or practical;
8. The services to be provided are such that their nature, scope and duration are not capable of precise measurement, but rather require a flexibility and discretion that render competitive bidding impractical and inefficient; and

WHEREAS, Scott Taylor, LLA, AICP, PP, LEEP, AP and Vice President of Taylor Design Group, and Taylor Design Group, is experienced and capable of providing the necessary planning and architectural services needed by the Planning Board of the Borough of Wildwood Crest and has submitted all required documents:

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

Account Number(s) _____ Amount _____ Signature _____

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

1. The above recital paragraphs are incorporated herein as if set forth at length.
2. That the Mayor and Borough Clerk are hereby authorized and empowered to execute the attached agreement effective immediately through December 31, 2023, Taylor Design Group and Scott Taylor, Vice President of Taylor Design Group, who shall be compensated pursuant to attached proposal, but in no case shall the compensation exceed Nine Thousand Five Hundred (\$9,500.00) Dollars.
3. The award of this contract is contingent upon compliance with the New Jersey Pay to Play Law as set forth in N.J.S.A. 19:44A-1; production of the Business Entity Disclosure Certificate, Affirmative Action Compliance Notice, New Jersey Certificate of Employee Information Report, New Jersey Business Registration Certificate and proof of insurance as required in the contract and certification from the Chief Financial Officer as to the availability of funds; a copy of these documents shall be kept on file in the office of the Borough Clerk.
4. That a Notice of Award shall be published in *The Herald of Cape May County* as required by law within ten (10) days of passage of this Resolution, which notice shall state that this Resolution and the contract are on file and available for public inspection in the office of the Borough Clerk.

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. 23-24

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING A PROFESSIONAL SERVICES CONTRACT WITH BFJ PLANNING FOR AFFORDABLE HOUSING PLANNER AND ADMINISTRATIVE AGENT FOR CY 2023 AT THE NTE SUM OF \$15,500

WHEREAS, there exists the need for the “Professional Services” of a “Professional Planner”, to be retained by the Borough for the performance of affordable housing planning services and to be the Administrative Agent to assist the Borough in the process of addressing its Third Round affordable housing obligation as directed by the authorized representatives of the Borough of Wildwood Crest, all as more specifically set forth in the attached Agreement which is made a part hereof by reference as if fully set forth; and

WHEREAS, BFJ Planning has obtained a detailed knowledge of the Borough of Wildwood Crest through our affordable housing services to the Borough, and BFJ’s Planning Department has substantial experience in providing affordable housing administration services for various municipalities throughout the State of New Jersey, including the Township of Barnegat, Township of Middle, Borough of Monmouth Beach, Township of Galloway and the Township of Lacey; and

WHEREAS, BFJ Planning’ combination of local knowledge and experience uniquely qualifies BFJ to provide the Affordable Housing Administration Services for the Borough; and

WHEREAS, BFJ’s Planning Department consists of New Jersey licensed Professional Planners accredited by the American Institute of Certified Planners and certified Administrative Agents; and

WHEREAS, the Commissioners of the Borough of Wildwood Crest desire to retain the services of BFJ Planning to provide the above referenced professional services to the Borough; and

WHEREAS, under the Local Public Contracts Law, N.J.S.A. 40A:11-1, et. seq., the subject contract would be a contract for professional services because:

1. Professional services of the type herein sought are of such a nature as to require a high degree of trust and confidence in the individual providing the service and may require the creation of a confidential or fiduciary relationship between that individual and the Borough;
2. The services required are highly specialized or technical in nature;
3. The services require peculiar ability and skill, and demand a high degree of specialized knowledge or expertise;
4. The services are such that their relative worth must be judged by subjective considerations that are not susceptible of valuation by competitive bidding;
5. The individual or entity who will provide these services has demonstrated competence and particular expertise in the services required;

6. The individual or entity who will perform these services is held to and fully adheres to the strict ethical standards that govern the involved profession;

7. The services include advise to and consultation with the municipality that require both knowledge and judgment on the part of the individual or entity providing services, as well as the confidence of the municipal officials, such that competitive bidding is not feasible or practical;

8. The services to be provided are such that their nature, scope and duration are not capable of precise measurement, but rather require a flexibility and discretion that render competitive bidding impractical and inefficient; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq., requires that the resolution authorizing the award of contracts for “Professional Services” without competitive bids must be publicly advertised, and

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

Account Number(s) _____ Amount _____ Signature _____

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

1. The above recital paragraphs are incorporated herein as if set forth at length.
2. That the Mayor and Borough Clerk be and they are hereby authorized, instructed, and empowered to execute the attached agreement with BFJ Planning, who shall be compensated by voucher at the agreed upon rates, **not to exceed Fifteen Thousand Five Hundred (\$15,500.00) Dollars** contingent upon certification below from the Chief Financial Officer as to the availability of funds, and whose rate/fee structure are contained in the aforesaid Agreement and said “Independent Contractor” shall be required to comply with this Resolution, and the attached Agreement. Said Professional Planner is further required to comply with all other conditions/provisions of law or regulation applicable to a “Professional Services Contractor,” including but not limited to procuring/maintaining sufficient insurance coverages necessary to fully protect the interests of the Borough in each and every instance relative to performance under this contract.
3. The award of this contract is contingent upon compliance with the New Jersey Pay to Play Law as set forth in N.J.S.A. 19:44A-1; production of the Business Entity Disclosure Certificate, Affirmative Action Compliance Notice, New Jersey Certificate of Employee Information Report, New Jersey Business Registration Certificate and proof of insurance as required in the contract and certification from the Chief Financial Officer as to the availability of funds; a copy of the these documents shall be kept on file in the office of the Borough Clerk.
4. That a Notice of Award shall be published in *The Herald of Cape May County* as required by law within ten (10) days of passage of this Resolution, which notice shall state that this Resolution and the contract are on file and available for public inspection in the office of the Borough Clerk.

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. 23-25

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING A PROFESSIONAL SERVICES CONTRACT WITH J. BYRNE AGENCY AS RISK MANAGEMENT CONSULTANT – ATLANTIC COUNTY MUNICIPAL JOINT INSURANCE FUND FOR CY2023

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey, has resolved to join Atlantic County Municipal Joint Insurance Fund, a self insurance pooling fund, following a detailed analysis; and

WHEREAS, the by-laws of said Fund require that each municipality appoint a RISK MANAGEMENT CONSULTANT to perform various professional services as detailed in the by-laws as well as other “insurance broker of record duties”, including but not limited to the authorized placement of independent statutory bonds, flood and health insurance policies; and

WHEREAS, the by-laws indicate a fee not to exceed six (6%) percent of the municipal assessment, which expenditure represents reasonable compensation for the services required and was included in the cost considered by the Board of Commissioners; and

WHEREAS, the judgmental nature of the RISK MANAGEMENT CONSULTANT’s duties renders comparative bidding impractical; and

WHEREAS, the Commissioner of Revenue and Finance has determined that J. BYRNE AGENCY is best qualified to provide the services specified herein; and

WHEREAS, said award of Professional Services Contract is in excess of \$17,500.00 and, on this basis, is subject to the provisions of N.J.S.A. 19:44A-20.4, et. seq. (a/k/a Local Unit Pay-To-Play Law); and

WHEREAS, **J. BYRNE AGENCY** has completed and submitted a Business Entity Disclosure Certification which certifies that said firm has not made and will not make any reportable contributions pursuant to N.J.S.A. 19:44A-1, et. seq., that, pursuant to P.L. 2004, c. 19, would bar the award of this contract in the one-year period preceding January 1, 2023 to any political committee or candidate of which any member of the governing body is otherwise affiliated.

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. J. BYRNE AGENCY is hereby appointed as its RISK MANAGEMENT CONSULTANT AND INSURANCE BROKER OF RECORD for the period commencing January 1, 2023 and terminating effective December 31, 2023 at the rate of compensation equal to **FIVE PERCENT (5%)** of the Borough's annual assessment; all of which is contingent upon adequate budgetary provision being made by the governing body in fiscal year 2023, is in accordance with the full provisions of the Consultant's Agreement, and the provisions of N.J.S.A. 40A:11-5.

2. The award of this contract is contingent upon compliance with the New Jersey Pay to Play Law as set forth in N.J.S.A. 19:44A-1; production of the Business Entity Disclosure Certificate, Affirmative Action Compliance Notice, New Jersey Certificate of Employee Information Report, New Jersey Business Registration Certificate and proof of insurance as required in the contract and certification from the Chief Financial Officer as to the availability of funds; a copy of these documents on file and available for public inspection in the office of the Borough Clerk.

3. The Mayor and Borough Clerk are hereby authorized and empowered to execute the Consultant's Agreement annexed hereto, which agreement is made a part hereof by reference as if fully set forth.

4. That a Notice of Award shall be published in *The Herald of Cape May County* as required by law within ten (10) days of passage of this Resolution, which notice shall state that this Resolution and the contract are on file and available for public inspection in the office of the Borough Clerk.

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. 23-26

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING A PROFESSIONAL SERVICES CONTRACT WITH PHOENIX ADVISORS AS SEC CONTINUING DISCLOSURE SPECIALIST FOR CY2023

WHEREAS, there exists the need for the "Professional Services" of an **SEC CONTINUING DISCLOSURE SPECIALIST**, to be retained by the Borough for the performance of SEC Continuing Disclosure work and related duties associated therewith as directed by the authorized representatives of the Borough of Wildwood Crest, all as more specifically set forth in the attached Agreement which is made a part hereof by reference as if fully set forth; and

WHEREAS, this contract is awarded without competitive bidding in accordance with the provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-1, et. seq. as an authorized exception to the public bidding as a Professional Services Contract; and

WHEREAS, under the Local Public Contracts Law, N.J.S.A. 40A:11-1, et. seq., the subject contract would be a contract for professional services because:

1. Professional services of the type herein sought are of such a nature as to require a high degree of trust and confidence in the individual providing the service and may require the creation of a confidential or fiduciary relationship between that individual and the Borough;

2. The services required are highly specialized or technical in nature;

3. The services require peculiar ability and skill, and demand a high degree of specialized knowledge or expertise;

4. The services are such that their relative worth must be judged by subjective considerations that are not susceptible of valuation by competitive bidding;

5. The individual or entity who will provide these services has demonstrated competence and particular expertise in the services required;

6. The individual or entity who will perform these services is held to and fully adheres to the strict ethical standards that govern the involved profession;

7. The services include advise to and consultation with the municipality that require both knowledge and judgment on the part of the individual or entity providing services, as well as the confidence of the municipal officials, such that competitive bidding is not feasible or practical;

8. The services to be provided are such that their nature, scope and duration are not capable of precise measurement, but rather require a flexibility and discretion that render competitive bidding impractical and inefficient; and

WHEREAS, all work required of **PHOENIX ADVISORS, LLC**, under contract dated **January 4, 2022** has been completed; and

WHEREAS, **PHOENIX ADVISORS, LLC**, has completed and submitted a Business Entity Disclosure Certification which certifies that **Phoenix Advisors, LLC**, will not make any reportable contributions pursuant to N.J.S.A. 19:44A-1 commencing January 1, 2023 to any political committee or candidate through the term of this contract; and

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

Account Number(s) _____ Amount _____ Signature _____

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

1. The above recital paragraphs are incorporated herein as if set forth at length.
2. That the Mayor and Borough Clerk are hereby authorized and empowered to execute the attached agreement with **PHOENIX ADVISORS, LLC**, who shall be compensated by voucher at the agreed upon rates, contingent upon certification from the Chief Financial Officer as to the availability of funds at a **not to exceed amount of \$3,000**, and whose rate/fee structure are contained in the aforesaid Agreement and said "Independent Contractor" shall be required to comply with this Resolution, and the attached Agreement. Said Auditor is further required to comply with all other conditions/provisions of law or regulation applicable to a "Professional Services Contractor," including but not limited to procuring/maintaining sufficient insurance coverages necessary to fully protect the interests of the Borough in each and every instance relative to performance under this contract.
3. The award of this contract is contingent upon compliance with the New Jersey Pay to Play Law as set forth in N.J.S.A. 19:44A-1; production of the Business Entity Disclosure Certificate, Affirmative Action Compliance Notice, New Jersey Certificate of Employee Information Report, New Jersey Business Registration Certificate and proof of insurance as required in the contract and certification from the Chief Financial Officer as to the availability of funds; a copy of these documents shall be kept on file in the office of the Borough Clerk.
5. That a Notice of Award shall be published in *The Herald of Cape May County* as required by law within ten (10) days of passage of this Resolution, which notice shall state that this Resolution and the contract are on file and available for public inspection in the office of the Borough Clerk.

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. 23-27

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING AWARD OF SPECIAL SERVICE CONTRACT FOR CONFLICT SPECIAL LABOR COUNSEL TO MICHAEL TESTA OF TESTA HECK TESTA & WHITE FOR CY2023

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest has determined that there exists the need for a Conflict Labor Counsel for the Borough of Wildwood Crest, and

WHEREAS, this contract is awarded without competitive bidding in accordance with the provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-1, et. seq. as an authorized exception to the public bidding as a Professional Services Contract; and

WHEREAS, under the Local Public Contracts Law, N.J.S.A. 40A:11-1, et. seq., the subject contract would be a contract for professional services because:

1. Professional services of the type herein sought are of such a nature as to require a high degree to trust and confidence in the individual providing the service and may require the creation of a confidential or fiduciary relationship between that individual and the Borough;
2. The services required are highly specialized or technical in nature;
3. The services require peculiar ability and skill, and demand a high degree of specialized knowledge or expertise;

4. The services are such that their relative worth must be judged by subjective considerations that are not susceptible of valuation by competitive bidding;

5. The individual or entity who will provide these services has demonstrated competence and particular expertise in the services required;

6. The individual or entity who will perform these services is held to and fully adheres to the strict ethical standards that govern the involved profession;

7. The services include advise to and consultation with the municipality that require both knowledge and judgment on the part of the individual or entity providing services, as well as the confidence of the municipal officials, such that competitive bidding is not feasible or practical;

8. The services to be provided are such that their nature, scope and duration are not capable of precise measurement, but rather require a flexibility and discretion that render competitive bidding impractical and inefficient; and

WHEREAS, the Commissioners of the Borough of Wildwood Crest desire to appoint Michael Testa, Esquire to serve as special labor counsel to the Borough of Wildwood Crest to handle all legal work necessary and as may be assigned by the Borough to represent the interests of the Borough of Wildwood Crest.

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

Account Number(s) _____ Amount _____ Signature _____

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

1. The above recital paragraphs are incorporated herein as if set forth at length.
2. That a contract for Special Labor Counsel is awarded to Michael Testa, Esquire.
3. The award of this contract is contingent upon compliance with the New Jersey Pay to Play Law as set forth in N.J.S.A. 19:44A-1; production of the Business Entity Disclosure Certificate, Affirmative Action Compliance Notice, New Jersey Certificate of Employee Information Report, New Jersey Business Registration Certificate and proof of insurance as required in the contract and certification from the Chief Financial Officer as to the availability of funds; a copy of these documents shall be kept on file in the office of the Borough Clerk.
4. That the Mayor and Borough Clerk are hereby authorized and empowered to enter into a contract effective immediately through December 31, 2023, with Michael Testa, Esquire, who shall be compensated at the billable rate of \$160.00 per hour not to exceed \$2,500.00.
5. That a Notice of Award shall be published in *The Herald of Cape May County* as required by law within ten (10) days of passage of this Resolution, which notice shall state that this Resolution and the contract are on file and available for public inspection in the office of the Borough Clerk.

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. 23-28

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING AWARD OF PROFESSIONAL SERVICE CONTRACT TO AVERY TEITLER AS CONFLICT SOLICITOR FOR THE BOROUGH OF WILDWOOD CREST PLANNING BOARD FOR CY 2023 AT NTE SUM \$9,500

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest has determined that there exists the need for a “Professional Services” Conflict Solicitor for the Borough of Wildwood Crest Planning Board, and

WHEREAS, this contract is awarded without competitive bidding in accordance with the provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-1, et. seq. as an authorized exception to the public bidding as a Professional Services Contract; and

WHEREAS, under the Local Public Contracts Law, N.J.S.A. 40A:11-1, et. seq., the subject contract would be a contract for professional services because:

1. Professional services of the type herein sought are of such a nature as to require a high degree of trust and confidence in the individual providing the service and may require the creation of a confidential or fiduciary relationship between that individual and the Borough;
2. The services required are highly specialized or technical in nature;

3. The services require peculiar ability and skill, and demand a high degree of specialized knowledge or expertise;

4. The services are such that their relative worth must be judged by subjective considerations that are not susceptible of valuation by competitive bidding;

5. The individual or entity who will provide these services has demonstrated competence and particular expertise in the services required;

6. The individual or entity who will perform these services is held to and fully adheres to the strict ethical standards that govern the involved profession;

7. The services include advise to and consultation with the municipality that require both knowledge and judgment on the part of the individual or entity providing services, as well as the confidence of the municipal officials, such that competitive bidding is not feasible or practical;

8. The services to be provided are such that their nature, scope and duration are not capable of precise measurement, but rather require a flexibility and discretion that render competitive bidding impractical and inefficient; and

WHEREAS, the Commissioners of the Borough of Wildwood Crest desire to appoint Avery Teitler to serve as the Conflict Counsel for the Planning Board to handle all legal work necessary and as may be assigned by the Planning Board or Board of Commissioners to represent the interests of the Borough of Wildwood Crest; and

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

Account Number(s) _____ Amount _____ Signature _____

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

1. The above recital paragraphs are incorporated herein as if set forth at length.
2. That a contract for conflict Planning Board is awarded to Avery Teitler, Esquire.
3. The award of this contract is contingent upon compliance with the New Jersey Pay to Play Law as set forth in N.J.S.A. 19:44A-1; production of the Business Entity Disclosure Certificate, Affirmative Action Compliance Notice, New Jersey Certificate of Employee Information Report, New Jersey Business Registration Certificate and proof of insurance as required in the contract and certification from the Chief Financial Officer as to the availability of funds; a copy of these documents shall be kept on file in the office of the Borough Clerk.
4. That the Mayor and Borough Clerk are hereby authorized and empowered to enter into a contract effective immediately through December 31, 2023, Avery Teitler, who shall be compensated pursuant to attached agreement, at the billable rate of \$160.00 per hour not to exceed \$9,500.00.
5. That a Notice of Award shall be published in *The Herald of Cape May County* as required by law within ten (10) days of passage of this Resolution, which notice shall state that this Resolution and the contract are on file and available for public inspection in the office of the Borough Clerk.

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. 23-29

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING A PROFESSIONAL SERVICES CONTRACT WITH ROBERT BELASCO FOR LEGAL SERVICES FOR THE PLANNING BOARD FOR CY2023 AT NTE SUM \$25,000

WHEREAS, there exists the need for “Professional Services” for a Solicitor for the Borough of Wildwood Crest Planning Board and

WHEREAS, Robert T. Belasco, of Stefankiewicz & Belasco, LLC, is authorized to provide such services and upon recommendation by the Planning Board to be re-appointed as Solicitor at their Re-Org meeting, which will be held on January 5, 2023; and

WHEREAS, this contract is awarded without competitive bidding in accordance with the provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-1, et. seq. as an authorized exception to the public bidding as a Professional Services Contract; and

WHEREAS, under the Local Public Contracts Law, N.J.S.A. 40A:11-1, et. seq., the subject contract would be a contract for professional services because:

1. Professional services of the type herein sought are of such a nature as to require a high degree to trust and confidence in the individual providing the service and may require the creation of a confidential or fiduciary relationship between that individual and the Borough;
2. The services required are highly specialized or technical in nature;
3. The services require peculiar ability and skill, and demand a high degree of specialized knowledge or expertise;
4. The services are such that their relative worth must be judged by subjective considerations that are not susceptible of valuation by competitive bidding;
5. The individual or entity who will provide these services has demonstrated competence and particular expertise in the services required;
6. The individual or entity who will perform these services is held to and fully adheres to the strict ethical standards that govern the involved profession;
7. The services include advise to and consultation with the municipality that require both knowledge and judgment on the part of the individual or entity providing services, as well as the confidence of the municipal officials, such that competitive bidding is not feasible or practical;
8. The services to be provided are such that their nature, scope and duration are not capable of precise measurement, but rather require a flexibility and discretion that render competitive bidding impractical and inefficient; and

WHEREAS, the Commissioners of the Borough of Wildwood Crest concur with the Planning Board's recommendation to re-appoint Robert Belasco to serve as the Solicitor for both the Planning Board for the calendar year of 2023; and

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

Account Number(s) _____ Amount _____ Signature _____

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

1. The above recital paragraphs are incorporated herein as if set forth at length.
2. That a contract for Planning Board Solicitor is awarded to Robert T. Belasco, Esquire, of Stefankiewicz & Belasco, LLC.
3. The award of this contract is contingent upon compliance with the New Jersey Pay to Play Law as set forth in N.J.S.A. 19:44A-1; production of the Business Entity Disclosure Certificate, Affirmative Action Compliance Notice, New Jersey Certificate of Employee Information Report, New Jersey Business Registration Certificate and proof of insurance as required in the contract and certification from the Chief Financial Officer as to the availability of funds; a copy of these documents shall be kept on file in the office of the Borough Clerk.
4. That the Mayor and Borough Clerk are hereby authorized and empowered to execute the attached agreement effective immediately through December 31, 2023, with Robert T. Belasco of Stefankiewicz & Belasco, LLC, who shall be compensated pursuant to attached contract, not to exceed Twenty-Five Thousand Dollars.
5. That a Notice of Award shall be published in *The Herald of Cape May County* as required by law within ten (10) days of passage of this Resolution, which notice shall state that this Resolution and the contract are on file and available for public inspection in the office of the Borough Clerk.

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

Vote: Schiff - YES Franco – ABSTAIN Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 23-30

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING AWARD OF CONTRACT TO SQUARE 1 DESIGN FOR WEBSITE HOSTING MANAGEMENT AND CONSULTATION AT NTE SUM OF \$6,300 FOR CY 2023

WHEREAS, there exists the need for the “Extraordinary Unspecifiable Services” of Website Hosting Management and Consultation to be retained by the Borough of Wildwood Crest; and

WHEREAS, the Contract is awarded without competitive bidding as a “Extraordinary Unspecifiable Service” under the provisions of the Local Public Contracts Law pursuant to N.J.S.A. 40A:11-5 which states that no local unit shall be required to advertise for bids for services which are of such a qualitative nature as will not reasonably permit the drawing of specifications or the receipt of competitive bids, all of which classification the aforesaid contract falls within; and

WHEREAS, the Commissioners of the Borough of Wildwood Crest concur with the Review Committee’s recommendation awarding the contract to Square 1 Design for the website hosting management and consultation contract as mentioned herein; and

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

Account Number(s) _____ Amount _____ Signature _____

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

1. The above recital paragraphs are incorporated herein as if set forth at length.
2. That the contract for the Borough of Wildwood Crest website design and maintenance is hereby awarded to Square 1 Design.
3. The award of this contract is contingent upon compliance with the New Jersey Pay to Play Law as set forth in N.J.S.A. 19:44A-1; production of the Business Entity Disclosure Certificate, Affirmative Action Compliance Notice, New Jersey Certificate of Employee Information Report, New Jersey Business Registration Certificate and proof of insurance as required in the contract and certification from the Chief Financial Officer as to the availability of funds; a copy of these documents shall be kept on file in the office of the Borough Clerk
4. That the Mayor and Borough Clerk are hereby authorized and empowered to enter into a contract effective immediately through December 31, 2023, with Square 1 Design, who shall be compensated in an amount not to exceed \$6,300.00.
5. That a Notice of Award shall be published in *The Herald of Cape May County* as required by law within ten (10) days of passage of this Resolution, which notice shall state that this Resolution and the contract are on file and available for public inspection in the office of the Borough Clerk.

Mr. Schiff motions, and Mr. Cabrera seconds that the foregoing resolution be adopted.
Vote: Schiff - YES Franco – ABSTAIN Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 23-31
RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING AWARD OF CONTRACT TO TAG CONSULTING GROUP AS COST REPORTING & REIMBURSEMENT SPECIALIST FOR PREPARATION OF 2022 FIXED ASSETS ACCOUNTING AT NTE SUM OF \$2,000 PERTAINING TO CY 2023

WHEREAS, there exists the need for a **COST REPORTING AND REIMBURSEMENT SPECIALIST** to be retained by the Borough for the performance of preparation of fixed assets and inventory and reporting system and related duties associated therewith, as directed by the authorized representatives of the Borough of Wildwood Crest, all as more specifically set forth in the attached Agreement which is made a part hereof by reference as if fully set forth; and

WHEREAS, TAG CONSULTING GROUP has completed and submitted a Business Entity Disclosure Certification which certifies that TAG CONSULTING GROUP will not make any reportable contributions pursuant to N.J.S.A. 19:44A-1 commencing January 1, 2023 to any political committee or candidate through the term of this contract, December 31, 2023; and

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

Account Number (s) _____ Amount _____ Signature _____

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

1. The above recital paragraphs are incorporated herein as if set forth at length.

2. The Mayor and Borough Clerk are hereby authorized and empowered to enter into the attached agreement with TAG CONSULTING GROUP who shall be compensated by voucher at the not to exceed sum of **\$2,000.00**.

3. The award of this contract is contingent upon compliance with the New Jersey Pay to Play Law as set forth in N.J.S.A. 19:44A-1; production of the Business Entity Disclosure Certificate, Affirmative Action Compliance Notice, New Jersey Certificate of Employee Information Report, New Jersey Business Registration Certificate and proof of insurance as required in the contract and certification from the Chief Financial Officer as to the availability of funds; a copy of these documents shall be kept on file in the office of the Borough Clerk.

4. That a Notice of Award shall be published in *The Herald of Cape May County* as required by law within ten (10) days of passage of this Resolution, which notice shall state that this Resolution and the contract are on file and available for public inspection in the office of the Borough Clerk.

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. 23-32

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING AWARD OF CONTRACT TO POGUE SAFETY & HEALTH CONSORTIUM FOR ALCOHOL AND DRUG TRAINING/TESTING FOR CDL OPERATORS FOR CY 2023

WHEREAS by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey, that an agreement with POGUE SAFETY & HEALTH CONSORTIUM is hereby authorized and approved effective immediately and through December 31, 2023, for the express purpose of enabling POGUE SAFETY & HEALTH CONSORTIUM to develop, schedule, and provide alcohol and drug testing services at a total cost of Fifty-Eight (\$58.00) Dollars per employee trained, **Not to exceed \$6,000.00, (Pre-employment testing at \$75.00 Per; Post-Accident and Reasonable Suspicion testing at \$200 Per; Return to duty and follow-up testing at \$150.00 per)** as set forth in the Proposal dated December 30, 2020 remains in effect for 2023 for all CDL (Commercial Driver's License) operators employed by the Borough of Wildwood Crest; said compliance being required by the federally mandated CDL testing procedures which are made a part hereof by reference as if fully set forth.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and the Municipal Clerk are hereby authorized, instructed, and empowered to execute and attest to any and all documents, including the "Provider Agreement," necessary to effectuate the award of this agreement; all of which is fully approved subject to the certification of availability of funds from the CFO upon submission of individual invoices.

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. 23-33

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING AWARD OF PROFESSIONAL SERVICE CONTRACT WITH JAMES MALEY OF MALEY GIVENS FOR SPECIAL COUNSEL FOR LAND USE REDEVELOPMENT FOR CY2023 AT THE NTE SUM OF \$15,000

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest has determined that there exists the need for a Special Counsel for Land Use Redevelopment for the Borough of Wildwood Crest, and

WHEREAS, this contract is awarded without competitive bidding in accordance with the provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-1, et. seq. as an authorized exception to the public bidding as a Professional Services Contract; and

WHEREAS, under the Local Public Contracts Law, N.J.S.A. 40A:11-1, et. seq., the subject contract would be a contract for professional services because:

1. Professional services of the type herein sought are of such a nature as to require a high degree of trust and confidence in the individual providing the service and may require the creation of a confidential or fiduciary relationship between that individual and the Borough;

2. The services required are highly specialized or technical in nature;

3. The services require peculiar ability and skill, and demand a high degree of specialized knowledge or expertise;

4. The services are such that their relative worth must be judged by subjective considerations that are not susceptible of valuation by competitive bidding;

5. The individual or entity who will provide these services has demonstrated competence and particular expertise in the services required;

6. The individual or entity who will perform these services is held to and fully adheres to the strict ethical standards that govern the involved profession;

7. The services include advise to and consultation with the municipality that require both knowledge and judgment on the part of the individual or entity providing services, as well as the confidence of the municipal officials, such that competitive bidding is not feasible or practical;

8. The services to be provided are such that their nature, scope and duration are not capable of precise measurement, but rather require a flexibility and discretion that render competitive bidding impractical and inefficient; and

WHEREAS, the Commissioners of the Borough of Wildwood Crest desire to appoint M. James Maley of Maley Givens, a Professional Corporation, to serve as special counsel to the Borough of Wildwood Crest to handle all legal work necessary and as may be assigned by the Borough to represent the interests of the Borough of Wildwood Crest.

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

Account Number(s) _____ Amount _____ Signature _____

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

1. The above recital paragraphs are incorporated herein as if set forth at length.
2. That a contract for Special Counsel is awarded to M. James Maley of Maley Givens, a Professional Corporation.
3. The award of this contract is contingent upon compliance with the New Jersey Pay to Play Law as set forth in N.J.S.A. 19:44A-1; production of the Business Entity Disclosure Certificate, Affirmative Action Compliance Notice, New Jersey Certificate of Employee Information Report, New Jersey Business Registration Certificate and proof of insurance as required in the contract and certification from the Chief Financial Officer as to the availability of funds; a copy of these documents shall be kept on file in the office of the Borough Clerk.
4. That the Mayor and Borough Clerk are hereby authorized and empowered to enter into a contract effective immediately through March 8, 2023, with M. James Maley of Maley Givens, a Professional Corporation, who shall be compensated at the not to exceed sum of \$15,000.00.
5. That a Notice of Award shall be published in *The Herald of Cape May County* as required by law within ten (10) days of passage of this Resolution, which notice shall state that this Resolution and the contract are on file and available for public inspection in the office of the Borough Clerk.

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. 23-34

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING A CONTRACT WITH TRIAD ASSOCIATES FOR CONSULTING AND APPLICATION SERVICES FOR FUNDING OPPORTUNITIES FOR CY2023

WHEREAS, there exists the need for the “Services” of a firm to be retained by the Borough for the performance of Community and Economic Development Services and related duties associated therewith as directed by the authorized representatives of the Borough of Wildwood Crest, all as more specifically set forth in the attached Agreement which is made a part hereof by reference as if fully set forth; and

WHEREAS, **TRIAD ASSOCIATES** has completed and submitted a Business Entity Disclosure Certification which certifies that **TRIAD ASSOCIATES** will not make any reportable contributions pursuant to N.J.S.A. 19:44A-1 commencing January 1, 2023 to any political committee or candidate through the term of this contract. Said term shall expire December 31, 2023; and

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

Account Number(s) _____ Amount _____ Signature _____

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

1. The above recital paragraphs are incorporated herein as if set forth at length.

2. That the Mayor and Borough Clerk be and they are hereby authorized, instructed, and empowered to execute the attached agreement with **TRIAD ASSOCIATES**, who shall be compensated by voucher at the agreed upon hourly rates, **not to exceed \$5,000**, contingent upon certification from the Chief Financial Officer as to the availability of funds, and whose rate/fee structure are contained in the aforesaid Agreement and said "Independent Contractor" shall be required to comply with this Resolution, and the attached Agreement. Said **TRIAD ASSOCIATES** is further required to comply with all other conditions/provisions of law or regulation applicable to a "Contractor," including but not limited to procuring/maintaining sufficient insurance coverages necessary to fully protect the interests of the Borough in each and every instance relative to performance under this contract.

3. The award of this contract is contingent upon compliance with the New Jersey Pay to Play Law as set forth in N.J.S.A. 19:44A-1; production of the Business Entity Disclosure Certificate, Affirmative Action Compliance Notice, New Jersey Certificate of Employee Information Report, New Jersey Business Registration Certificate and proof of insurance as required in the contract and certification from the Chief Financial Officer as to the availability of funds; a copy of these documents shall be kept on file in the office of the Borough Clerk.

4. That a Notice of Award shall be published in *The Herald of Cape May County* as required by law within ten (10) days of passage of this Resolution, which notice shall state that this Resolution and the contract are on file and available for public inspection in the office of the Borough Clerk.

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. 23-35

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING THE APPOINTMENT OF STEVEN MORRIS, ESQUIRE, AS CONFLICT MUNICIPAL PROSECUTOR FOR THE BOROUGH OF WILDWOOD CREST FOR CY 2023

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest desires to appoint Steven Morris, Esquire, as Conflict Municipal Prosecutor for CY2023 per Superior Court of New Jersey's requirements for a Shared Court; and

WHEREAS, the Borough of Wildwood Crest and the City of North Wildwood entered into a Shared Services Agreement for Municipal Court Services on September 18, 2018 for a period commencing January 1, 2019 through December 31, 2023; and

WHEREAS, said agreement stipulates the City of North Wildwood hereby agrees to provide, at its costs and expense, all usual and ordinary judicial and administrative services to Wildwood Crest including the physical court facilities, the services of the North Wildwood Municipal Court Judge, Municipal Prosecutor, Municipal Public Defender, and other court staffing and equipment, as required by statute and by the Supreme Court of New Jersey, for so long as the agreement remains in effect; and

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 Steven Morris, Esquire, be and is hereby appointed as the Conflict Municipal Prosecutor of the Borough of Wildwood Crest in accordance with and pursuant Superior Court of New Jersey's requirements for a Court for a term expiring December 31, 2023.

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. 23-36

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING THE APPOINTMENT OF ERIC GARRABRANT, ESQUIRE, AS CONFLICT MUNICIPAL PUBLIC DEFENDER FOR THE BOROUGH OF WILDWOOD CREST FOR CY 2023

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest desires to appoint Eric Garrabrant, Esquire, as Conflict Municipal Public Defender for CY2023 per Superior Court of New Jersey's requirements for a Shared Court; and

WHEREAS, the Borough of Wildwood Crest and the City of North Wildwood entered into a Shared Services Agreement for Municipal Court Services on September 18, 2018 for a period commencing January 1, 2019 through December 31, 2023; and

WHEREAS, said agreement stipulates the City of North Wildwood hereby agrees to provide, at its costs and expense, all usual and ordinary judicial and administrative services to Wildwood Crest including the physical court facilities, the services of the North Wildwood Municipal Court Judge, Municipal Prosecutor, Municipal Public

Defender, and other court staffing and equipment, as required by statute and by the Supreme Court of New Jersey, for so long as the agreement remains in effect.

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 Eric Garrabrant, Esquire, be and is hereby appointed as the Conflict Municipal Public Defender of the Borough of Wildwood Crest in accordance with and pursuant Superior Court of New Jersey's requirements for a Court for a term expiring December 31, 2023.

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. 23-37

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING A PROFESSIONAL SERVICES CONTRACT WITH CHRISTOPHER WINTER AS A LAW ENFORCEMENT CONSULTANT SPECIALIZING IN POLICE ACCREDITATION AT THE NTE SUM OF \$5,400 FOR CY2023

WHEREAS, the Borough of Wildwood Crest requires the professional services of a Law Enforcement Consultant specializing in police accreditation; and

WHEREAS, it is desired to employ a professional, pursuant to law, who is duly trained, experienced and specialized in the area of police accreditation; and

WHEREAS, this contract is awarded without competitive bidding in accordance with the provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-1, et. seq. as an authorized exception to the public bidding as a Professional Services Contract; and

WHEREAS, under the Local Public Contracts Law, N.J.S.A. 40A:11-1, et. seq., the subject contract would be a contract for professional services because:

1. Professional services of the type herein sought are of such a nature as to require a high degree to trust and confidence in the individual providing the service and may require the creation of a confidential or fiduciary relationship between that individual and the Borough;
2. The services required are highly specialized or technical in nature;
3. The services require peculiar ability and skill, and demand a high degree of specialized knowledge or expertise;
4. The services are such that their relative worth must be judged by subjective considerations that are not susceptible of valuation by competitive bidding;
5. The individual or entity who will provide these services has demonstrated competence and particular expertise in the services required;
6. The individual or entity who will perform these services is held to and fully adheres to the strict ethical standards that govern the involved profession;
7. The services include advise to and consultation with the municipality that require both knowledge and judgment on the part of the individual or entity providing services, as well as the confidence of the municipal officials, such that competitive bidding is not feasible or practical;
8. The services to be provided are such that their nature, scope and duration are not capable of precise measurement, but rather require a flexibility and discretion that render competitive bidding impractical and inefficient; and

WHEREAS, the Borough has determined that **Christopher J. Winter, Sr.** is qualified to perform said work and it is desired to enter a professional contract with him for said services pursuant to law, and to provide for the advertising of a notice pursuant to law; and

WHEREAS, **Christopher J. Winter, Sr.** has completed and submitted a Business Entity Disclosure Certification which certifies that Christopher J. Winter, Sr. will not make any reportable contributions pursuant to N.J.S.A. 19:44A-1 commencing January 1, 2021 to any political committee or candidate through the term of this contract; 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. **Christopher J. Winter, Sr.** is hereby retained as Law Enforcement Consultant to provide specialized professional services in the field of Police Accreditation through December 31, 2023. The said professional services to be received shall be “as directed” by the Borough of Wildwood Crest from time to time.
2. The Mayor and Borough Clerk be and they are hereby authorized and empowered to enter into a contract with **Christopher J. Winter, Sr.**, for specialized professional services in the field of police accreditation for a term of the period indicated above, which contract shall provide for payment at the not to exceed rate of **Five thousand four hundred dollars (\$5,400.00)**.
3. The award of this contract is contingent upon compliance with the New Jersey Pay to Play Law as set forth in N.J.S.A. 19:44A-1; production of the Business Entity Disclosure Certificate, Affirmative Action Compliance Notice, New Jersey Certificate of Employee Information Report, New Jersey Business Registration Certificate and proof of insurance as required in the contract and certification from the Chief Financial Officer as to the availability of funds; a copy of these documents shall be kept on file in the office of the Borough Clerk.
4. That a Notice of Award shall be published in *The Herald of Cape May County* as required by law within ten (10) days of passage of this Resolution, which notice shall state that this Resolution and the contract are on file and available for public inspection in the office of the Borough Clerk.

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. 23-38

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING AWARD OF PROFESSIONAL SERVICES CONTRACT FOR SPECIALIZED LEGAL SERVICES TO NEIL YOSKIN AND THE LAW FIRM OF CULLEN AND DYKMAN, LLP AT THE NTE SUM OF \$5,000 FOR CY2023

WHEREAS, the Borough of Wildwood Crest requires the professional services of a law firm specializing in a potential CAFRA litigation case; and

WHEREAS, it is desired to employ a professional, pursuant to law, who is duly trained, experienced and specialized in the area of skilled labor litigation; and

WHEREAS, the Local Public Contracts Law provides for the entering into of a contract for professional services pursuant to R.S.40A:11-5(1)(a), without advertising for competitive bidding; and

WHEREAS, the Borough has determined that **NEIL YOSKIN AND THE LAW FIRM OF CULLEN AND DYKMAN, LLC** are qualified to perform said work and it is desired to enter a professional contract with them for said services pursuant to law, and to provide for the advertising of a notice pursuant to law; and

WHEREAS, under the Local Public Contracts Law, N.J.S.A. 40A:11-1, et. seq., the subject contract would be a contract for professional services because:

1. Professional services of the type herein sought are of such a nature as to require a high degree of trust and confidence in the individual providing the service and may require the creation of a confidential or fiduciary relationship between that individual and the Borough;
2. The services required are highly specialized or technical in nature;
3. The services require peculiar ability and skill, and demand a high degree of specialized knowledge or expertise;
4. The services are such that their relative worth must be judged by subjective considerations that are not susceptible of valuation by competitive bidding;
5. The individual or entity who will provide these services has demonstrated competence and particular expertise in the services required;
6. The individual or entity who will perform these services is held to and fully adheres to the strict ethical standards that govern the involved profession;
7. The services include advise to and consultation with the municipality that require both knowledge and judgment on the part of the individual or entity providing services, as well as the confidence of the municipal officials, such that competitive bidding is not feasible or practical;
8. The services to be provided are such that their nature, scope and duration are not capable of precise measurement, but rather require a flexibility and discretion that render competitive bidding impractical and inefficient; and

WHEREAS, NEIL YOSKIN AND THE LAW FIRM OF CULLEN AND DYKMAN, LLC has completed and submitted a Business Entity Disclosure Certification which certifies that **NEIL YOSKIN AND THE LAW FIRM OF CULLEN AND DYKMAN, LLC** will not make any reportable contributions pursuant to N.J.S.A. 19:44A-1 commencing January 4, 2023 to any political committee or candidate through the term of this contract; 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. **NEIL YOSKIN AND THE LAW FIRM OF CULLEN AND DYKMAN, LLC** is hereby retained as Special Counsel to provide specialized professional services for potential CAFRA litigation for the period ending December 31, 2023.
2. The Mayor and Borough Clerk are hereby authorized and empowered to enter into a contract with **NEIL YOSKIN AND THE LAW FIRM OF CULLEN AND DYKMAN, LLC** for specialized professional services in the field of litigation for a term of the period indicated above, which contract shall provide for payment at the hourly rate of **two hundred sixty five (\$265.00) dollars per hour and not to exceed \$5,000.00.**
3. The award of this contract is contingent upon compliance with the New Jersey Pay to Play Law as set forth in N.J.S.A. 19:44A-1; production of the Business Entity Disclosure Certificate, Affirmative Action Compliance Notice, New Jersey Certificate of Employee Information Report, New Jersey Business Registration Certificate and proof of insurance as required in the contract and certification from the Chief Financial Officer as to the availability of funds; a copy of these documents shall be kept on file in the office of the Borough Clerk.
4. That a Notice of Award shall be published in *The Herald of Cape May County* as required by law within ten (10) days of passage of this Resolution, which notice shall state that this Resolution and the contract are on file and available for public inspection in the office of the Borough Clerk.

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. 23-39

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING A CONTRACT WITH JAMES M. RUTALA ASSOCIATES, LLC FOR CONSULTING AND APPLICATION SERVICES FOR FUNDING OPPORTUNITIES FOR CY2023 AND 2023 FLOOD PREVENTION APPLICATIONS

WHEREAS, there exists the need for the “Services” of a firm to be retained by the Borough for the performance of Community and Economic Development Services and related duties associated therewith as directed by the authorized representatives of the Borough of Wildwood Crest, all as more specifically set forth in the attached Agreement which is made a part hereof by reference as if fully set forth; and

WHEREAS, JAMES M. RUTALA ASSOCIATES, LLC has completed and submitted a Business Entity Disclosure Certification which certifies that **JAMES M. RUTALA ASSOCIATES, LLC** will not make any reportable contributions pursuant to N.J.S.A. 19:44A-1 commencing January 1, 2023 to any political committee or candidate through the term of this contract. Said term shall expire December 31, 2023; and

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

Account Number(s) _____ Amount _____ Signature _____

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

1. The above recital paragraphs are incorporated herein as if set forth at length.
2. That the Mayor and Borough Clerk be and they are hereby authorized, instructed, and empowered to execute the attached agreement with **JAMES M. RUTALA ASSOCIATES, LLC**, who shall be compensated by voucher at the agreed upon hourly rates, **not to exceed \$15,000**, contingent upon certification from the Chief Financial Officer as to the availability of funds, and whose rate/fee structure are contained in the aforesaid Agreement and said “Independent Contractor” shall be required to comply with this Resolution, and the attached Agreement. Said **JAMES M. RUTALA ASSOCIATES, LLC** is further required to comply with all other conditions/provisions of law or regulation applicable to a “Contractor,” including but not limited to procuring/maintaining sufficient insurance coverages necessary to fully protect the interests of the Borough in each and every instance relative to performance under this contract.

3. The award of this contract is contingent upon compliance with the New Jersey Pay to Play Law as set forth in N.J.S.A. 19:44A-1; production of the Business Entity Disclosure Certificate, Affirmative Action Compliance Notice, New Jersey Certificate of Employee Information Report, New Jersey Business Registration Certificate and proof of insurance as required in the contract and certification from the Chief Financial Officer as to the availability of funds; a copy of these documents shall be kept on file in the office of the Borough Clerk.

4. That a Notice of Award shall be published in *The Herald of Cape May County* as required by law within ten (10) days of passage of this Resolution, which notice shall state that this Resolution and the contract are on file and available for public inspection in the office of the Borough Clerk.

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. 23-40

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING AWARD PROFESSIONAL SERVICES CONTRACT TO THE LOMAX GROUP FOR SPECIALIZED ENGINEERING AND ENVIRONMENTAL CONSULTING SERVICES IN CONJUNCTION WITH NEW JERSEY URBAN AND COMMUNITY FORESTRY PROGRAM STREET TREE INVENTORY AT THE NTE SUM OF \$5,000

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest has determined that there exists the need for specialized engineering and environmental consultation services to be provided to the Borough of Wildwood Crest for the Community Forestry Consultation; and

WHEREAS, the Borough Clerk received a proposal from The Lomax Consulting Group dated December 14, 2022 and that proposal was forwarded to a review committee consisting of the Borough Administrator, Constance Mahon, Borough Clerk, Patricia Feketics, Chief Financial Officer, Francine Springer, and Borough Solicitor Ronald J. Gelzunas; and

WHEREAS, the Review Committee has reviewed the proposal submitted by The Lomax Consulting Group and based upon the review criteria, has recommended that the proposal of The Lomax Consulting Group best meets the Borough's needs and that The Lomax Consulting Group has the professional credentials and abilities to perform the services required of the subject contract; and

WHEREAS, under the Local Public Contracts Law, N.J.S.A. 40A:11-1, et. seq., the subject contract would be a contract for professional services because:

1. Professional services of the type herein sought are of such a nature as to require a high degree to trust and confidence in the individual providing the service and may require the creation of a confidential or fiduciary relationship between that individual and the Borough;

2. The services required are highly specialized or technical in nature;

3. The services require peculiar ability and skill, and demand a high degree of specialized knowledge or expertise;

4. The services are such that their relative worth must be judged by subjective considerations that are not susceptible of valuation by competitive bidding;

5. The individual or entity who will provide these services has demonstrated competence and particular expertise in the services required;

6. The individual or entity who will perform these services is held to and fully adheres to the strict ethical standards that govern the involved profession;

7. The services include advise to and consultation with the municipality that require both knowledge and judgment on the part of the individual or entity providing services, as well as the confidence of the municipal officials, such that competitive bidding is not feasible or practical;

8. The services to be provided are such that their nature, scope and duration are not capable of precise measurement, but rather require a flexibility and discretion that render competitive bidding impractical and inefficient; and

WHEREAS, this contract is awarded without competitive bidding in accordance with the provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-1, et. seq. as an authorized exception to the public bidding as a Professional Services Contract; and

WHEREAS, the Commissioners of the Borough of Wildwood Crest concur with the Review Committee's recommendation to award the contract to The Lomax Consulting Group; and

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

Account Number(s) _____ Amount _____ Signature _____

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

1. The above recital paragraphs are incorporated herein as if set forth at length.
2. That the contract for the Environmental Consulting Services – for Green Team Community Forestry Consultation Services be awarded to The Lomax Consulting Group.
3. The award of this contract is contingent upon compliance with the New Jersey Pay to Play Law as set forth in N.J.S.A. 19:44A-1; production of the Business Entity Disclosure Certificate, Affirmative Action Compliance Notice, New Jersey Certificate of Employee Information Report, New Jersey Business Registration Certificate and proof of insurance as required in the contract and certification from the Chief Financial Officer as to the availability of funds.
4. That the Mayor and Borough Clerk are hereby authorized and empowered to enter into a professional services contract effective immediately and not to extend beyond one (1) calendar year, with The Lomax Consulting Group, who shall be compensated pursuant to attached Proposal which is incorporated herein, at the billable rates set forth therein not to exceed \$5,000.00.
5. That a Notice of Award shall be published in *The Herald of Cape May County* as required by law within ten (10) days of passage of this Resolution, which notice shall state that this Resolution and the contract are on file and available for public inspection in the office of the Borough Clerk.

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. 23-41

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING AWARD PROFESSIONAL SERVICES CONTRACT TO THE LOMAX GROUP FOR AS NEEDED ENVIRONMENTAL CONSULTING SERVICES IN CONJUNCTION WITH TWO PROJECTS: COASTAL PERMITTING SUPPORT FOR THE BAYSIDE BULKHEAD REPLACEMENT PROJECT AT THE NTE SUM OF \$21, 345 AND BEACH PATROL BUILDING STORAGE AND CONSTRUCUTION STAGING DURING RENOVATION-FISHING PIER DUNE/ SAND MANAGEMENT AT THE NTE SUM OF \$9,050

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest has determined that there exists the need for as needed environmental consultation services to be provided to the Borough of Wildwood Crest for the coastal permitting support for the Bayside Bulkhead Replacement Project AND Beach Patrol Building Storage and Construction Staging during Renovation – Fishing Pier Dune / Sand Management; and

WHEREAS, the Borough Clerk received Proposal #23-1070.2 for the Bayside Bulkhead Replacement Project from The Lomax Consulting Group dated December 27, 2022 and Proposal # 20-1070 (addendum #3) dated December 27, 2022 that both proposals were forwarded to a review committee consisting of the Borough Administrator, Constance Mahon, Borough Clerk, Patricia Feketics, Chief Financial Officer, Francine Springer, and Borough Solicitor Ronald J. Gelzunas; and

WHEREAS, the Review Committee has reviewed the proposal submitted by The Lomax Consulting Group and based upon the review criteria, has recommended that the proposal of The Lomax Consulting Group best meets the Borough's needs and that The Lomax Consulting Group has the professional credentials and abilities to perform the services required of the subject contract; and

WHEREAS, under the Local Public Contracts Law, N.J.S.A. 40A:11-1, et. seq., the subject contract would be a contract for professional services because:

1. Professional services of the type herein sought are of such a nature as to require a high degree of trust and confidence in the individual providing the service and may require the creation of a confidential or fiduciary relationship between that individual and the Borough;
2. The services required are highly specialized or technical in nature;
3. The services require peculiar ability and skill, and demand a high degree of specialized knowledge or expertise;
4. The services are such that their relative worth must be judged by subjective considerations that are not susceptible of valuation by competitive bidding;
5. The individual or entity who will provide these services has demonstrated competence and particular expertise in the services required;

6. The individual or entity who will perform these services is held to and fully adheres to the strict ethical standards that govern the involved profession;

7. The services include advise to and consultation with the municipality that require both knowledge and judgment on the part of the individual or entity providing services, as well as the confidence of the municipal officials, such that competitive bidding is not feasible or practical;

8. The services to be provided are such that their nature, scope and duration are not capable of precise measurement, but rather require a flexibility and discretion that render competitive bidding impractical and inefficient; and

WHEREAS, this contract is awarded without competitive bidding in accordance with the provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-1, et. seq. as an authorized exception to the public bidding as a Professional Services Contract; and

WHEREAS, the Commissioners of the Borough of Wildwood Crest concur with the Review Committee's recommendation to award the contract to The Lomax Consulting Group; and

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

Account Number(s) _____ Amount _____ Signature _____
Account Number(s) _____ Amount _____ Signature _____

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

1. The above recital paragraphs are incorporated herein as if set forth at length.
2. That the contracts for the Bayside Bulkhead Replacement Project AND Beach Patrol Building Storage and Construction Staging during Renovation – Fishing Pier Dune / Sand Management be awarded to The Lomax Consulting Group.
3. The award of this contract is contingent upon compliance with the New Jersey Pay to Play Law as set forth in N.J.S.A. 19:44A-1; production of the Business Entity Disclosure Certificate, Affirmative Action Compliance Notice, New Jersey Certificate of Employee Information Report, New Jersey Business Registration Certificate and proof of insurance as required in the contract and certification from the Chief Financial Officer as to the availability of funds.
4. That the Mayor and Borough Clerk are hereby authorized and empowered to enter into a professional services contract effective immediately and not to extend beyond one (1) calendar year, with The Lomax Consulting Group, who shall be compensated pursuant to:

-Proposal for Bayside Bulkhead Replacement Project, at the billable rates set forth therein not to exceed \$21,345.00; and

-Proposal for Construction Staging during Renovation – Fishing Pier Dune / Sand Management , at the billable rates set forth therein not to exceed \$9,050.00; and

5. That a Notice of Award shall be published in *The Herald of Cape May County* as required by law within ten (10) days of passage of this Resolution, which notice shall state that this Resolution and the contract are on file and available for public inspection in the office of the Borough Clerk.

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. 23-42

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING CONTRACTS WITH CERTAIN APPROVED STATE AND NATIONAL CONTRACT VENDORS FOR CY2023

WHEREAS, the Borough of Wildwood Crest, pursuant to N.J.S.A. 40A:11-12(a) and N.J.A.C. 5:34-7.29(c), may by Resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any 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 has the need, on a timely basis, to purchase goods or services utilizing New Jersey State and National Contract vendors; and

WHEREAS, the Borough of Wildwood Crest may enter into contractual agreements with the attached referenced State and National Contract Vendors through this Resolution and properly executed contracts/purchase orders, which shall be subject to all the conditions applicable to the current New Jersey Local Public State Contracts

Law.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of the Borough of Wildwood Crest, in the County of Cape May, New Jersey authorizes the Borough Qualified Purchasing Agent to purchase certain goods or services from those approved New Jersey State and National Contract Vendors on the attached list, pursuant to all conditions of the individual State Contracts.

BE IT FURTHER RESOLVED, that the named State Contract vendors and their corresponding numbers may change during the time frame indicated below and that Borough Qualified Purchasing Agent is hereby authorized to make the necessary adjustments to the attached list as may be required for the Borough to continue its routine procurement practices throughout the indicated time frame.

BE IT FURTHER RESOLVED, by the Board of Commissioners of the Borough of Wildwood Crest, pursuant to N.J.A.C. 5:30-5.5(b), that no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order and a certification of availability of funds is made by the Chief Financial Officer.

BE IT FURTHER RESOLVED, that the duration of the contracts between the Borough of Wildwood Crest and the referenced State and National Contract Vendors shall be from January 4, 2023 and continuing through December 31, 2023 or until the expiration of the referenced vendor's New Jersey State Contract, whichever shall occur first.

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. 23-43

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING THE WILDWOOD CREST POLICE DEPARTMENT TO PARTICIPATE IN THE DEFENSE LOGISTICS AGENCY, LAW ENFORCEMENT SUPPORT OFFICE, 1033 PROGRAM TO ENABLE THE WILDWOOD CREST POLICE DEPARTMENT TO REQUEST AND ACQUIRE EXCESS DEPARTMENT OF DEFENSE EQUIPMENT

WHEREAS, the United States Congress authorized the Defense Logistics Agency (DLA) Law Enforcement Support Office (LESO) 1033 Program to make use of excess Department of Defense personal property by making that personal property available to municipal, county and State law enforcement agencies (LEAs); and

WHEREAS, DLA rules mandate that all equipment acquired through the 1033 Program remain under the control of the requesting LEA; and

WHEREAS, participation in the 1033 Program allows municipal and county LEAs to obtain property they might not otherwise be able to afford in order to enhance community preparedness, response, and resiliency; and

WHEREAS, although property is provided through the 1033 Program at no cost to municipal and county LEAs, these entities are responsible for the costs associated with delivery, maintenance, fueling, and upkeep of the property, and for specialized training on the operation of any acquired property; and

WHEREAS, N.J.S.A. 40A:5-30.2 requires that the governing body of the municipality or county approve, by a majority of the full membership, both enrollment in, and the acquisition of any property through, the 1033 Program; and

NOW THEREFORE BE IT RESOLVED by the Commissioners of the Borough of Wildwood Crest that the Wildwood Crest Police Department is hereby authorized to enroll in the 1033 Program for no more than a one-year period, with authorization to participate terminating on December 31 of the current calendar year from January 1, 2023 to December 31, 2023.

BE IT FURTHER RESOLVED that the Wildwood Crest Police Department is hereby authorized to acquire items of non-controlled property designated "DEMIL A," which may include office supplies, office furniture, computers, electronic equipment, generators, field packs, non-military vehicles, clothing, traffic and transit signal systems, exercise equipment, farming and moving equipment, storage devices and containers, tools, medical and first aid equipment and supplies, personal protection equipment and supplies, construction materials, lighting supplies, beds and sleeping mats, wet and cold weather equipment and supplies, respirators, binoculars, and any other supplies or equipment of a non-military nature identified by the LEA, if it shall become available in the period of time for which this resolution authorizes, based on the needs of the Wildwood Crest Police Department, without restriction.

BE IT FURTHER RESOLVED that Wildwood Crest Police Department is hereby authorized to acquire the following "DEMIL B through Q" property, if it shall become available in the period of time for which this resolution authorizes: military vehicles [utility trucks, jeeps, MRAPs, HMMWVs (High Mobility Multi-purpose Wheeled Vehicle), 2.5 ton cargo trucks], military watercraft/boats and military equipment based on the needs of the Wildwood Crest Police Department.

BE IT FURTHER RESOLVED that the Chief of Police of the Wildwood Crest Police Department shall develop and implement a full training plan and policy for the maintenance and use of the acquired property.

BE IT FURTHER RESOLVED that the Wildwood Crest Police Department shall provide a quarterly accounting of all property obtained through the 1033 Program which shall be available to the public upon request.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately and shall be valid to authorize requests to acquire “DEMIL A” property and “DEMIL B through Q” property that may be made available through the 1033 Program during the period of time for which this resolution authorizes; with Program participation and all property request authorization terminating on December 31st of the current calendar year from January 1, 2023 to December 31, 2023.

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. 23-44

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING AN AGREEMENT FOR SHARED SERVICES BETWEEN THE BOROUGH OF WILDWOOD CREST AND THE CITY OF WILDWOOD FOR LITTLE LEAGUE FIELD MAINTENANCE FOR MOREY FIELD & HIGBEE FIELD

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 Borough is the owner of property operated by the Borough as little league baseball fields and used by the City of Wildwood and the Borough of Wildwood Crest known as Morey Field and Higbee Field together with batting cages located thereon (collectively the “Fields”); and

WHEREAS, the Borough of Wildwood Crest and the City of Wildwood desire to enter into a shared services agreement to divide the responsibilities for maintenance of the Fields (the “Services”); and

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest is desirous of ratifying this agreement and authorizing its execution.

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 attached hereto as Exhibit “A”.
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. 23-45

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST RESTATING AND AUTHORIZING AMENDMENT TO PORTION OF RESOLUTION NO. 22-113 WHICH DESIGNATES BOROUGH COMMISSIONERS AS DIRECTORS OF THE VARIOUS BOROUGH DEPARTMENTS AND ASSIGNING THE POWERS AND DUTIES OF EACH DEPARTMENT

WHEREAS, on January 4, 2022, the Board of Commissioners of the Borough of Wildwood Crest authorized Resolution 22-06 designated Borough Commissioners as Directors of the Various Borough Departments and Assigning the Power and Duties of each Department; and

WHEREAS, on February 16, 2022, the Board of Commissioners of the Borough of Wildwood Crest authorized Resolution 22-113 designated Borough Commissioners as Directors of the Various Borough Departments and Assigning the Power and Duties of each Department; and

WHEREAS, the Board of Commissioners desires to amend certain provisions of Resolution 22-06 as set forth herein (added language is underlined, deleted language is ~~stricken~~).

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

SECTION 5. DEPARTMENT OF PUBLIC AFFAIRS AND PUBLIC SAFETY. The Commissioner of Public Affairs and Public Safety shall have charge of supervision and direction over all officers and employees assigned to said department, and the purchase of all vehicles, apparatus and supplies for said department or the officers and departments assigned thereto. He shall have supervision of negotiations of contracts relative to his departments as well as:

- Ambulance Corps
- Animal Control
- Beach Patrol and lifeguards
- Chief of Police and Police Department
- Chief of the Fire Department and all non-volunteer Fire Department Operations
- Code Enforcement
- Public Safety Telecommunications
- Department of Health
- Emergency Management Services
- Fire Official
- Municipal Court
- Municipal Prosecutor
- Public Defender
- Public Safety Maintenance
- State Aid Housing Inspections
- Technology /IT for all Public Safety Departments

He shall serve as Class III member of the Wildwood Crest Planning Board, and shall be the management representative of the Commission for the negotiation of, and if so authorized, execution of all employee contracts, as well as all departmental budgeting.

SECTION 7. DEPARTMENT OF PUBLIC WORKS AND PARKS AND PUBLIC PROPERTY. The Mayor shall be the Commissioner of Public Works and Parks and Public Property and, as such, shall be the President of the Board of Commissioners and shall preside at its meetings, supervise all departments and report to the board for its action all matters requiring the attention of the Board or any department. He shall have the exercise of all powers and perform all the duties provided or prescribed by law or the ordinances of the Borough not in conflict with the provisions of this resolution. He shall, in the absence of the Commissioner of Revenue and Finance, sign all checks and contracts, excluding employment agreements, on behalf of the Borough. He shall have supervision and direction over the negotiation and execution of all employee contracts, purchase of all vehicles, apparatus and supplies for said department and shall have supervision and responsibility for maintenance of:

- Beach Maintenance
- Beach Pier
- Beautification of Public Property
- Borough Calendar
- Borough Engineer
- Clean Communities Program
- Lakefront Dredging
- Legal Matters (Initial Point of Contact)
- Municipal Vehicle Maintenance
- Parks and Grounds
- Playgrounds
- Public Buildings
- Public Property
- Public Relations
- Public Works
- Recreation Commission
- Recreation Department
- Recycling
- Sanitation
- Special Events
- Technology /IT for all NON Public Safety Departments
- Tourism (Inclusive of TDC, GWTIDA, all Borough-sponsored events and all tourism activities, inclusive of entertainment as well as Tourism Information Operations)
- Urban Enterprise Zone
- Weddings
- Wellness Programs

He shall serve as Class I member of the Planning Board and have charge of all utilities; sewer sanitation system and all public buildings shall be assigned to the Department of Public Works and Parks and Public Property.

BE IT FURTHER RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey, that the following amendments shall take effect upon passage of this resolution.

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. 23-46

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING AN AGREEMENT BY AND BETWEEN THE BOROUGH OF WILDWOOD CREST AND CHIEF OF POLICE ROBERT LLOYD

WHEREAS, the Borough of Wildwood Crest and Chief of Police Robert Lloyd have reached an Agreement related to various terms and conditions of Robert Lloyd’s employment as Chief of Police with the Borough; and

WHEREAS, a written Employment Agreement (the “Agreement”) was prepared setting forth the terms and conditions of the agreement between the Borough of Wildwood Crest and Chief Robert Lloyd effective January 1, 2023 through December 31, 2025.

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. The attached Agreement is hereby approved and the Commissioner of Public Safety and Borough Clerk are hereby authorized and empowered to execute the attached Agreement and take all other necessary actions to effectuate the terms and conditions thereof.

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. 23-47

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AMENDING GREEN TEAM RESOLUTION NO. 22-260 ADOPTED ON DECEMBER 28, 2022 TO FILL A VACANCY AND APPOINT CATHY FILERINO

WHEREAS, the Board of Commissioners adopted Resolution No. 22-260 on December 28, 2022, which amended the composition to eleven members to the Wildwood Crest Green Team and designated several new appointments; and

WHEREAS, Gina Vasti has indicated that the meeting times are not conducive to her work schedule and therefore must resign; and

WHEREAS, the Board of Commissioners desires to appoint Cathy Filerino to spot recently vacated by Gina Vasti with a term expiring December 31, 2025.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey that Green Team shall now consist of 13 members and the roster shall be as follows: the following expiration terms.

<u>Appointee</u>	<u>Term to Expire</u>
Colleen Archer	12-31-2023
Patricia McQueen	12-31-2023
AJ Caruso	12-31-2023
Barbara Little	12-31-2023
Kristen DeRogatis-Vassallo	12-31-2024
Darleen Devlin	12-31-2024
Robert Deissroth	12-31-2024
Carmen Cusella	12-31-2024
Constance Anzelone	12-31-2024
Jeanne Marino	12-31-2025
Danielle Corradino	12-31-2025
David Mears	12-31-2025
Cathy Filerino	12-31-2025

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. 23-48

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AMENDING WELLNESS COMMITTEE RESOLUTION (NO. 22-363) ADOPTED ON DECEMBER 28, 2022 TO ALLOW FOR A TOTAL OF FOURTEEN (14) MEMBERS AND AUTHORIZING THE APPOINTMENT OF GINA VASTI

WHEREAS, the Board of Commissioners adopted Resolution No. 71-18 on January 24, 2018 establishing the Wildwood Crest Wellness Committee; and

WHEREAS, Resolution No. 71-18 designated the committee shall be comprised of seven (7) members:
 3- Employees of the Borough of Wildwood Crest
 4- Residents of Borough of Wildwood Crest

WHEREAS, the Board of Commissioners adopted Resolution No. 150-18 on April 11, 2018, which designated the committee shall be comprised of Nine (9) members
 3- Employees of the Borough of Wildwood Crest
 4- Residents of Borough of Wildwood Crest

WHEREAS, it is the desire of the Board of Commissioners of the Borough of Wildwood Crest to increase the member size to 13 members (3- employees; 10- residents); and

WHEREAS, it is the desire of the Board of Commissioners to increase the size to 14 members (3 - employees; 11 -residents); and

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

<u>Appointee</u>	<u>Term to Expire</u>
Employee Nicholas Holland	12-31-2023
Employee Patricia Feketics	12-31-2023
Employee Laura Farrell	12-31-2023
Resident Joseph Cusella	12-31-2023
Resident Shane Moyer	12-31-2023
Resident Marianne Viscomi	12-31-2023
Resident Lacey Bigham	12-31-2023
Resident Lenny Bernstein	12-31-2023
Resident Denise Bannon	12-31-2023
Resident Norma Cordeiro	12-31-2023
Resident William Cordeiro	12-31-2023
Resident Lynn Ferraro	12-31-2023
Resident Sally Young	12-31-2023
Resident Gina Vasti	12-31-2023

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. 23-49

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING THE MAYOR AND BOROUGH CLERK TO SIGN THE FY23 CLEAN FLEET ELECTRIC VEHICLE INCENTIVE PROGRAM APPLICATION

WHEREAS, the Borough of Wildwood Crest desires to apply for and obtain a grant from the STATE OF NEW JERSEY BOARD OF PUBLIC UTILITIES -CLEAN FLEET ELECTRIC VEHICLE INCENTIVE PROGRAM for a LEVEL -TWO CHARGING STATION – FOR TWO PUBLIC CHARGERS and will enter into a grant agreement for said grant if approved.

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 as follows:

- That the Borough of Wildwood Crest does hereby authorize the application for such a grant, and if awarded, will purchase first responder radio for police department.
- That the persons whose names, titles, and signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement, and any other documents necessary in connection therewith:

_____ (SIGNATURE) Don Cabrera	_____ (SIGNATURE) Patricia A. Feketics
_____ (TYPED NAME) Mayor	_____ (TYPED NAME) Municipal Clerk
_____ (TITLE)	_____ (TITLE)

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. 23-50

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING BOROUGH ENGINEER WORK ORDER FOR BEACH STREET END PUBLIC ACCESS IMPRVEMENTS – PHASE 2 – WILDWOOD WATER UTILITY PORTION – AT THE NTE SUM OF \$29,000

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest desires to authorize issuance of a Work Order to the Borough Engineer, Marc DeBlasio and the Firm of DeBlasio & Associates for the **BEACH STREET END PUBLIC ACCESS IMPRVEMENTS – PHASE 2 – WILDWOOD WATER UTILITY PORTION**, for engineering services which are more specifically set forth in the attached Proposal from Marc DeBlasio and the Firm of DeBlasio & Associates, dated **December 14, 2022** which is made a part hereof by reference as if fully set forth at the billable rates set forth in the professional services agreement between Marc DeBlasio and Borough not to exceed **\$29,000.00**; and

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

Account Number(s) _____ Amount _____ Signature _____

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

1. The above recital paragraphs are incorporated herein as if set forth at length.

2. The Mayor and Borough Clerk are hereby authorized and empowered to execute the attached Work Order authorizing MARC DEBLASIO and DEBLASIO & ASSOCIATES to perform the professional engineering services as described in the Proposal which is hereby approved, at the billable rates set forth in the professional services agreement between Marc DeBlasio and Borough not to exceed **\$29,000.00**.

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. 23-51

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING ADVERTISEMENT OF A NOTICE TO BIDDERS FOR THE BEACH STREET END PUBLIC ACCESS IMPROVEMENTS - PHASE 2

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 the plan and design as set forth in the Specifications on file in the Borough for the **BEACH STREET END PUBLIC ACCESS IMPROVEMENTS - PHASE 2** project is hereby approved and the Borough Clerk is hereby authorized to advertise a Notice to Bidders in *The Herald of Cape May County* and *Press of Atlantic City* issue of January 11, 2023 for the **BEACH STREET END PUBLIC ACCESS IMPROVEMENTS - PHASE 2** contract.

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, February 1, 2023 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:

BEACH STREET END PUBLIC ACCESS IMPROVEMENTS - PHASE 2

BE IT FURTHER RESOLVED the award of the contract for this project will not be made until the necessary funds have been provided by the Borough of Wildwood Crest in a lawful manner. The Borough of Wildwood Crest reserves the right to consider the bids for sixty (60) days after the receipt of said bids. The Borough of Wildwood Crest also reserved the right to reject any or all bids or to waive any informalities in the best interest of the Borough of Wildwood Crest.

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

Vote: Schiff - Franco – Cabrera – YES

BILLS: NO BILL LIST

PUBLIC COMMENTARY:

Steve Sweratko, Dennis Twp, owner of Animal Control of South Jersey introduced himself to the governing body and indicated he would address the feral cat problem and injured birds. He listed several municipalities that he deals with to include Avalon and Sea Isle City.

Marcia Groff, Villas resident, ACO with Shore Animal Control, indicated she enjoys working with Linda Gentile of Shore Animal Control and has no commitment to work for any other company. She indicated she lives in Lower Township, very close to the Crest. Shore Animal Control has four vehicles approved by the Cape May County Health Dept and two are kept close by. Because our team of officers are local, we can respond quickly and effectively. Besides helping dogs and cats, we pick up many injured gulls, birds and wildlife along the shore. Injured gulls are the highest percentage of calls in the spring and summer months. Ms Groff refuted the statement made by Mr. Sweratko and indicated that neither Steve Sweratko nor NJAC pick up gulls and birds and am puzzled how other shore towns that they service have allowed it. Furthermore, she pointed out that Animal Control is not only about dollars and cents; it's also about relationships and experience within our community. Shore Animal Control has been servicing our communities for seven years now and wished the Borough would reconsider.

Cheryl Alessandrine, Town Bank, CMC resident for 29 years and spoke on behalf of Shore Animal Control and attested to the wonderful work they do under the direction of the owner, Linda Gentile. She stated that Linda always puts the interest of animals and community first.

Joyce Sbarro, Wildwood Crest, indicated that she works for Shore Animal Control and thanked the borough for the last three years and commended the police department as being one of the finest.

Mayor Cabrera indicated that this year will be a tough budget year and the borough went with the lowest bidder with eyes on cost. He further indicated that if they need to make necessary changes that they will. He asked if the animal control officers present were employees or subcontractors of Shore Animal Control and he was told that most are subcontractors. Mr. Cabrera then asked that if the opportunity arises for Animal Control of South Jersey to hire local to please consider doing so.

DISCUSSION:

NEW BUSINESS: n/a

OLD BUSINESS:

- Back Beach Excavation:** No movement.
- Flood Mitigation Projects:** No movement.
- Dredging:** No movement.
- CAFRA Permit:** No movement.
- Phase 2 Beach Bump outs** – No movement.
- 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:** No movement.
- 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:

N/A

Commissioner Comments:

Commissioner Franco: Congratulations to recently retired Fire Chief, Ron Harwood, on his 10 years and Congratulations to the new Chief Joe Cortese.

Commissioner Schiff: Same sentiments as above and congratulations to Chief Lloyd on his contract and hoping this year is another great year. Happy New Year!

Mayor Cabrera: Happy New Year to all. Congratulations to Commissioners Franco and Schiff on their first year. Lastly he asked for all to keep an open mind that there are some really good projects coming and it will be a tough year with hard decisions in the 2023 budget.

Hearing nothing further, Mr. Schiff motioned and Mr. Franco seconded that the meeting be adjourned. Both were in favor. The time was 9:52 a.m.

Dated: January 25, 2023

Patricia A. Feketics, Borough Clerk

