

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

October 20, 2021

The Mayor led those present in the Pledge of Allegiance to the Flag.

The meeting of the Board of Commissioners, Borough of Wildwood Crest, Cape May County, New Jersey, was held at Municipal Hall at 5:30 p.m. On roll call the following answered to their names:

Gould - Thompson - Cabrera - YES

Mr. Cabrera read the following statement: In compliance with the Open Public Meeting Act, Chapter 231, P.L. 1975, the notice requirements have been satisfied as to the time, place and date of holding said meeting by posting notice on the bulletin board in the Borough Hall and by e-mailing and same to the Herald of Cape May County and The Press on October 28, 2020.

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

The Mayor noted for the record that that this meeting was open to the public in accordance with Executive Orders and there is no longer a limit restriction for indoor gatherings.

Mayor Cabrera presented Capri Mills, author of Shore Blood, with a proclamation.

After reading the proclamation, Commissioner David Thompson swore in Police Officer Michael Francis McInerney.

Mrs. Gould motioned, Mr. Thompson seconded that Ordinance No. 1363 be placed on second and final reading by title only.

Vote: Gould - Thompson – Cabrera – YES

THE CLERK READS THE INTRODUCED ORDINANCE BY TITLE:

ORDINANCE NO. 1364

ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 35, FIRE PREVENTION, ARTICLE I STANDARD, SECTION 35-18 ADDITIONAL REQUIRED INSPECTION AND FEES AND SECTION 35-19 PERMITS

Mrs. Gould motioned, Mr. Thompson seconded that Ordinance No. 1364 be passed on first reading, advertised according to law, be brought up for second and final reading and public hearing on November 3, 2021 at 9:30 a.m.

Vote: Gould - Thompson – Cabrera – YES

THE CLERK READS THE INTRODUCED ORDINANCE BY TITLE:

ORDINANCE NO. 1365

ORDINANCE OF THE BOROUGH OF WILDWOOD CREST AMENDING CHAPTER 40, LICENSES, ARTICLE II PEDDLING AND SOLICITING OF ICE CREAM PRODUCTS; PEREPARED FOOD AND FRUITS AND VEGETABLES, SECTION 40-21 LICENSE EXPIRATIONS AND RENEWALS OF THE CODE OF THE BOROUGH OF WILDWOD CREST

Mrs. Gould motioned, Mr. Thompson seconded that Ordinance No. 1365 be passed on first reading, advertised according to law, be brought up for second and final reading and public hearing on November 3, 2021 at 9:30 a.m.

Vote: Gould - Thompson – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 21-290

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING ACCEPTANCE OF THE CY2021 BEST PRACTICES INVENTORY AND AUTHORIZING THE APPROPRIATE BOROUGH OFFICIALS TO EXECUTE SAME

WHEREAS, the State of New Jersey requires municipalities, on an annual basis, to complete a Best Practices Inventory to encourage municipalities to implement practices to promote financial accountability and transparency; and

WHEREAS, the Borough of Wildwood Crest has completed the CY2021 Best Practices Inventory, and it is the desire of the governing body to accept the CY2021 Best Practices Inventory as presented.

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 CY2021 Best Practices Inventory is hereby accepted as presented.

BE IT FURTHER RESOLVED that the appropriate Borough Officials are hereby authorized and instructed to execute said CY2021 Best Practices Inventory on behalf of the Borough of Wildwood Crest, and to file it with the State of New Jersey, Division of Local Government Services.

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

Vote: Gould - Thompson – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 21-291

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING REFUND OF SPECIAL EVENTS ADDITIONAL APPLICATION FEE TO CANYON CABRERA

WHEREAS, Canyon Cabrera paid additional special events application fee of \$150.00 for wedding ceremony with an arch at Heather Beach Pier on October 9, 2021 and;

WHEREAS, due to predicted windy weather conditions use of an arch was cancelled prior to date of the wedding and request for refund has been submitted.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Commissioners of the Borough of Wildwood Crest, County of Cape May, State of New Jersey, the Chief Financial Officer is hereby authorized to execute refund of \$150.00 to Canyon Cabrera, 157 Munce Road, Washington, PA 15301.

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

Vote: Gould - Thompson – YES Cabrera – Abstain

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 21-292

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING THE BOROUGH TO CANCEL THE GRANT ACCOUNT RECEIVABLES AND APPROPRIATIONS

WHEREAS, N.J. 40A:4-60 provides that any unexpended balance of an appropriation may, by resolution of the governing body, be cancelled prior to the end of the fiscal year; AND

WHEREAS, balances remain in various grants which have been completed or not undertaken; AND

WHEREAS, it is desired by the Board of Commissioners of the Borough of Wildwood Crest, to cancel such balances;

NOW, THEREFORE, BE IT RESOLVED, that the following balances be and are hereby cancelled:

	ACCOUNT RECEIVABLE	APPROPRIATION
2018 GWTIDA Summer Events Grant	0.00	298.75
2019 GWTIDA Summer Events Grant	0.00	2,312.13
2018 Get Active Grant	0.00	339.07
Small Cities CDBG – Cresse Ave	0.00	7,995.16

Small Cities Phase 4 – Crocus, Aster	0.00	9,168.89
2020 JIF Safety/Wellness Incentive	0.00	11.85
Total	0.00	20,125.85

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

Vote: Gould - Thompson – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 21-293

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING AMENDMENT TO THE 2021 MUNICIPAL BUDGET TO ACCOUNT FOR ADDITIONAL FUNDING FROM ATLANTIC CITY ELECTRIC’S ENVIRONMENTAL STEWARDSHIP GRANT

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

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

WHEREAS, the Borough of Wildwood Crest will receive \$ 5,000.00 from Atlantic City Electric for the Sustainable Communities Environmental Stewardship Grant and wishes to amend its 2021 Municipal Budget to include this amount of revenue.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey, does hereby request the Director of the Division of Local Government services to approve the insertion of an item of revenue in the municipal budget of the Borough of Wildwood Crest for the year 2021 in the sum of \$ 5,000.00 which is now available as a revenue from:

Miscellaneous Revenues
Special Items of General Revenue Anticipated with
Prior Written Consent of the Director of the Division
of Local Government Services - Public and Private
Revenues Offset with Appropriations:
ACE Environmental Stewardship Grant\$ 5,000.00

BE IT FURTHER RESOLVED that a like sum of \$.....5,000.00 be and the same is hereby appropriated under the caption of:

GENERAL APPROPRIATIONS
(a) Operations Excluded from Caps
Public and Private Programs Offset by Revenues:
ACE Environmental Stewardship Grant

BE IT FURTHER RESOLVED that the Borough CFO is hereby authorized and directed to electronically file this Resolution and applicable submittal form with the Director of the Division of Local Government Services for approval.

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

Vote: Gould - Thompson – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 21-294

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST SUPPORTING NEW JERSEY ASSEMBLY BILL 4676 KNOWN AS THE “RECYCLED CONTENT BILL”

WHEREAS, Single-use plastic items are polluting the ocean, waterways, and communities; and

WHEREAS, Recycling can reuse some of this plastic material, but with low recycling rates the material is not getting recycled and more and more items are being made from “new” plastic; and

WHEREAS, the “Recycled Content Bill” will require manufacturers of plastic, glass, and paper products to meet specified quantities of recycled content for all goods they sell in New Jersey; and

WHEREAS, if the bill passes, it would establish postconsumer recycled content requirements for rigid

plastic containers, glass containers, paper and plastic carryout bags, and plastic trash bags; and

WHEREAS, if the bill passes, it would also prohibit the sale of polystyrene loose fill packaging.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey, does hereby support Assembly Bill 4676, known as the “Recycled Content Bill” to help ensure there is a market for recycled content and help curb the production of plastic products from virgin plastic.

NOW, THEREFORE, BE IT FURTHER RESOLVED that a copy of this resolution shall be sent to the New Jersey Assembly.

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

Vote: Gould - Thompson – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

**RESOLUTION NO. 21-295
RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE
BOROUGH OF WILDWOOD CREST DESIGNATING LOT 1 IN BLOCK
115.01 AS THE ANDREW ALAMENO PARK**

WHEREAS, Chapter 47A of the Code of the Borough of Wildwood Crest provides that the Board of Commissions may designate and name, from time to time by resolution, such Borough owned or leased property as areas which property will be subject to the provisions of Chapter 47A; and

WHEREAS, the Board of Commissioners desires to designate the Borough owned property consisting of Lot 1 in Block 115.01, currently known and dedicated as the “Turtle Gut Memorial Park” as the Andrew Alameno Park; and

WHEREAS, Andrew Alameno and the Alameno family have firm roots in Wildwood Crest and many still call this “home;” and

WHEREAS, this park dedication to Andrew Alameno shall serve as a tribute of remembrance honoring our own hometown son and the countless others that met their fate on the morning of September 11, 2001; and

WHEREAS, Andrew Alameno will forever be in our hearts and never forgotten.

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 Lot 1, in Block 115.01 in the Borough of Wildwood Crest, formerly known as the “Turtle Gut Memorial Park”, shall hereinafter be known and dedicated as the “Andrew Alameno Park.”

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

Vote: Gould - Thompson – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

**RESOLUTION NO. 21-296
RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF
WILDWOOD CREST AUTHORIZING APPROVAL OF CHANGE ORDER NUMBER 1 –
FOR EMERGENCY CONTRACT TO RAPID RECOVERY SERVICES, LLC FOR
REPAIRS AT THE LITTLE LEAGUE FIELD DUE TO WIND DAMAGE – HIGBEE FIELD
LITTLE LEAGUE IMPROVEMENTS - PHASE I AT THE NTE SUM OF \$5,900.00**

WHEREAS, on April 7, 2021, via Resolution No. 21-138, the Board of Commissioners of the Borough of Wildwood Crest awarded an **EMERGENCY CONTRACT TO RAPID RECOVERY SERVICES, LLC**, 375 North Street, Unit Q, Teterboro, NJ 07608, for repairs and replacement of the Little League Dugout and concession stand due to wind damage totaling \$443,114.91.

WHEREAS, Borough Engineer Marc DeBlasio of DeBlasio & Associates has reviewed the quantity additions for various items and approves Change Order No 1 – **FOR EMERGENCY CONTRACT TO RAPID RECOVERY SERVICES, LLC FOR REPAIRS AT THE LITTLE LEAGUE FIELD DUE TO WIND DAMAGE – HIGBEE FIELD LITTLE LEAGUE IMPROVEMENTS – PHASE I** with an increase amount of \$5,900.00 all of which is detailed in the attachment to the Change Order and revising the Contract Price to \$449,014.91.

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

Account Number: _____ Amount: \$5,900.00 Signature: _____

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:

1. That the above recital paragraphs are incorporated herein by reference as if set forth at length.

2. That said Change Order Number 1- **FOR EMERGENCY CONTRACT TO RAPID RECOVERY SERVICES, LLC FOR REPAIRS AT THE LITTLE LEAGUE FIELD DUE TO WIND DAMAGE – HIGBEE FIELD LITTLE LEAGUE IMPROVEMENTS – PHASE I** increasing the total contract amount by \$5,900.00 and revising the contract price to \$449,014.91 is hereby approved.

3. That the Mayor and Borough Clerk of the Borough of Wildwood Crest are hereby authorized and directed to execute and attest said Change Order documents on behalf of the Borough of Wildwood Crest.

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

Vote: Gould - Thompson – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

**RESOLUTION NO. 21-297
RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF
WILDWOOD CREST CANCELING BOND ORDINANCE IMPROVEMENT
AUTHORIZATION BALANCES**

WHEREAS, there exist unexpended balances in certain General Capital Fund Bond Ordinance Improvement authorizations which were dedicated to specific capital projects; and

WHEREAS, said capital projects have been completed and there is no further need to retain said unexpended balances of improvement authorizations; and

WHEREAS, it is deemed to be in the best interest of the Borough of Wildwood Crest to cancel said unexpended balances of improvement authorizations, and it is the desire of the Board of Commissioners to cancel these unexpended balances.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey that unexpended balances of General Capital Fund Bond Ordinance improvement authorizations be and are hereby canceled as follows:

<u>Ord. #</u> <u>Cancel</u>	<u>Date Authorized</u>	<u>Description</u>	<u>Amt.</u>	<u>Authorized to</u>
1134	02/10/2016	Various Improvements G. Heather Road Bike Shop I. Pool Building Doors J. Outdoor Holiday Lighting		7,673.10 15,285.00 1,567.23
1248	01/04/2017	Various Improvements A. Police Radio System B. Beach Tractor/Trash Truck Comp.		23,437.43
1250	01/25/2017	Various Improvements B. Heather Road Bike Shop D. Pool Filter E. Old Library Roof F. Nesbitt Building Improvements G. ADA Beach Ramp Access Grant Match		41,308.15 10,000.00 3,020.00 11,969.96 653.75
1255	05/24/2017	Various Improvements Curb Ramp Access Grant Match		<u>16,110.20</u>
TOTAL AUTHORIZED TO BE CANCELED			\$	<u>147,579.20</u>

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

Vote: Gould - Thompson – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

**RESOLUTION NO. 21-298
RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF
WILDWOOD CREST AUTHORIZING BOROUGH ENGINEER WORK ORDER FOR TAX
MAP COMPUTER GENERATION AND MAINTENANCE PROJECT- PHASE 1 AT THE
NTE SUM OF \$45,000**

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 **TAX MAP COMPUTER GENERATION AND MAINTENANCE PROJECT- PHASE I**, for engineering services which are more specifically set forth in the attached Proposal from Marc DeBlasio and the Firm of DeBlasio & Associates, dated **October 15, 2021** 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 **\$45,000.00**; 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 **\$45,000.00**.

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

Vote: Gould - Thompson – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 21-299

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AFFIRMING THE BOROUGH OF WILDWOOD CREST'S CIVIL RIGHTS POLICY WITH RESPECT TO ALL OFFICIALS, APPOINTEES, EMPLOYEES, PROSPECTIVE EMPLOYEES, VOLUNTEERS, INDEPENDENT CONTRACTORS, AND MEMBERS OF THE PUBLIC THAT COME INTO CONTACT WITH MUNICIPAL EMPLOYEES, OFFICIALS AND VOLUNTEERS

WHEREAS, it is the policy of the Borough of Wildwood Crest to treat the public, employees, prospective employees, appointees, volunteers and contractors in a manner consistent with all applicable civil rights laws and regulations including, but not limited to the Federal Civil Rights Act of 1964 as subsequently amended, the New Jersey Law against Discrimination, the Americans with Disabilities Act and the Conscientious Employee Protection Act, and

WHEREAS, the governing body of the Borough of Wildwood Crest has determined that certain procedures need to be established to accomplish this policy

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

Section 1: No official, employee, appointee or volunteer of the Borough of Wildwood Crest by whatever title known, or any entity that is in any way a part of the Borough of Wildwood Crest shall engage, either directly or indirectly in any act including the failure to act that constitutes discrimination, harassment or a violation of any person's constitutional rights while such official, employee, appointee volunteer, or entity is engaged in or acting on behalf of the Borough of Wildwood Crest's business or using the facilities or property of the Borough of Wildwood Crest.

Section 2: The prohibitions and requirements of this resolution shall extend to any person or entity, including but not limited to any volunteer organization or inter-local organization, whether structured as a governmental entity or a private entity, that receives authorization or support in any way from the Borough of Wildwood Crest to provide services that otherwise could be performed by the Borough of Wildwood Crest.

Section 3: Discrimination, harassment and civil rights shall be defined for purposes of this resolution using the latest definitions contained in the applicable Federal and State laws concerning discrimination, harassment and civil rights.

Section 4: The Borough Administrator shall establish written procedures for any person to report alleged discrimination, harassment and violations of civil rights prohibited by this resolution. Such procedures shall include alternate ways to report a complaint so that the person making the complaint need not communicate with the alleged violator in the event the alleged violator would be the normal contact for such complaints.

Section 5: No person shall retaliate against any person who reports any alleged discrimination, harassment or violation of civil rights, provided however, that any person who reports alleged violations in bad faith shall be subject to appropriate discipline.

Section 6: The Borough Administrator shall establish written procedures that require all officials, employees, appointees and volunteers of the Borough of Wildwood Crest as well as all other entities subject to this resolution to periodically complete training concerning their duties, responsibilities and rights pursuant to this resolution.

Section 7: The Borough Administrator shall establish a system to monitor compliance and shall report at least annually to the governing body the results of the monitoring.

Section 8: At least annually, the Borough Administrator shall cause a summary of this resolution and the procedures established pursuant to this resolution to be communicated within the Borough of Wildwood Crest. This communication shall include a statement from the governing body expressing its unequivocal commitment to enforce this resolution. This summary shall also be posted on the Borough of Wildwood Crest's web site.

Section 9: This resolution shall take effect immediately.

Section 10: A copy of this resolution shall be published in the official newspaper of the Borough of Wildwood Crest in order for the public to be made aware of this policy and the Borough of Wildwood Crest's commitment to the implementation and enforcement of this policy.

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

Vote: Gould - Thompson – Cabrera – YES

BILLS: Mrs. Gould motioned and Mr. Thompson seconded that all bills properly authorized, as submitted, be paid.

Vote: Gould - Thompson – Cabrera – YES

REPORTS: Mrs. Gould motioned and Mr. Thompson seconded all reports received from the Court Administrator, Chief Financial Officer, Tax Collector, Chief of Police, Supervisor for the Recreation Department, Construction Official, Emergency Services Coordinator for the EMS and the Wildwood Crest Volunteer Fire Company Chief for the month ending September 30, 2021 be accepted as presented.

Vote: Gould - Thompson – Cabrera – YES

MINUTES: Mrs. Gould motioned and Mr. Thompson seconded all minutes from the regularly scheduled Commission meetings dated September 22, 2021 and October 6, 2021 be approved as presented.

Vote: Gould - Thompson – Cabrera – YES

ADMINISTRATOR'S REPORT:

October 20, 2021

COVID-19 UPDATE

The Cape May County Health Department continues to hold regular vaccination clinics throughout Cape May County in various locations. We encourage everyone interested in obtaining vaccinations or those currently eligible for boosters to visit the Cape May County Health Department's website for information.

ONGOING AND UPCOMING PROJECTS

Beach End Bump Outs

We have re-submitted our application to Open Spaces to obtain special recreational funding in the amount of \$3.4M for the beach bump outs south of Rambler. The Open Spaces Board is currently reviewing our application. I will report back to you as soon as I receive word from them.

Pacific Avenue

We just received word that the County's contractor has been authorized to proceed with the resurfacing effective October 12th. South State is expected to commence work shortly and proceed until May 13th. The first phase of the project will run from Rambler to St. Louis. The second phase of the project will take place in fall of 2022. Pertinent information regarding the County's project will be posted on the Borough's website as we receive it.

Scoop Taylor

This ADA improvement project is really shaping up. The hardscaping improvements and landscaping are now nearing completion. We expect the shelter to arrive in December now due to transportation issues. This project is mostly funded by a FY2020 Small Cities ADA grant.

Higbee Field

Nothing new to report.

Herford Inlet to Cape May Inlet Beach and Dune Construction

I have been notified that the official State Aid agreement is forthcoming.

New Jersey Avenue

Nothing new to report currently.

ENGINEER'S REPORT:

Grant Applications

1. Fiscal Year 2022 NJDOT Municipal Aid Program
 - The NJDOT has announced they are receiving State Aid applications for Roadways, Bikeways, Pedestrian, Safe Streets to Transit and Transit Villages.
 - The Borough has selected the reconstruction of Syracuse Avenue from the beach block to Bayview Avenue. The applications was successfully submitted on June 1, 2021.
2. FEMA Flood Mitigation Assistance (BRIC)
 - The Borough is proposing to construct one (1) bayside storm sewer pump station, install bay outfall SCADA control valves and associated storm sewer improvements in the north west section of the Borough.
 - Our office has met with Jim Rutala to develop the application submission, which is due November 30, 2021.
3. Fiscal Year 2022 NJDCA Small Cities Program
 - The Borough has decided to submit a grant application for ADA beach access improvements-phase 2 (Louisville Avenue to Toledo Road).
 - Our office successfully provided the supporting engineering report to Mark Blauer on September 2nd.
4. Cape May County Open Space Board – Coastal Recreational Enhancements
 - The Borough has decided to submit a grant application for ADA beach access improvements-phase 2 (Orchid Road to Jefferson Avenue).
 - In support of the grant application, our office transmitted the grant application to Cape May County on December 15, 2020.
 - The County has indicated preliminary favorability and requested additional information.
 - The Borough provided a supplemental presentation to the CMCOSB on September 28th and a final decision is anticipated in late October.

Capital Projects

1. Pacific Avenue Storm Sewer Improvements and Borough Street Improvements
 - The bid was awarded to Asphalt Paving Systems in the amount of \$5,767,600.00.
 - The contractor has completed all the work in the original contract and we are in the process of contract closeout.
 - The Borough has approved a Change Order for improvements on Washington Avenue and various streets.
 - The Contractor is scheduled to mobilize to Washington Avenue on October 20th.
2. Fiscal Year 2021 NJDCA Small Cities Program
 - The Borough has decided to submit a grant application for ADA beach access improvements-phase 1 (Orchid Road to Toledo Road).
 - On June 22nd, the Borough was notified that a \$400,000.00 grant was allocated for the project.
 - Our office is currently in the design phase and bidding is scheduled for November, 2021.
3. Reconstruction of Beach Avenue and Stanton Road
 - The Borough was notified that a grant in the amount of \$155,000.00 was allocated for the reconstruction of Beach Avenue from Crocus Road to Forget-Me-Not Road.
 - The Borough has been notified by the NJDOT that a grant in the amount of \$185,000.00 was allocated for the reconstruction of Stanton Road from the Beach to New Jersey Avenue.
 - The contractor has completed all of the improvements on Stanton Road.
 - The improvements on Beach Avenue are scheduled for the week of October 25th.
4. FY2020 NJDCA Small Cities Grant Application-Scoop Taylor Park
 - The contract was awarded to Command Company, Inc. in the amount of \$257,750.00.
 - The playground and safety surface has been installed.
 - The contractor mobilized back to the site the week of September 20th to complete the remaining improvements.
 - All site work will be completed by October 22nd.
 - The remaining item is the installation of the Gazebo (which is currently on back order).
5. Beach Street End Public Access Improvements – Phase 1
 - The contract was awarded to Fred M. Schiavone Construction, Inc. in the amount of \$1,250,022.60.
 - The contractor has fully completed Newark Avenue and Trenton Avenue.
 - The contractor has remobilized to the Borough to complete the remaining five (5) street ends.
 - The majority of the platforms and decking is complete.
 - The foot showers have been installed at all locations.

6. Fiscal Year 2019 NJDCA Small Cities Program – Renovations to the Old Library
 - The project was advertised for public bid on October 13th and the bid opening is scheduled for November 18th at 10:00 AM.
 - A non-mandatory pre-bid meeting is scheduled for Friday, October 22nd at 11:00 AM at the Old Library site.

CORRESPONDENCE: End of Year Report – LOVE BLUE

LOVE BLUE INC.

SUMMER 2021 REPORT OF OPERATIONS & SERVICES

IN PARTNERSHIP WITH THE BOROUGH OF WILDWOOD CREST

THE GOAL:

Our goal in Summer 2021 was to inspire our community to take action on the pollution crisis on our beaches. We aim to build more connections & relationships with the individuals & businesses who play a huge role in our summers here in the Crest. By working together, we can create a more sustainable future for not only Wildwood Crest but beaches around the world.

THE SOLUTION:

Our Services

We ran weekly beach cleanups from June 20th - September 4th, every Sunday night, some weeks Saturday or Monday depending on the community's schedule. Our sunset services were a new addition to the Crest this summer, adding another three sweeps to our beaches at night per week. This program lasted throughout the month of July.

New Additions

This summer we added our public cleanup station on Rambler Road the first week of July. This cleanup station was intended to allow beach patrons to take a beach cleanup on by themselves or with friends, a great addition for people who can't participate in our cleanups. Our signs on the back of the porta potties have caught everyone's attention walking to and from the beach, giving them a reminder to pick up after themselves. We were also able to update our equipment this summer which was great & made it a more enjoyable time for volunteers. Last but not least, the NO SMOKING flags, people can see them from far away & the message is clear, smoking is one of the biggest problems we face on our beaches.

THE RESULT:

This year we were able to really stretch our arms when it comes to new volunteers, opportunities, & business relationships. There were a lot of new faces this summer & a lot of our core group from year one still sticking with us. We had people of all ages from little children to adults with grandkids, it truly was an amazing thing to see. The community awareness, support, & involvement has grown a lot this year. One thing we utilized this summer that helped us network more was the Wildwood/Wildwood Crest Facebook groups. The feedback we received in those group chats were overwhelmingly positive & you can see people love what we are doing. From those group chats we gained a lot of new faces & even connected with a few businesses. One of our new partners this summer is Crest Custom Cart Kreations, a local beach cart builder in the area donated two of his beach carts to help assist our cleanups. With some of our cleanups over 300 lbs in trash, we needed them! We were able to talk to businesses about working together in the future, understanding everyone is still recovering from the pandemic. The Sunset Cleaning services were a huge addition to our services & we are so grateful for WCBP allowing us to use their John Deer mules. With this service, we were able to connect with the community better by talking & explaining what we were doing. The best part was we covered the most area in the shortest amount of time. Our beach cleanup stations were loved by the community & we had people asking to install more on different streets on our beaches. We had people visit from out of town, see our cleanup stand, then email us about getting one in their town. (Cape May) These stands made it easier for people to take action on their own & when they couldn't join us in a cleanup. The signs & flags worked out great with getting our message out, with more signage & informationals, people will understand how important the beach is to this community.

THE STATISTICS FROM SUMMER 2021
TOTAL POUNDS: 3,104 LBS
MOST POUNDS: 427 LBS
TOTAL VOLUNTEERS: 330 PEOPLE
MOST PEOPLE: 50
TOTAL CLEANUPS: 12

PUBLIC COMMENTARY: N/A

NEW BUSINESS: N/A

OLD BUSINESS:

- Washington Avenue Flooding Issues – } No movement.
- Bulkhead Ordinance / Lot Grading – } No movement.
- Flood Mitigation Efforts – } No movement.
- Referendum permitting one consumption liquor license in business zone- No movement.
- Park Blvd / Pumping Station – No Movement.
- Beach Bike Path – On hold.
- Public Transportation-No movement.
- Model Statewide Municipal Electric Vehicle (EV) Ordinance / grants to support EV and stations – No movement.
- Dredging – retain special counsel to advance the ball and possible shared services with others – No movement.

PUBLIC COMMENTARY:

Hearing nothing from the public, THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 21-300
RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING EXECUTIVE/CLOSED SESSION IN ACCORDANCE WITH THE PROVISIONS OF THE OPEN PUBLIC MEETINGS ACT, SPECIFICALLY N.J.S.A. 10:4-12(B)

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

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest has determined that one (1) issue(s) is/are permitted by N.J.S.A. 10:4-12(b) to be discussed without the public in attendance to be discussed during the Executive or Closed Session to be held on **Wednesday, October 20, 2021 at 5:30 P.M.**; and

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

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

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

_____ **“(3) Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information relative to the individual’s personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the**

individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly. The nature of the matter, described as specifically as possible without undermining the need for confidentiality is

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

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

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

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

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

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

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

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

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

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

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

Vote: Gould - Thompson – Cabrera – YES

There was a five-minute break to go into Executive Session.

After Closed Session ended and the Board of Commissioners went back into Open Session and having no members of the audience present, the Board of Commissioners authorized the following resolution that the Clerk read by title:

RESOLUTION NO. 21-301

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 \$10,000 FOR REST OF CY2021

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 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

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 October 20, 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. **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, 2021.
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 \$10,000.**

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.

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

Vote: Gould - Thompson – Cabrera – YES

There being no further business, Mrs. Gould motioned and Mr. Thompson seconded that the meeting be adjourned. All were in favor. The time was 6:48 pm..

Dated: October 20, 2021

Patricia A. Feketics, Borough Clerk

