Note: Meeting Appears October 7, 2026
On Borough of Wildwood Crest Facebook page and You tube by date.
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:

Fuscellaro - Franco – Cabrera -- YES

Mr. Cabrera read the following statement: In compliance with the Open Public Meetings 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 Borough Hall, mailing and by E-mailing same to the Herald of Cape May County and the Press of Atlantic City for publication date of September 24, 2025.

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

Mr. Franco motioned and Mrs. Fuscellaro seconded that Ordinance No. 1499 be placed on second reading and final passage by title only.
Vote: Fuscellaro - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING ORDINANCE BY TITLE:

ORDINANCE NO. 1499

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

Mr. Franco motioned and Mrs. Fuscellaro seconded that a public hearing be held on Ordinance No. 1499.
Vote: Fuscellaro - Franco – Cabrera – YES

After hearing nothing from the public, Mr. Franco motioned and Mrs. Fuscellaro seconded that a public hearing now be closed on Ordinance No. 1499.
Vote: Fuscellaro - Franco – Cabrera – YES

Mr. Franco motioned and Mrs. Fuscellaro seconded that Ordinance No. 1499 be passed on second and final reading and advertised by law.
Vote: Fuscellaro - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 26-260 A

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING ADVERTISEMENT FOR NOTICE TO BIDDERS FOR REQUEST FOR PROPOSAL FOR EMERGENCY MEDICAL SERVICE BILLING 2027-2028

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, Cape May County, New Jersey, that the Borough Clerk is hereby authorized to advertise a Notice to Bidders on the Borough of Wildwood Crest's official internet website in compliance with P.L.2025, ch. 72 on October 8, 2026. The complete text of this legal notice may be obtained or viewed by the public at https://wildwoodcrest.org/publicnotices.php

BE IT FURTHER RESOLVED that the plan and design as set forth in the Specifications on file in the Borough for the EMERGENCY MEDICAL SERVICE BILLING 2027-2028 is hereby approved.

BE IT FURTHER RESOLVED Sealed proposal bids will be received by the Bid Opening Committee in the Commissioners Meeting Room, Wildwood Crest Borough Hall, on **Friday, November 13, 2026 at 10:00am**, prevailing time, for furnishing the items hereinafter set forth in accordance with the Specifications on file in the Borough Hall. Said items are as follows:

EMERGENCY MEDICAL SERVICE BILLING 2027-2028

Mrs. Fuscellaro motions, Mr. Franco seconds that the foregoing resolution be adopted.
Vote: Fuscellaro - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 26-261

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING ADVERTISEMENT FOR NOTICE TO BIDDERS FOR REQUEST FOR PROPOSAL FOR AUTHORIZED ON-SITE INSPECTIONS AND PLAN REVIEW AGENCIES FOR THE FOLLOWING SUB-CODES: PLUMBING AND ELECTRICAL [ONE (1) YEAR CONTRACT WITH 2 ONE (1) YEAR OPTIONS]

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, Cape May County, New Jersey, that the Borough Clerk is hereby authorized to advertise a Notice to Bidders on the Borough of Wildwood Crest's official internet website in compliance with P.L.2025, ch. 72 on October 8, 2026. The complete text of this legal notice may be obtained or viewed by the public at https://wildwoodcrest.org/publicnotices.php

BE IT FURTHER RESOLVED that the plan and design as set forth in the Specifications on file in the Borough for the AUTHORIZED ON-SITE INSPECTIONS AND PLAN REVIEW AGENCIES FOR THE FOLLOWING SUB-CODES: PLUMBING AND ELECTRICAL, [ONE (1) YEAR CONTRACT WITH 2 ONE (1) YEAR OPTIONS] is hereby approved.

BE IT FURTHER RESOLVED Sealed bids will be received by the Bid Opening Committee in the Commissioners Meeting Room, Wildwood Crest Borough Hall, on **Friday November 13, 2026 at 10:30 am**, 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:

AUTHORIZED ON-SITE INSPECTIONS AND PLAN REVIEW AGENCIES FOR THE FOLLOWING SUB-CODES: PLUMBING AND ELECTRICAL [ONE (1) YEAR CONTRACT WITH 2 ONE (1) YEAR OPTIONS]

Mrs. Fuscellaro motions, Mr. Franco seconds that the foregoing resolution be adopted.
Vote: Fuscellaro - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 26-262

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING ADVERTISEMENT OF NOTICE TO BIDDERS FOR BICYCLE CONCESSION NO. 3 AT HEATHER ROAD FOR BICYCLE RENTALS ONLY AND BICYCLE CONCESSION NO. 8A AT RAMBLER ROAD FOR BICYCLE RENTALS ONLY

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, Cape May County, New Jersey, that the Borough Clerk is hereby authorized to advertise a Notice to Bidders on the Borough of Wildwood Crest's official internet website in compliance with P.L.2025, ch. 72 on October 8, 2026. The complete text of this legal notice may be obtained or viewed by the public at https://wildwoodcrest.org/publicnotices.php

OPEN BIDS will be received by the Purchasing Committee at Wildwood Crest Borough Hall at **11:00 A.M. on FRIDAY, NOVEMBER 13, 2026**, for furnishing the item hereinafter set forth in accordance with the Specifications on file in the Borough Hall. Said item is as follows:

BICYCLE CONCESSION NO. 3
AT HEATHER ROAD FOR BICYCLE RENTALS ONLY

Description: Bicycle stand located at Heather Road and Beach Drive, otherwise known as Block 21.04, Lot 8 in the Borough of Wildwood Crest.

&

OPEN BIDS will be received by the Purchasing Committee at Wildwood Crest Borough Hall at **11:30 A.M. on FRIDAY, NOVEMBER 13, 2026**, for furnishing the item hereinafter set forth in accordance with the Specifications on file in the Borough Hall. Said item is as follows:

BICYCLE CONCESSION NO. 8A
AT RAMBLER ROAD FOR BICYCLE RENTALS ONLY

Description: Bicycle stand located on Rambler Road, the area of the leasehold to be at a specific location to be determined by the Board of Commissioners.

Mrs. Fuscellaro motions, Mr. Franco seconds that the foregoing resolution be adopted.
Vote: Fuscellaro - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 26-263

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING CANCELLATION AND REFUND OF TAXES FOR TOTALLY DISABLED VETERAN

WHEREAS, the below listed parcel was granted a 100% Totally Disabled Veteran Exemption on August 27, 2026, and;

WHEREAS, the homeowner became eligible for a Totally Disabled Veteran Exemption on August 27, 2026, and;

WHEREAS, the property has been granted a 100% exemption from taxes prorated for 125 days of 2026, and said exemption has resulted in an overpayment,

Block /Lot	**Name**	**Amount**
51/20/C0002	Ducharme, Derrick M 6511 New Jersey Avenue Unit 2 100% Totally Disabled Veteran Exemption granted as of August 27, 2026. Refund tax overpayment to Lereta, LLC Attn: Central Refunds 901 Corporate Center Dr Pomona, CA 91768	$227.25

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Commissioners of the Borough of Wildwood Crest, County of Cape May, State of New Jersey, the Chief Financial Officer is hereby authorized to execute said refund as soon as practicable and the Tax Collector should mark the records accordingly to reflect said refund as per the meeting on October 7, 2026.

Mrs. Fuscellaro motions, Mr. Franco seconds that the foregoing resolution be adopted.
Vote: Fuscellaro - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 26-264

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST DESIGNATING TRICK OR TREAT HOURS ON OCTOBER 31, 2026 FROM 5:00-7:00 PM

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of the Borough of Wildwood Crest, in the County of Cape May, New Jersey, hereby determines that TRICK OR TREAT shall be observed in the Borough of Wildwood Crest on Friday, OCTOBER 31, 2026 BETWEEN THE HOURS OF 5:00 P.M. AND 7:00 P.M.

BE IT FURTHER RESOLVED that the Board of Commissioners of the Borough of Wildwood Crest hereby determines that TRICK OR TREAT shall be observed in the Borough of Wildwood Crest on Friday, OCTOBER 31, 2026 BETWEEN THE HOURS OF 5:00 P.M. AND 7:00 P.M. and acknowledges Trick or Treat involvement is optional and neither encourages nor discourages participation.

Mrs. Fuscellaro motions, Mr. Franco seconds that the foregoing resolution be adopted.
Vote: Fuscellaro - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 26-265

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING AWARD OF CONTRACT FOR WILDWOOD CREST FISHING PIER REPLACEMENT AND EXPANSION RE-BID

WHEREAS, July 22, 2026, the Governing Body passed Resolution No. 26-221 for the Advertisement of a Notice to Bidders for the Wildwood Crest Pier Replacement and Expansion Contract; and

WHEREAS, on September 3, 2026, via Resolution No. 26-246, the Governing Body rejected all the bids in response to the Wildwood Crest Fishing Pier Replacement and Expansion and Authorized Re-Advertisement of a Notice to Bidders for Wildwood Crest Fishing Pier Replacement and Expansion Contract Re-bid; and

WHEREAS, Notice to Bidders was authorized on the Borough of Wildwood Crest's official internet website in compliance with P.L.2025, ch. 72 on September 8, 2026 with a receipt of sealed bids on Thursday, October 1, 2026 at 11:00 a.m.; and

WHEREAS, four (4) sealed bid proposals were received, opened and reviewed on October 1, 2026 by the Bid Opening Committee who reviewed the bid proposals and determined that R. A. Walters & Son, Inc. 18 Hoffman Drive, Cape May Court House, NJ 08210 was the lowest responsive bidder in the amount of $5,721,000.00 for **WILDWOOD CREST FISHING PIER REPLACEMENT AND EXPANSION CONTRACT RE-BID**; and

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest has reviewed the recommendations made by the Bid Opening Committee as well as the bid tabulation and recommendation, and the opinion letter of the Borough Engineer (October 1, 2026) and Borough Solicitor (October 1, 2026) recommending the award to that R. A. Walters & Son, Inc. 18 Hoffman Drive, Cape May Court House, NJ 08210; and

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

Account Number(s)_____ Amount $5,721,000.00 Signature_____

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. **S WILDWOOD CREST FISHING PIER REPLACEMENT AND EXPANSION CONTRACT RE-BID** is hereby awarded to **R. A. Walters & Son, Inc. 18 Hoffman Drive, Cape May Court House, NJ 08210** the lowest responsive bidder.

3. The award of this contract in the amount of $5,721,000.00 is contingent upon compliance with the Notice to Bidders; Bid Specifications and Information Packet; 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 certification from the Chief Financial Officer as to the availability of funds.

4. The Mayor and the Borough Clerk are hereby authorized and empowered to enter into a formal contract with to **R. A. Walters & Son, Inc. 18 Hoffman Drive, Cape May Court House, NJ 08210** in accordance with this Resolution, Notice to Bidders, Bid Specifications and Information Packet and the submitted bid proposal.

5. That a Notice of Award shall be published on the Borough of Wildwood Crest's official internet website in compliance with P.L.2025, ch. 72 on October 8, 2026 this 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. Fuscellaro motions, Mr. Franco seconds that the foregoing resolution be adopted.
Vote: Fuscellaro - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 26-266

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING THE AWARD AND EXECUTION OF AN AGREEMENT WITH BENISTAR TO PROCURE AND PROVIDE MEDICARE INSURANCE AND RX SERVICES

WHEREAS, due to the significant increases in costs associated with the current health insurance coverage plan provided by the Borough of Wildwood Crest, the Board of Commissioners of the Borough of Wildwood Crest has a need to procure the services of a Health Care Insurance Plan/Provider to address its health insurance needs and the needs of its employees; and

WHEREAS, in accordance with the New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., specifically N.J.S.A. 40A:11-5(1)(m), a municipality is permitted to award a contract for insurance, which exceeds the applicable bid threshold, as an exception to the open public bidding requirements as an extraordinary, unspecified service; and

WHEREAS, the New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., requires that the governing body of a contracting unit publish a notice in its official newspaper setting forth the nature, duration, service, and amount of the contract where the contract itself is awarded as an Extraordinary Unspecifiable Service without competitive bidding; and

WHEREAS, pursuant to N.J.A.C. 5:34-2.3 and N.J.S.A. 40A:11-6.1(b), the Borough has executed a Certification that the services in question qualify as extraordinary unspecifiable services under the New Jersey Local Public Contracts Law and has filed same with the governing body evidencing the fact that the solicitation of competitive quotations is impracticable given the immediate need to procure and provide Health Insurance to Borough Retirees; and

WHEREAS, it is the Borough's intention to transfer the Borough's retirees from the Braven Health to Benistar as of January 1, 2027.

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. Benistar is appointed to provide Retiree Healthcare Services for the period of January 1, 2027 through through December 31, 2027 to provide medical benefits through the Hartford and Rx through Express Scripts.

2. The Mayor and Borough Clerk are hereby authorized to execute an Agreement, a copy of which is attached hereto, and any related/required documentation to effectuate the terms of said Agreement with Benestar for the provision of healthcare coverage.

3. This Contract is awarded without competitive bidding as an Extraordinary Unspecifiable Service pursuant to the New Jersey Local Public Contracts Law, specifically N.J.S.A. 40A:11-5(1)(m).

4. The Borough Clerk shall make arrangements to publish notice of the award of this contract in the official newspaper of the Borough of Wildwood Crest, setting forth the nature, duration, service, and amount of the contract, and which shall further provide that this Resolution and the attached Agreement are on file in the Borough Clerk's Office for public inspection.

Mrs. Fuscellaro motions, Mr. Franco seconds that the foregoing resolution be adopted.
Vote: Fuscellaro - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 26-267

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING EXPENDITURE FOR DOCUMENT MANAGEMENT FOR RECORDS RETENTION AND DISPOSAL FOR THE CONSTRUCTION CODE DEPARTMENT UNDER THE ESCNJ COOPERATIVE PURCHASING PROGRAM

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

WHEREAS, the Borough of Wildwood Crest Construction Code Office is in need of space in the office and wishes to procure a document management service to provide records retention and disposal; and

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

WHEREAS, Foveonics (Contract 25/26-74) 300 Columbus Circle, Suite I, Edison, NJ 08837 has provided a quote dated September 8, 2026 totaling $44,132.00; and

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

Account Number(s) _____ Amount(s) NTE $44,132.00 Signature_____

NOW THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Borough of Wildwood Crest, in the County of Cape May, that the Borough is authorized to fund the expenditure for a Connect Cutter and Connect Cutter based upon the quote received from Foveonics (Contract 25/26-74) in an amount not to exceed $44,132.00.

Mrs. Fuscellaro motions, Mr. Franco seconds that the foregoing resolution be adopted.
Vote: Fuscellaro - Franco – Cabrera – YES

BILLS: Mr. Franco motions, and Mrs. Fuscellaro seconded that all bills properly authorized, as submitted, be paid.
Vote: Fuscellaro - Franco – Cabrera – YES

CORRESPONDENCE: N/A

PUBLIC COMMENTS: Mayor Cabrera read the following OPMA statement.

The Open Public Meetings Act requires that a portion of every meeting of a municipal governing body be set aside for public comment on any issue that a member of the public feels may be of concern to the residents of the municipality.
To ensure an orderly and efficient meeting and to provide everyone an opportunity to be heard, here are the guidelines:

1. **Addressing the Body:** When recognized, please come to the microphone/lectern and clearly state your name for the record. All comments and questions should be addressed to the governing body as a whole and not to individual members or staff.
2. **Time Limit:** Each speaker will be limited to five (5) minutes. Speakers may only speak once during this portion. Time cannot be yielded to another speaker.
3. **Decorum:** Speakers and members of the public are expected to maintain proper decorum and shall civilly make their comments. Personal attacks, obscenity, derogatory or slanderous remarks, and disruptive behavior will not be tolerated. Please do not mention employees by name.
4. **Responses:** The governing body is not required to respond to questions during the public comment period, but may choose to do so at the end of the session, or refer inquiries to appropriate staff for follow-up at a later date.
5. **Subject Matter:** Comments should related to any governmental issue affecting the municipality.
6. **Remote Participation (If applicable):** For those participating remotely, you will be acknowledged by me and must state your name before making comments.

The Chair reserves the right to interrupt or terminate a speaker's privilege if the rules of decorum are violated or if comments become disruptive or exceed the time limit.
Thank you in advance for your cooperation in ensuring a respectful and productive dialogue. We now open the floor for public comments."

No comments from the public.

DISCUSSION:

NEW BUSINESS:

-Parking Rates: The parking rate has not changed since 2009 and has remained at the NTE of $1.50 per hour and the governing body agreed to raise the rate to NTE $3.00 per hour. While discussing this, they all agreed to extend the parking meters to be in effect from May 15 – September 30th annually.

-Bayfront Bulkheads: As we look back on the storm, the governing body thanked all departments for their efforts…overall the borough fared well. On the ocean, the width of our beaches proved to be quite beneficial; waves were crashing on the southern dunes and after looking at the USACE 95% plans, the water line would have been closer to dune system. There is a significant difference between our northern beaches and the southern ones and the governing body must keep that in mind. This will be raised at the Oct 15th meeting. The borough invested in valve system to raise bulkheads and they held up very well. The valves are designed to keep bay water out and some private bulkheads had water coming over. The next phase is raising more public bulkheads to include raising of streets and pump station…We need to reexamine an ordinance and if private bulkheads are lower than a certain height, they will have a certain amount of time for compliance. That most recent Nor'easter event was 5.78 on tide gauge, which was the third highest storm behind Sandy and Jonas. Even if we had a pump station, it would not have mattered. The water was coming. We have to be consistent with Wildwood and North Wildwood and now we need to act on it. There needs to be a mechanism in place for property owners to be in compliance. We have surveys of all private bulkheads. We need to start the process to identify the bulkheads. There are bulkheads that have been compromised to allow for ramps and walkways and this is a code issue. It was noted that Stone Harbor has a tabular timeline and is very strict and required to raise 6.2 feet by December and then 8.0 feet by 2050, while North Wildwood and Wildwood are 8.0 for full compliance by 2040. Consistency is key for the island. For purposes of moving ahead, can we mirror them and get a draft ordinance in circulation.

Affordable Housing Ordinance: The prior Affordable ordinance was more clear concerning demolition of existing units, and reconstructing the unit, it would not count to the total number of units that would trigger a set aside of an affordable unit. Developers have been asking the question and seeking clarity and assurances. Our COAH counsel had this reviewed by the state and it is acceptable to make the clarification. This is set for introduction at the October 23rd meeting.

OLD BUSINESS:
-Historical museum - 2025 – On hold until 2027.
-Back Beach Excavation: This is pending outcome of USACE and DEP. Next meeting is scheduled for October 15th.
-Dredging: January item.
-Washington / Seaview – beach outfalls and capacity: Pending on grant.
-US ACE / NJ DEP Dune: There was a scheduled meeting for Oct. 15th.
-Borough Hall Renovations- There was a department head meeting and the Administrator will summarize the findings and send out.

PUBLIC COMMENTS: None.

COMMISSIONER COMMENTS:

Commissioner Fuscellaro: The Youth Advisory Council has had two meetings. The students embarked on their first mission: Collect Hoodies and sweatshirts to donate to Branches and drop off locations are Crest Pier and Borough Hall.

Commissioner Franco: He asked for clarification regarding the Fishing Pier and a start date. The engineer added that some components need to be ordered and work should commence in the next few months. There is a contractual timeline by the end of July, but to keep in mind the project gets more complex the further out in to the water and weather can play a part. Also, the engineer is the project manager on this project.

Mayor Cabrera: For clarity, the contract award is for construction, it doesn't include the electrical portion. This will be handled separately. The electrical portion in previous bid sent the cost way over budget. We still need funding for that portion. This decision will be made in the new year. Per the Engineer, between the budget and actual design (3D) and withstanding a hurricane sandy storm, the requirements now have decking three feet higher and potential USACE and piling to go deeper and overzealous electrical lighting situation, that is how the number came in higher.

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 26-268

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 two (2) 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 7, 2026** at **9:30 A.M**.; and

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

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

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

_____ **"(3) Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly."** The nature of the matter, described as specifically as possible without undermining the need for confidentiality is _____

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

_____ **"(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 property _____.

_____ **"(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 USACE / NJDEP DUNE.

____x__ **"(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 **Potential 2027 hirings.**

_____ **"(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. Fuscellaro motions, Mr. Franco seconds that the foregoing resolution be adopted.
Vote: Fuscellaro - Franco – Cabrera – YES

After hearing nothing further from the public, Mrs. Fuscellaro motioned and Mr. Franco seconded that the meeting be adjourned. All were in favor. The time was 11:28 a.m.

Dated: October 21, 2026

_____

_____ _____

Patricia A. Feketics, Borough Clerk

_____