

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

November 1, 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.

Mr. Franco motioned and Mr. Schiff seconded that Ordinance No. 1411 be passed on second reading and final passage by title only.

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING ORDINANCE BY TITLE:

**ORDINANCE NO. 1411**

**BOND ORDINANCE APPROPRIATING \$4,500,000, AND AUTHORIZING THE ISSUANCE OF \$4,275,000 BONDS OR NOTES OF THE BOROUGH, FOR VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE BOROUGH OF WILDWOOD CREST, IN THE COUNTY OF CAPE MAY, NEW JERSEY**

Mr. Franco motioned and Mr. Schiff seconded that a public hearing be held on Ordinance No. 1411.

Vote: Schiff - Franco – Cabrera – YES

After hearing nothing from the public, Mr. Franco motioned and Mr. Schiff seconded that the public hearing be held on Ordinance No. 1411 now be closed.

Vote: Schiff - Franco – Cabrera – YES

Mr. Franco motioned and Mr. Schiff seconded that Ordinance No. 1411 be passed on second reading and advertised according to law.

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING ORDINANCE BY TITLE:

**ORDINANCE NO. 1412**

**AN ORDINANCE OF THE BOROUGH OF WILDWOOD CREST, AMENDING AND SUPPLEMENTING CHAPTER 17 OF THE CODE OF THE BOROUGH OF WILDWOOD CREST ESTABLISHING UNIFORM REGULATIONS FOR THE CONSTRUCTION AND REPAIR OF BULKHEADS**

Mr. Franco motioned and Mr. Schiff seconded that Ordinance No. 1412 be passed on first reading, advertised according to law, be brought up for second and final reading and public hearing on November 21, 2023 at 9:30 a.m.

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 23-300

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING APPROVAL OF CHANGE ORDER NO. 2 – JOSEPH VON SAVAGE MEMORIAL POOL – POOL AND ROOF IMPROVEMENTS - TO REFLECT ADDITIONAL WORK TO REMOVE AND REPLACE EXISTING POOL GRATING AND INSTALLATION OF TRELLIS AND FLAG POLE AT PRESTON PARK- AT THE NTE SUM OF \$75,863.67**

**WHEREAS**, Capri Construction Company, 4266 Post Road, Vineland, New Jersey 08360 was awarded the contract known as JOSEPH VON SAVAGE MEMORIAL POOL – POOL AND ROOF IMPROVEMENTS- via Resolution No. 23-108 on March 22, 2023 for \$1,267,500.00; and

**WHEREAS**, the Board of Commissioners authorized Borough Change Order No 1 – JOSEPH VON SAVAGE MEMORIAL POOL – POOL AND ROOF IMPROVEMENTS - TO REFLECT ADDITIONAL CONCRETE DEMOLITION AND REINFORCEMENT AT VARIOUS LOCATIONS with an increase amount of \$49,879.47 all of which is detailed in the attachment to the Change Order and revising the Contract Price to \$1,317,379.47 via Resolution No. 23-277 on October 4, 2023; and

**WHEREAS**, Borough Engineer Marc DeBlasio of DeBlasio & Associates has reviewed the request for additional work to Remove and Replace Existing Pool Grating & Installation of Trellis and Flag Pole at Preston Park with an increase amount of \$75,863.67 all of which is detailed in the attachment to the Change Order and revising the Amended Contract Price to \$1,393,243.14; and

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

Account Number: \_\_\_\_\_ Amount: \$75,863.67 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 2- increasing the total contract amount by \$75,863.67 and revising the Amended contract price to \$1,393,243,14 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.

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. 23-301

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING APPOINTMENT OF WILLIAM CRIPPS AS OFFICE OF EMERGENCY MANAGEMENT COORDINATOR**

**WHEREAS**, the Board of Commissioners of the Borough of Wildwood Crest wish to appoint William Cripps as Office of Emergency Management Coordinator; and

**WHEREAS**, William Cripps has the necessary qualifications to perform the duties of Emergency Management Coordinator.

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

**BE IT FURTHER RESOLVED** that William Cripps shall be compensated annually in a stipend amount of Five Thousand Dollars (\$5,000.00) for the OEM Coordinator position. This resolution ratifies the title and stipend pay solely and in accordance with N.J.S.A. (Appendix A:9-33, et seq.) as identified in copy of same attached hereto and made a part hereof and for all duties required to be performed by William Cripps as Coordinator of the Local Emergency Management 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. 23-302

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING APPOINTMENT OF JAMES GRAUEL AS DEPUTY OFFICE OF EMERGENCY MANAGEMENT COORDINATOR**

**WHEREAS**, the Board of Commissioners of the Borough of Wildwood Crest wish to appoint James Grauel as Deputy Office of Emergency Management Coordinator; and

**WHEREAS**, James Grauel has the necessary qualifications to perform the duties of Deputy Office of Emergency Management Coordinator; and

**WHEREAS**, James Grauel agrees to take and pass all state classes to perform the duties of Emergency Management Coordinator.

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

**BE IT FURTHER RESOLVED** that James Grauel shall be compensated annually in the stipend amount of Three Thousand Dollars (\$3,000.00) for the Deputy OEM Coordinator position and James Grauel agrees to take and pass all required courses for Emergency Management Coordinator. This resolution ratifies the title and stipend pay solely in accordance with N.J.S.A. (Appendix A:9-33, et seq.) as identified in copy of same attached hereto and made a part hereof and for all duties required to be performed by James Grauel as Deputy Coordinator of the Local Emergency Management 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. 23-303**

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING APPROVAL OF CHANGE ORDER NO. 2 – BEACH PATROL HEADQUARTERS RENOVATIONS – TO REFLECT CONTRACT TIME EXTENSION OF 84 DAYS**

**WHEREAS**, Straga Brothers, Inc., PO Box 216, Glassboro, New Jersey 08028 was awarded the contract known as BEACH PATROL HEADQUARTERS RENOVATIONS -via Resolution No. 23-101 on March 8, 2023 for \$2,054,334.00; and

**WHEREAS**, the Board of Commissioners authorized BEACH PATROL HEADQUARTERS RENOVATIONS Change Order No. 1 to reflect additional demolition, additional helical piles, revised foundation design and various masonry infills - with an increase amount of \$81,563.00 all of which is detailed in the attachment to the Change Order and revising the Contract Price to \$2,135,897.00 via Resolution No. 23-248 on September 6, 2023; and

**WHEREAS**, Borough Engineer Marc DeBlasio of DeBlasio & Associates has reviewed the request for an Extension of Contract Amount of 84 days and approves BEACH PATROL HEADQUARTERS RENOVATIONS Change Order No 2 to reflect contract time extension of 84 days and amending the contract deadline to March 11, 2024.

**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 2- increasing the total contract time by 84 days with amended deadline of March 11, 2024 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.

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. 23-304**

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING CERTAIN APPROPRIATION TRANSFERS**

**WHEREAS**, N.J.S.A. 40A:4-58 permits transfers between budget appropriations during the final two (2) months of the fiscal year;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey, that transfers between 2023 budget appropriations be and the same are hereby authorized as follows:

<b>Appropriation Title</b>		
FROM:	Ambulance – S/W	\$ 12,000.00
	Sewer – S/W	\$ 20,000.00
	<b>TOTAL</b>	<b><u>\$ 32,000.00</u></b>
TO:	Lifeguard – S/W	\$ 12,000.00
	Sanitation – S/W	\$ 20,000.00
	<b>TOTAL</b>	<b><u>\$ 32,000.00</u></b>

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

**RESOLUTION NO. 23-305**

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

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

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

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

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

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

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

**RESOLUTION NO. 23-306**

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING THE APPOINTMENT OF BRIAN STUART TO FILL A VACANCY AS ALTERNATE MEMBER #1 OF THE WILDWOOD CREST PLANNING BOARD COMMENCING IMMEDIATELY AND THROUGH ORIGINAL TERM OF DECEMBER 31, 2023 AND RE-APPOINTING TO AN IMMEDIATE TWO YEAR TERM EXPIRING DECEMBER 31, 2025**

**WHEREAS**, it is the desire of the Board of Commissioners of the Borough of Wildwood Crest to appoint BRIAN STUART as Alternate Member #1 of the PLANNING BOARD of the Borough of Wildwood Crest to fill a vacancy with the term expiring December 31, 2023; and

**WHEREAS**, it is the desire of the Board of Commissioners of the Borough of Wildwood Crest to then re-appoint BRIAN STUART as Alternate Member #1 of the PLANNING BOARD of the Borough of Wildwood Crest to new two term expiring December 31, 2025.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Borough of Wildwood Crest that BRIAN STUART is hereby appointed as Alternate Member #1 of the PLANNING BOARD of the Borough of Wildwood Crest to a term through December 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. 23-307**

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING THE APPOINTMENT OF VINCENT TENAGLIA TO FILL A VACANCY AS ALTERNATE MEMBER #2 OF THE WILDWOOD CREST PLANNING BOARD COMMENCING IMMEDIATELY AND THROUGH ORIGINAL TERM OF DECEMBER 31, 2023 AND RE-APPOINTING TO AN IMMEDIATE TWO YEAR TERM EXPIRING DECEMBER 31, 2025**

**WHEREAS**, it is the desire of the Board of Commissioners of the Borough of Wildwood Crest to appoint VINCENT TENAGLIA as Alternate Member #2 of the PLANNING BOARD of the Borough of Wildwood Crest to fill a vacancy with the term expiring December 31, 2023; and

**WHEREAS**, it is the desire of the Board of Commissioners of the Borough of Wildwood Crest to then re-appoint VINCENT TENAGLIA as Alternate Member #2 of the PLANNING BOARD of the Borough of Wildwood Crest to new two term expiring December 31, 2025.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Borough of Wildwood Crest that VINCENT TENAGLIA is hereby appointed as Alternate Member #2 of the PLANNING BOARD of the Borough of Wildwood Crest to a term through December 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. 23-308**

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING THE APPOINTMENT OF BRADLEY VOGDES TO FILL A VACANCY AS ALTERNATE MEMBER #3 OF THE WILDWOOD CREST PLANNING BOARD COMMENCING IMMEDIATELY AND THROUGH ORIGINAL TERM OF DECEMBER 31, 2024**

**WHEREAS**, it is the desire of the Board of Commissioners of the Borough of Wildwood Crest to appoint BRADLEY VOGDES as Alternate Member #3 of the PLANNING BOARD of the Borough of Wildwood Crest to fill a vacancy with the term expiring December 31, 2024.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Borough of Wildwood Crest that BRADLEY VOGDES is hereby appointed as Alternate Member #3 of the PLANNING BOARD of the Borough of Wildwood Crest to a term through December 31, 2024

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

**RESOLUTION NO. 23-309**

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING THE APPOINTMENT OF JANE REYNOLDS TO FILL A VACANCY AS ALTERNATE MEMBER #4 OF THE WILDWOOD CREST PLANNING BOARD COMMENCING IMMEDIATELY AND EXPIRING DECEMBER 31, 2024**

**WHEREAS**, it is the desire of the Board of Commissioners of the Borough of Wildwood Crest to appoint JANE REYNOLDS as Alternate Member #4 of the PLANNING BOARD of the Borough of Wildwood Crest to fill a vacancy with the term expiring December 31, 2024.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Borough of Wildwood Crest that JANE REYNOLDS is hereby appointed as Alternate Member #4 of the PLANNING BOARD of the Borough of Wildwood Crest to fill a vacancy commencing immediately and expiring December 31, 2024.

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

**RESOLUTION NO. 23-310**

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING AWARD OF CONTRACT FOR RECONSTRUCTION OF ORCHID ROAD (FY 2023 NJDOT MUNICIPAL AID)**

**WHEREAS**, a Notice to Bidders was authorized for advertisement by Resolution No. 23-279 on October 4, 2023 for the Borough of Wildwood Crest contract for the RECONSTRUCTION OF ORCHID ROAD (FY 2023 NJDOT MUNICIPAL AID); and

**WHEREAS**, Notice to Bidders was advertised in the *Herald of Cape May County* on October 11, 2023 with receipt of sealed bids on October 26, 2023 at 11:00 a.m.; and

**WHEREAS**, five sealed bid proposals were received, opened and reviewed on October 26, 2023 by the Bid Opening Committee who reviewed the bid proposal and recommended that the Alternate Bid (\$1,117,700.00) for the RECONSTRUCTION OF ORCHID ROAD (FY 2023 NJDOT MUNICIPAL AID) be awarded to Asphalt Paving Systems, PO Box 530, Hammonton, NJ 08037 the lowest responsive bidder; 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 and Borough Solicitor recommending the award of the Bid (\$1,117,700.00) to Asphalt Paving Systems, PO Box 530, Hammonton, NJ 08037; and

**WHEREAS**, Asphalt Paving Systems, PO Box 530, Hammonton, NJ 08037 was lowest responsive bidder and submitted a bid amount of \$1,117,700.00; and

**WHEREAS**, Wildwood Water Utility has participating items, which tabulate in the amount of \$135,924.60 and the Borough of Wildwood Crest's participating items tabulate in the amount of \$981,775.40; 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, State of New Jersey, as follows:

1. The above recital paragraphs are incorporated herein as if set forth at length.
2. RECONSTRUCTION OF ORCHID ROAD (FY 2023 NJDOT MUNICIPAL AID) is hereby awarded to Asphalt Paving Systems, PO Box 530, Hammonton, New Jersey 08037 the lowest responsive bidder.
3. The award of this contract in the amount of \$1,117,700.00 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 Asphalt Paving Systems, PO Box 530, Hammonton, NJ 08037 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 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. 23-311**

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING AWARD OF PROFESSIONAL SERVICES CONTRACT TO COLLIERS ENGINEERING & DESIGN FOR SEAVIEW AVENUE TRAFFIC SIGNAL IMPROVEMENTS FOR PROFESSIONAL CONSTRUCTION ADMINISTRATION /CONSTRUCTION INSPECTION SERVICES AT THE NTE SUM OF \$53,229.80**

**WHEREAS**, the Board of Commissioners of the Borough of Wildwood Crest adopted Resolution No. 22-340 on December 7, 2022, which authorized the award of Professional Service Contract to Colliers Engineering & Design for Seaview Avenue Traffic Signal Improvements at the NTE sum of \$40,000 (inclusive of Tasks 1-4); and

**WHEREAS**, the Board of Commissioners of the Borough of Wildwood Crest adopted Resolution No. 23-99 on March 8, 2023, which authorized the award of Professional Service Contract to Colliers Engineering & Design for Seaview Avenue Traffic Signal Improvements -Task 5 -Construction Plans and Accessible Curb Ramp Design at the NTE sum of \$11,600; and

**WHEREAS**, the Board of Commissioners of the Borough of Wildwood Crest has determined that there exists the need for specialized engineering consultation services to be provided to the Borough of Wildwood Crest for engineering consulting for Construction Administration / Construction Inspection Services at the NTE sum of \$53,229.80; and

**WHEREAS**, the Borough Clerk received a proposal from Colliers Engineering & Design dated September 27, 2023 that 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 Colliers Engineering & Design and based upon the review criteria, has recommended that the proposal of Colliers Engineering & Design best meets the Borough's needs and that Colliers Engineering & Design has the professional credentials and abilities to perform the services required of Construction Administration and Construction Inspection; 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 Colliers Engineering & Design; and

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

Account Number(s) \_\_\_\_\_ Amount \$53,229.80

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 specified Services for work in the **PROPOSAL dated September 27, 2023 for Construction Administration / Construction Inspection** in Wildwood Crest be awarded to Colliers Engineering & 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.
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 Colliers Engineering & Design, who shall be compensated pursuant to attached Proposal which is incorporated herein, at the billable rates set forth therein not to exceed \$53,229.80.

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

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

Vote: Schiff - Franco – Cabrera – YES

**CORRESPONDENCE:**

Sewer overage- The Mayor summarized a recent correspondence from a homeowner who had a landscape line break and used a lot of water. Wildwood Water denied her claim because she used a landscaper and not a plumber with a certified affidavit. The person paid their water bill and was instructed to come to Wildwood Crest to see if there was any recourse. The projected use will give the person an added bill of approximately \$3,500.00. The mayor reviewed the current ordinance with the tax collector to see if there were any exceptions since this was no fault of her own. The governing body agreed there needs to be a level of flexibility and they agreed to review the current ordinance and to have recommendations from the tax collector for possible revisions.

**PUBLIC COMMENTARY:**

**NEW BUSINESS:**

**OLD BUSINESS:**

- Lifeguard Stands**- It was suggested to rename this Brick Memorial Paver Program and to discuss further.
- Concession agreement hotel zone / beach chairs**- They agreed to dive into the details of a potential concession agreement and this could provide additional miscellaneous revenue.
- Proposed Bulkhead Ordinance**- Introduced and can be removed.
- Proposed Floodplain Ordinance**- Need to dive into and have ready for next meeting. The Clerk reminded all that this needs to be sent to the state prior to introduction.
- Potential Swim / Run Event** –A resolution will be forthcoming to move it forward after some final details are addressed.
- Crest Pier – capital planning for generators**- There is no funding at this time. On back burner for now.
- Traffic Calming** – There is budgetary planning that is needed; Commissioner Schiff and the Administrator will be attending a county workshop tomorrow night.
- Code Enforcement Personnel**- Can be removed.
- Back Beach Excavation**: Waiting for the USACE dune project.
- Dredging**: No movement.
- NJ Avenue infrastructure pre-county**: No movement.
- PW roof**: Waiting on bid specs...in conjunction with Crest Pier coop.
- Bayside outfalls and capacity / bulkhead repairs / replacement**: Bid specs forthcoming after the governing body decided to switch gears last meeting. The Engineer indicated that permits were not needed and the borough should contact Lomax Consulting.
- Arts Pavilion Exterior – with CMCOS**: Waiting on specs.
- Washington / Seaview – beach outfalls and capacity**: No movement at this time; two FEMA grants have been filed.
- **Lightning Detection System**: Can be removed.

**PUBLIC COMMENTARY:**

Hearing nothing further from the public, Mr. Schiff motioned and Mr. Franco seconded that the meeting be adjourned. All were in favor. The time was 9:48 a.m.

Dated: November 21, 2023

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Patricia A. Feketics, Borough Clerk

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