

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

November 22, 2022

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 5:30 p.m. On roll call the following answered to their names:

Schiff - Franco – Cabrera - YES

Mr. Franco read the following statement: In compliance with the Open Public Meeting Act, Chapter 231, P.L. 1975, the notice requirements have been satisfied as to the time, place and date of holding said meeting by posting notice on the bulletin board in the Borough Hall and by e-mailing and same to the Herald of Cape May County and The Press on October 13, 2021.

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

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

THE CLERK READS THE RE-INTRODUCED ORDINANCE BY TITLE:

**ORDINANCE NO. 1388
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 motions, Mr. Schiff seconds that Ordinance No. 1388 be passed on first reading, advertised according to law, be brought up for second and final reading and public hearing on December 7, 2022 at 9:30 a.m..

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

**RESOLUTION NO. 22-328
RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE
BOROUGH OF WILDWOOD CREST AMENDING THE 2022 CAPITAL
BUDGET**

WHEREAS, the local capital budget for the year 2022 was adopted on the 23rd day of March, 2022; and

WHEREAS, it is desired to amend said adopted capital budget section.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey, that the following amendments to the capital budget of 2022 be made:

ABSTAIN { NONE

RECORDED

VOTE AYES { SCHIFF
FRANCO
CABRERA

NAYS { NONE

ABSENT } NONE

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services.

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. 22-329

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING EXPENDITURE TO LEASE VEHICLES THROUGH ENTERPRISE FLEET MANAGEMENT UNDER NATIONAL COOPERATIVE SOURCEWELL

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 intends to leasing vehicles through Enterprise Fleet Management; and

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

WHEREAS, Enterprise Fleet Management (Sourcewell Contract # 030122-EFM) 585 E. Swedesford Road Suite 100, Wayne, PA 19087; and

WHEREAS, the CFO will certify upon adoption of the 2023 budget.

BE IT RESOLVED, by the Board of Commissioners of the Borough of Wildwood Crest, in the County of Cape May, that the Borough is authorized to fund the expenditure to lease vehicles through Enterprise Fleet Management (Sourcewell Contract # 030122-EFM) ; and

BE IT FURTHER RESOLVED, by the Board of Commissioners of the Borough of Wildwood Crest, in the County of Cape May, that the Borough is authorized to fund the expenditure to lease vehicles through Enterprise Fleet Management using Sourcewell Contract number 030122-EFM; and

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. 22-330

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE NEW JERSEY URBAN ENTERPRISE ZONE AUTHORITY FOR ENTERPRISE ZONE ASSISTANCE FUNDS FOR ADMINISTRATION OF THE URBAN ENTERPRISE ZONE PROGRAM FOR FISCAL YEAR ENDING JUNE 30, 2023

WHEREAS, N.J.S.A. 52:27H.88 creates an Enterprise Zone Assistance Fund to be held by the State Treasurer on behalf of qualifying municipalities, of which the Borough of Wildwood Crest is recognized, which shall be a repository of all monies required to be deposited therein and disbursed in the amounts necessary to fulfill the purposes of the UEZ Authority, N.J.S.A. 52:27H 60 et seq.; and

WHEREAS, N.J.S.A. 52:27H-88b. permits a municipality to utilize 10% of the amount annually credited to its enterprise zone Assistance fund for administrative expenses incurred in furtherance of the mission of the New Jersey Urban Enterprise Zone Authority; and

WHEREAS, in order to adequately provide for the proper administration of qualified economic development projects in designated enterprise zones within the Borough of Wildwood Crest by funding qualified assistance fund expenses, the Board of Commissioners finds it to be in the best interest of the borough and in furtherance of the goals set forth in N.J.S.A. 52:27H-60 et seq. to request and utilize available monies being held by the State Treasurer in the amount equal to 10% of the amount credited for the Fiscal Year ending June 30, 2023 (FY2023).

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Borough of Wildwood Crest, does hereby authorize and direct the submission of a proposal to the New Jersey Urban Enterprise

Zone Authority for use of Enterprise Zone Assistance Funds in the amount of 10% of the amount credited in FY2023 being held on behalf of the Borough of Wildwood Crest for administrative expenses necessary to fulfill the purposes of N.J.S.A. 52:27H-60 et seq.

BE IT FURTHER RESOLVED that the persons whose names, titles, and signatures appear below or their successors in said titles are authorized to sign any agreement connected with this funding and any other documents necessary in connection therewith:

(signature)

(signature)

(print name)

(print name)

Mayor

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. 22-331

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING A LICENSING AGREEMENT BETWEEN BOROUGH OF WILDWOOD CREST AND WILDWOOD CREST SCHOOL DISTRICT FOR USE OF CREST PIER FOR BASKETBALL PRACTICES

WHEREAS, the Wildwood Crest School District has requested to use Crest Pier, located at 5800 Ocean Avenue, for school basketball practices; and

WHEREAS, the Wildwood Crest School District desires to enter into a license agreement to use Crest Pier and the Board of Commissioners does herewith agree to enter into a licensing agreement with Wildwood Crest School District for a license for the non-exclusive right to use the Licensed Property known as Crest Pier.

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

1. That the recital paragraphs set forth above are incorporated herein as if set forth at length.
2. That a license for the non-exclusive right to use the Licensed Property known as the Crest Pier in the Borough of Wildwood Crest is hereby granted to Wildwood Crest School District for the period commencing immediately and ending March 1, 2022, with an option to extend monthly, as needed. The specific days and hours of permitted use, and all other conditions, which shall affect, change or modify this license shall be contained in said License Agreement as Schedule "A", a copy of which is attached hereto and made a part hereof.
3. The Mayor and the Borough Clerk be and they are hereby authorized and directed to execute and attest said license agreement on behalf of the Borough.

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 22-332

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING BOROUGH ENGINEER WORK ORDER FOR FY 2022 NJDOT MUNICIPAL AID RECONSTRUCTION OF SYRACUSE AVENUE – ADDITIONAL SERVICES: RECONSTRUCTION OF BAYVIEW AVENUE – 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 **FY 2022 NJDOT MUNICIPAL AID RECONSTRUCTION OF SYRACUSE AVENUE – ADDITIONAL SERVICES: RECONSTRUCTION OF BAYVIEW AVENUE**, for engineering services which are more specifically set forth in the attached Proposal from Marc DeBlasio and the Firm of DeBlasio & Associates, dated **November 2, 2022** which is made a part hereof by reference as if fully set forth at the billable rates set forth in the professional services agreement between Marc DeBlasio and Borough not to exceed **\$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**.

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. 22-333

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST URGING GOVERNOR MURPHY TO USE COVID RELIEF FUNDS TO OFFSET THE INCREASED PREMIUM COSTS OF THE NEW JERSEY STATE HEALTH BENEFITS PROGRAM

WHEREAS, the New Jersey State Health Benefits Program (the “SHBP”), governed by N.J.S.A. 52:14-17.25 et seq., offers medical, prescription drug, and dental coverage to qualified state and participating local government public employees, retirees, and eligible dependents; and

WHEREAS, all SHBP plans are self-funded, with all benefits being paid directly from a SHBP fund supplied by the State, participating local employers, and member premiums; and

WHEREAS, in 2023, due to decisions by the New Jersey Division of Pensions and Benefits and the State Health Benefits Commission, the cost of the SHBP premiums will increase by 21.6% for active employees, 13% for early retirees, and 0.7% for Medicare retirees, which will result in a combined cost increase of 22.8%; and

WHEREAS, the current and retired employees of the Borough of Wildwood Crest currently receive health insurance benefits through the SHBP; and

WHEREAS, the increased costs of the SHBP will result in significant additional cost to both the Borough of Wildwood Crest and its employees; and

WHEREAS, the additional cost of premiums for the SHBP will result in a significant increase in the property taxes for the residents of the Borough of Wildwood Crest; and

WHEREAS, the Governor and the State of New Jersey have entered into an agreement with state employees to use New Jersey Covid relief funds to offset the increased premiums to limit the increase to 3% for state employees; and

WHEREAS, it would be fair and equitable for the State of New Jersey to use its Covid relief funds to provide the same or similar benefit to municipal employees that the State will be providing to state employees; and

WHEREAS, limiting the SHBP premium increase to 3% for participating municipal employees in the same manner as for state employees would contribute to the State’s goal to build a stronger and fairer economy for New Jersey that supports the middle class and lifts families and communities.

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:

1. The allegations of the preamble are incorporated herein by this reference.
2. The Borough of Wildwood Crest hereby urges the Governor and State of New Jersey to expend state Covid relief funds to offset the increased premiums of the SHBP for municipal employees in the same manner that the State has agreed to do for state employees in order to limit the premium increase to 3%.
3. The Municipal Clerk shall forward copies of this Resolution to the Governor, State Treasurer, District I legislators, State Health Benefits Commission, New Jersey Division of Pensions and Benefits, Cape May County Commissioners, and each municipality in Cape May County.

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. 22-334

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING AWARD OF CONTRACT FOR FY2022 ROAD RESURFACING PROGRAM

WHEREAS, a Notice to Bidders was authorized for advertisement by Resolution No. 22-310 on October 26, 2022 for the Borough of Wildwood Crest contract for the FY2022 ROAD RESURFACING PROGRAM; and

WHEREAS, Notice to Bidders was advertised in the *Herald of Cape May County* and *The Press of Atlantic City* on November 2, 2022 with receipt of sealed bids on November 15, 2022 at 10:00 a.m.; and

WHEREAS, three sealed bid proposals were received, opened and reviewed on November 15, 2022 by the Bid Opening Committee who reviewed the bid proposal and recommended that the Bid (\$118,125.50) for the FY2022 ROAD RESURFACING PROGRAM be awarded to South State, Inc., 202 Reeves Road, Bridgeton, NJ 08302 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 (\$118,125.50) for the FY2022 ROAD RESURFACING PROGRAM be awarded to South State, Inc., 202 Reeves Road, Bridgeton, NJ 08302; and

WHEREAS, South State, Inc., 202 Reeves Road, Bridgeton, NJ 08302; was lowest responsive bidder and submitted a bid amount of \$118,125.50; 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. FY2022 ROAD RESURFACING PROGRAM is hereby awarded South State, Inc., 202 Reeves Road, Bridgeton, NJ 08302, the lowest responsive bidder.
3. The award of this contract in the amount of \$118,125.50 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 South State, Inc., 202 Reeves Road, Bridgeton, NJ 08302; 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. 22-335

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING THE APPOINTMENT OF TWO (2) CLASS II POLICE OFFICER(S)

WHEREAS, the Commissioner of Public Safety desires to appoint two (2) Class II Police Officer(s) for the Borough of Wildwood Crest; and

WHEREAS, it is the desire of the Commissioner of Public Safety to appoint **Tyler Abruscato & Kirston Beaucicault** as Class II Police Officer(s) for the Borough of Wildwood Crest, to serve in an “at-will” capacity at the pleasure of the Commissioner of Public Safety at an annual salary as contained in the current year salary ordinance of the Borough of Wildwood Crest; and

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest has determined that it is in the best interests of the Borough of Wildwood Crest to confirm and ratify the appointment of **Tyler Abruscato & Kirston Beaucicault** as Class II Police Officer(s).

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

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

2. The appointment of **Tyler Abruscato & Kirston Beaucicault** as Class II Police Officer(s) effective the date of passage of this resolution, at an annual salary as permitted within the parameters of the range established in the current year "Salary Ordinance" of the Borough of Wildwood Crest, be and the same is hereby confirmed and ratified.
3. That said unclassified appointment shall be "at-will," at the pleasure of the Commissioner of Public Safety, and shall remain in full force and effect until further notice.

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. 22-336

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST APPROVING SETTLEMENT AGREEMENT AND RELEASE CONCERNING 213 EAST COLUMBINE ROAD

WHEREAS, the Borough of Wildwood Crest is party to a dispute with property owners of 213 East Columbine Road concerning the proper issuance of and reliance on permits issued by the Borough concerning placement of an accessory structure on the property by the property owners; and

WHEREAS, the Borough and property owners have agreed to amicably resolve, settle and compromise all disputes and differences they have or may have arising out of the dispute, issuance of the permits and work performed on the property in accordance with the terms and conditions set forth in the attached Settlement Agreement and Release; and

WHEREAS, the Board of Commissioners, based upon the recommendation of its counsel, desires to accept such recommendation and settle the dispute and further determines that the terms of the Settlement Agreement and Release are in the best interest of the Borough and the public.

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 Settlement Agreement attached hereto is hereby approved.

BE IT FURTHER RESOLVED, that the Mayor, Borough Clerk and other appropriate officers of the Borough are hereby authorized and directed to execute the Settlement Agreement and Release and such other documents and to take all necessary action necessary to effectuate the terms thereof.

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

Vote: Schiff - Franco – Cabrera – YES

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

Vote: Schiff - Franco – Cabrera – YES

REPORTS: Mr. Franco motioned, and Mr. Schiff seconded that all reports received from the Court Administrator, Chief Financial Officer, Tax Collector, Chief of Police, Supervisor for the Recreation Department, Construction Official, Emergency Services Coordinator, for the EMS and the Wildwood Crest Volunteer Fire Company Chief for the month ending October 31, 2022 be accepted as presented.

Vote: Schiff - Franco – Cabrera – YES

MINUTES: Mr. Franco motioned, and Mr. Schiff seconded that all minutes from the Commission meetings dated October 26, 2022 and November 9, 2022 be approved as presented.

Vote: Schiff - Franco – Cabrera – YES

ADMINISTRATOR'S REPORT & ENGINEER'S REPORT: N/A

CORRESPONDENCE:

-The Governing Body wished WWII Veteran, Russell Stetser, a very happy 100th birthday on November 15, 2022. The Mayor gave a shout out to John Lynch for requesting a proclamation in his honor.

-The Creative Arts Council sent a correspondence to the governing body for certain considerations at the Crest Arts Pavilion. They governing body acknowledged the letter and indicated they would be in touch closer to when the building will be ready.

PUBLIC COMMENTARY: N/A

DISCUSSION:

NEW BUSINESS:

N/A

OLD BUSINESS – NO MOVEMENT ON ANY TOPIC.

- Back Beach Excavation:** On hold.
 - Flood Mitigation Projects:** Engineer is working on this.
 - Dredging:** There is a meeting scheduled for the end of the month.
 - CAFRA Permit:** Waiting to hear back from DEP...application was submitted.
 - Phase 2 Beach Bump outs** – Waiting on Wildwood Water Utility Authority.
 - NJ Avenue infrastructure pre-county:** In the works.
 - Major reconstructing streets plan:** On hold.
 - North / South street line striping / pedestrian cross walks:** No movement.
 - Pool roof and resurfacing:** Moving forward will document preparation.
 - PW roof:** Moving forward will document preparation.
 - Borough hall exterior and addition – office moves:** In discussions.
 - Bayside outfalls and capacity / bulkhead repairs / replacement:** Engineer is trying to address with governing body.
 - Arts Pavilion Exterior – with CMCOS:** Waiting to hear back from CMC Open Space on the amount of funding.
 - Washington / Seaview – beach outfalls and capacity:** Touched on.
 - Seating in lieu of barricades at Centennial Park:** Working on.
- Beach Related Issues:** Storage, stands, walkways, planks, beach boxes, signage, etc.- Application made with all beach related issues.

PUBLIC COMMENTARY:

Commissioner Comments:

Commissioner Schiff: Happy Thanksgiving to all. He also added that on Sunday, from 12:00-2:00 there will be a Christmas tree on Rambler Road beach and decorating and hot chocolate, picture with Santa and they will be collecting for toys for tots.

Commissioner Franco: Happy Thanksgiving. He also added that on Thursday, there will be the TJ Hunt 5k / 1 mile walk with registration at 8:00 and the race at 9:00.

Mayor Cabrera: Happy Thanksgiving. Also, there are vacancies for one member each on the Green Team and the Wellness Committee. Also, he reminded all that the Christmas tree lighting will take place on December 1, 2022. He also gave a shout out to Crest Residents: Jennifer Vogdes and Carl Tait for their Ironman races.

Hearing nothing further, Mr. Schiff motioned and Mr. Franco seconded that the meeting be adjourned. Both were in favor. The time was 5:40 p.m.

Dated: December 28, 2022

Patricia A. Feketics, Borough Clerk

