

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

November 3, 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 9:30 a.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.

Mrs. Gould motioned, Mr. Thompson seconded that Ordinance No. 1364 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 a hearing now be held on Ordinance No. 1364.

Vote: Gould - Thompson – Cabrera – YES

Hearing nothing from the public, Mrs. Gould motioned, Mr. Thompson seconded that the hearing on Ordinance No. 1364 now be closed.

Vote: Gould - Thompson – Cabrera – YES

Mrs. Gould motioned, Mr. Thompson seconded that Ordinance No. 1364 be passed on second and final reading and advertised according to law.

Vote: Gould - Thompson – Cabrera – YES

Mrs. Gould motioned, Mr. Thompson seconded that Ordinance No. 1365 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. 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 a hearing now be held on Ordinance No. 1365.

Vote: Gould - Thompson – Cabrera – YES

Hearing nothing from the public, Mrs. Gould motioned, Mr. Thompson seconded that the hearing on Ordinance No. 1365 now be closed.

Vote: Gould - Thompson – Cabrera – YES

Mrs. Gould motioned, Mr. Thompson seconded that Ordinance No. 1365 be passed on second and final reading and advertised according to law.

Vote: Gould - Thompson – Cabrera – YES

THE CLERK READS THE INTRODUCED ORDINANCE BY TITLE:

ORDINANCE NO. 1366

ORDINANCE OF THE BOROUGH OF WILDWOOD CREST AMENDING AND SUPPLEMENTING ORDINANCE NO. 911 OF THE CODE OF THE BOROUGH OF WILDWOOD CREST, PERTAINING TO THE ENTERPRISE ZONE DEVELOPMENT CORPORATION OF THE WILDWOODS

Mrs. Gould motioned, Mr. Thompson seconded that Ordinance No. 1366 be passed on first reading, advertised according to law, be brought up for second and final reading and public hearing on November 24, 2021 at 5:30 p.m.

Vote: Gould - Thompson – Cabrera – YES

THE CLERK READS THE INTRODUCED ORDINANCE BY TITLE:

ORDINANCE NO. 1367

ORDINANCE OF THE BOROUGH OF WILDWOOD CREST AMENDING ORDINANCE 1260, ORDINANCE 1141, ORDINANCE 957, ORDINANCE 922, ORDINANCE 842, ORDINANCE 801, ORDINANCE 773 AND ANY OTHER ORDINANCE IN THE CODE OF THE BOROUGH OF WILDWOOD CREST REGARDING TOURISM FUNDING TO THE GREATER WILDWOODS TOURISM IMPROVEMENT AND DEVELOPMENT AUTHORITY

Mrs. Gould motioned, Mr. Thompson seconded that Ordinance No. 1367 be passed on first reading, advertised according to law, be brought up for second and final reading and public hearing on November 24, 2021 at 5:30 p.m.

Vote: Gould - Thompson – Cabrera – YES

Mayor Cabrera indicated that currently Air BNB and others are not being charged 1.85% collection fees and this will now remedy that.

THE CLERK READS THE INTRODUCED ORDINANCE BY TITLE:

ORDINANCE NO. 1368

AN ORDINANCE TO AMEND SECTION 59-3 OF THE CODE OF THE BOROUGH OF WILDWOOD CREST, KNOWN AS THE "SALARY ORDINANCE," FIXING AND DETERMINING SALARIES AND COMPENSATIONS OF THE BOROUGH OF WILDWOOD CREST, AND PROVIDING FOR THE RAISING OF THE AMOUNTS THEREOF BY TAXATION AND FOR THE TIME AND METHOD OF PAYMENT

Mrs. Gould motioned, Mr. Thompson seconded that Ordinance No. 1368 be passed on first reading, advertised according to law, be brought up for second and final reading and public hearing on November 24, 2021 at 5:30 p.m.

Vote: Gould - Thompson – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 21-302

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING ACCEPTANCE OF NJUCF STEWARDSHIP GRANT AGREEMENT BETWEEN THE BOROUGH OF WILDWOOD CREST AND STATE OF NEW JERSEY BY AND FOR THE DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR THE PROJECT KNOWN AS RESILIENCY PLANNING – BOROUGH OF WILDWOOD CREST TREE INVENTORY AND RISK TREE ASSESSMENT – GRANT IDENTIFIER: UCF-2021-CREST-00030-RP

WHEREAS, the Governing Body of the Borough of Wildwood Crest desires to further the public interest

by obtaining a grant from the State of New Jersey in the amount of approximately \$50,000.00 to fund the following project:

Resiliency Planning – Borough of Wildwood Crest Tree Inventory and Risk Tree Assessment; and

WHEREAS, the Board of Commissioners authorizes and hereby agrees to match 20% of the Total Project Amount, in compliance with the match requirements of the agreement. The availability of the match for such purposes, whether cash, services, or property, is hereby certified up to 40% of the match will be made up of in-kind services; and

WHEREAS, the grantee agrees to comply with all applicable Federal, State, and municipal laws, rules, and regulations in its performance pursuant to the agreement.

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

1. to make application for such a grant;
2. if awarded, to execute a grant agreement with the state for a grant in an amount not to exceed \$50,000.00;
3. to execute any amendments thereto which do not increase the Borough’s obligations.

Introduced and passed November 3, 2021.

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. 21-303

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 THE NEW JERSEY URBAN AND COMMUNITY FORESTRY PROGRAM FOR THE 2021 NJUCF 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 \$ 50,000.00 from the New Jersey Urban and Community Forestry Program for the 2021 NJUCF 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 \$ 50,000.00

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:	
NJUCF Stewardship Grant	\$..... 50,000.00

BE IT FURTHER RESOLVED that a like sum of \$..... 50,000.00 is hereby appropriated under the caption of:

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

BE IT FURTHER RESOLVED that the sum of \$15,000.00 representing the amount required for the municipality’s share of the aforementioned undertaking appears in the budget of the year 2021.

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. 21-304
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 2021 budget appropriations be and the same are hereby authorized as follows:

Appropriation Title		
FROM:	Group Insurance – Other Expenses	\$ 290,000.00
	TOTAL	<u>\$ 290,000.00</u>
TO:	Land Use – Salary and Wages	\$ 10,000.00
	Construction – Salary and Wages	\$ 10,000.00
	Information Technology – Other Expenses	\$ 5,000.00
	Water – Other Expenses	\$ 35,000.00
	Landfill – Other Expenses	\$ 45,000.00
	Recreation – Other Expenses	\$ 35,000.00
	Public Works = Other Expenses	\$ 150,000.00
	TOTAL	<u>\$ 290,000.00</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. 21-305
RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF
WILDWOOD CREST AUTHORIZING REFUND OF EMS OVERPAYMENT MADE
PAYABLE TO THE DEPARTMENT OF VETERANS AFFAIRS**

WHEREAS, Dennis McDonough had cause to utilized Emergency Medical Services of the Borough of Wildwood Crest; and

WHEREAS, Dennis McDonough had coverage with the Department of Veterans Affairs and they paid \$342.84 through electronic payment dated June 8, 2020 and then paid \$338.11 through electronic payment dated July 28, 2021; and

WHEREAS, Cape Medical Billing indicated that a refund of \$342.84 was owed to the Department of Veterans Affairs for overpayment.

NOW, THEREFORE, BE IT RESOLVED that the Chief Financial Officer is hereby authorized to issue a refund of overpaid Emergency Medical Services in the amount of \$342.84 to the Department of Veterans Affairs, PO Box 149975, Austin, TX 78714.

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. 21-306
RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF
WILDWOOD CREST AUTHORIZING INCREASE OF PROFESSIONAL SERVICES
CONTRACT IN THE AMOUNT OF \$3,000.00 TO ROBERT BELASCO FOR LEGAL
SERVICES FOR THE PLANNING BOARD FOR THE CY2021**

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest awarded a contract, via Resolution No. 21-29 adopted January 6, 2021, to ROBERT BELASCO, for legal services for the planning board for CY2021 contract at the NTE sum of \$10,000.00; and

WHEREAS, it is the desire of the Board of Commissioners of the Borough of Wildwood Crest to increase the amount of the contract by \$3,000.00; and

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

Account Number(s)	Amount	Signature
<u>1-01-21-180-215</u>	<u>\$3,000.00</u>	_____

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. That the recital paragraphs set forth above are incorporated herein as if set forth at length.
2. That the terms and conditions of the contract between the Borough of Wildwood Crest and ROBERT BELASCO, authorized by Resolution No. 21-29 adopted January 6, 2021 shall remain in full force and effect, with the sole exception that the amount of the contract shall be increased to a total sum not to exceed \$13,000.00 all of which is contingent upon certification from the Chief Financial Officer as to the availability of funds.
3. That a copy of the specific items appertaining to the award of this contract shall be published in a Notice of Award in *The Herald of Cape May County* as required by law within ten (10) days of passage of the Resolution authorizing same.

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. 21-307

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING APPROVAL OF CHANGE ORDER NUMBER 1 – FY2020 NJDCA SMALL CITIES PROGRAM ADA IMPROVEMENTS TO SCOOP TAYLOR PARK – PHASE I AT THE NTE SUM OF \$30,829.81

WHEREAS, COMMAND CO. INC., 1318 Antwerp Avenue, Egg Harbor City, New Jersey, 08218 was awarded the contract known as **FY2020 NJDCA SMALL CITIES PROGRAM ADA IMPROVEMENTS TO SCOOP TAYLOR PARK** via Resolution No. 21-204 on June 9, 2021 for \$257,750.00; and

WHEREAS, Borough Engineer Marc DeBlasio of DeBlasio & Associates has reviewed the quantity additions for various items and approves Change Order No 1 - **FY2020 NJDCA SMALL CITIES PROGRAM ADA IMPROVEMENTS TO SCOOP TAYLOR PARK** with an increase amount of \$30,829.81 all of which is detailed in the attachment to the Change Order and revising the Contract Price to \$288,579.81.

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

Account Number: C-04-55-134-1D4 Amount: \$30,829.81 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- Final **FY2020 NJDCA SMALL CITIES PROGRAM ADA IMPROVEMENTS TO SCOOP TAYLOR PARK** increasing the total contract amount by \$30,829.81 and revising the contract price to \$288,579.81 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. 21-308

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING GRANT APPLICATION SUBMISSION FOR SOUTH JERSEY GAS FIRST RESPONDERS GRANT PROGRAM

WHEREAS, the Borough of Wildwood Crest desires to apply for and obtain a grant from the SOUTH JERSEY GAS for an amount not to exceed \$5,000 for first responder radio for police and will enter into a grant agreement for said grant if approved.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood

Crest, County of Cape May and State of New Jersey as follows:

1. That the Borough of Wildwood Crest does hereby authorize the application for such a grant, and if awarded, will purchase first responder radio for police department.

2. That the persons whose names, titles, and signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement, and any other documents necessary in connection therewith:

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

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. 21-309

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST IN ACCORDANCE WITH N.J.S.A. 40A:11-6 AUTHORIZING AWARD OF EMERGENCY CONTRACT TO CAPRI CONSTRUCTION COMPANY, INC TO REPLACE RAPID RECOVERY SERVICES, LLC FOR REPAIRS AT THE LITTLE LEAGUE FIELD DUE TO WIND DAMAGE

WHEREAS, N.J.S.A. 40A:11-6 provides for the award of an emergency contract when an emergency affecting public health, safety or welfare requires the immediate performance of services; and

WHEREAS, an emergency arose with respect to the dugout and surrounding areas at the Little League Field that requires public expenditure to protect public health, safety and welfare; and

WHEREAS, the Borough of Wildwood Crest had previously authorized an emergency contract to Rapid Recovery Services LLC to repair damages to the Little League dugout and concession stand which were severely damaged and are in dire repair; and

WHEREAS, Rapid Recovery has terminated the agreement and declared that it was unable to complete the work due scheduling and timeline conflicts and further acknowledged that it has been paid in full for all work performed and that the remainder of the contract will be assigned to the new vendor; and

WHEREAS, the area was deemed unsafe for children to play and the necessary repairs are need to be completed prior to the use of the field; and

WHEREAS, on April 7th, 2021, the Board of Commissioners of the Borough of Wildwood Crest awarded an emergency contract Rapid Recovery Services for the repair and replacement of the Little League Dugout and concession stand totaling \$443,114.91. A portion of this project is to be paid from insurance proceeds from the wind damage totaling \$161,474.91 and the remainder of the funding in the amount will be paid by the Borough. Rapid Recovery informed the Borough and has documented that will not be able to complete this emergent repair work; and

WHEREAS, Capri Construction Company LLC has agreed to step in and complete the unfinished repair work; 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, State of New Jersey, that in accordance with N.J.S.A. 40A:11-6, an emergency contract be awarded to Capri Construction Company Inc., 4266 Post Road, Vineland, NJ 08360 to replace Rapid Recovery Services, LLC for the total amount not to exceed \$263,827.00 for the remaining replacement and repairs at the Little League Field, and same is hereby authorized to be commenced immediately, subject to certification of availability of funds by the CFO as evidenced below by her signature.

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

CORRESPONDENCE: N/A

PUBLIC COMMENTARY: Kim Gerecke, Pacific Avenue, congratulated and thanked the governing body. She indicated that only one candidate stopped by and spoke to them and she would have liked to have seen them all. She suggested that during the course of their term, they should stop and see taxpayers.

The Mayor asked what the date of Re-Org was and the Clerk responded Tuesday, January 4, 2022 at 9:30 a.m. The Clerk suggested a change of location for the meeting since it will be a new administration and the Mayor agreed.

Commissioner Gould suggested an ordinance for campaign signage for one sign per property and that signs must be removed within 48 hours of the election.

There being no further business, Mrs. Gould motioned and Mr. Thompson seconded that the meeting be adjourned. All were in favor. The time was 9:49 a.m.

Dated: November 24, 2021

Patricia A. Feketics, Borough Clerk

