

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

November 6, 2024

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 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, and by mailing and emailing same to the Herald of Cape May County on October 4, 2023 and the Press of Atlantic City on December 13, 2023.

Mr. Cabrera next announced the one-way in and the one-way out method of ingress and egress in case of emergency. It was noted that the livestream was not working and it was being worked on and would be available shortly.

Mr. Franco motioned, Mr. Schiff seconded that Ordinance No. 1439 be passed on first reading, advertised according to law, be brought up for second and final reading and public hearing on November 20, 2024 at 9:30 a.m.

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING ORDINANCE BY TITLE:

ORDINANCE NO. 1439
ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER 37-12 REMOVAL OF BULK TRASH OF THE
CODE OF THE BOROUGH OF WILDWOOD CREST TO
INCREASE CERTAIN FEES FOR BULK TRASH
REMOVAL

Mr. Franco motioned, Mr. Schiff seconded that Ordinance No. 1440 be passed on first reading, advertised according to law, be brought up for second and final reading and public hearing on November 20, 2024 at 9:30 a.m.

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING ORDINANCE BY TITLE:

ORDINANCE NO. 1440
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

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 24-310
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 2024 budget appropriations be and the same are hereby authorized as follows:

Appropriation Title		
FROM:	Borough Administration – OE	\$ 300.00
	Director of Revenue and Finance – S/W	\$ 1,500.00
	Construction Code Office – S/W	\$ 2,000.00
	Group Insurance - OE	\$ 131,000.00

	TOTAL	<u>\$ 134,800.00</u>
TO:	Election – OE	\$ 300.00
	Collection of Taxes – S/W	\$ 1,500.00
	Land Use – S/W	\$ 2,000.00
	Traffic Maintenance – S/W	\$ 2,000.00
	Fire Official – S/W	\$ 5,000.00
	Sanitation – S/W	\$ 22,000.00
	Recreation – S/W	\$ 32,000.00
	Communications – OE	\$ 10,000.00
	Fire Official – OE	\$ 15,000.00
	Public Buildings – OE	\$ 20,000.00
	Fleet Maintenance – OE	\$ 20,000.00
	Social Security – OE	\$ 5,000.00
	TOTAL	<u>\$ 134,800.00</u>

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. 24-311
RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AMENDING ESTABLISHED SALARIES FOR 2024 STIPEND AGREEMENTS

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest on January 24, 2024, approved stipends for the 2024 year;

WHEREAS, the Board desires to amend the stipends for the 2024 year as follows;

John Green	Broyhill Operator	\$2,000.00
Theodore Godwin	Broyhill Operator	\$2,000.00
Brian Markisz	Broyhill Operator	\$2,000.00
Shawn Senick	Broyhill Operator	\$2,000.00
Increase starting 09.23.2024 (prorated)		
Pam Riper	Planning/zoning Bd Sec	\$6,000.00

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey, that the Board approve the amended stipends for the 2024 year.

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. 24-312
RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING THE CANCELLATION OF THE BALANCE ON EMERGENCY APPROPRIATION

WHEREAS, on April 24, 2024 the Borough authorized an Emergency Appropriation in the amount of \$275,000.00 in accordance with N.J.S.A. 40A:4-48, and

WHEREAS, the Borough has decided to fully fund this Emergency Appropriation by Capital Ordinance, and

WHEREAS, the unexpended Emergency Reserve Balance of \$275,000.00 and remains on the Current Fund Balance Sheet, and

WHEREAS, it is necessary to formally cancel the Emergency Reserve Balance and the offsetting Deferred Charge from the Balance Sheet.

NOW, THEREFORE, BE IT RESOLVED, that the Emergency Reserve and Deferred Charges for the above-named Emergency Appropriation, in the amount of \$275,000.00 be cancelled.

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. 24-313
RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING ADVERTISEMENT OF A REQUEST FOR PROPOSAL (RFP) NOTICE TO BIDDERS FOR EMERGENCY MEDICAL SERVICE BILLING 2025-2026

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 Request for Proposal (RFP) Notice to Bidders in *The Herald of Cape May County* on November 13, 2024.

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 2025-2026 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 **Tuesday, December 10, 2024 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 2025-2026

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. 24-314

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING ADVERTISEMENT FOR NOTICE TO BIDDERS FOR LEASE OF A PORTION OF THE CREST NESBITT CENTER BUILDING

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 in *The Herald of Cape May County* on November 13, 2024.

BE IT FURTHER RESOLVED that the plan and design as set forth in the Specifications on file in the Borough for the **LEASE OF A PORTION OF THE CREST NESBITT CENTER BUILDING** 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 **Tuesday, December 10, 2024 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:

**LEASE OF A PORTION OF
THE CREST NESBITT CENTER BUILDING**

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. 24-315

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING EXPENDITURE TO PURCHASE A SURF RAKE 600HD PRODUCT #RH0820114 FOR PUBLIC WORKS UNDER NATIONAL COOPERATIVE HOUSTON-GALVESTON REGIONAL AREA COUNCIL

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 is in need of a Surf Rake 600HD Product #RH0820114 *for Public Works*; 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, H. Barber & Sons Inc.(H-GAC Contract # RH08-20114) 15 Raytkwich Drive, Naugatuck, CT 06770 has provided a quote dated June 18, 2024 for \$68,676.00; and

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 purchase a Surf Rake 600HD Product #RH0820114 based upon the price quote on June 18, 2024 from H. Barber & Sons Inc.(H-GAC Contract # RH08-20114) in an amount not to exceed \$68,676.00; 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 purchase a Surf Rake 600HD

Product #RH0820114 based upon the price quote on June 18, 2024 from H. Barber & Sons Inc.(H-GAC Contract # RH08-20114) in an amount not to exceed \$68,676.00; and

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

Account Number(s) 4-01-44-909-299 Amount \$68,676.00 Signature_____

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. 24-316

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING EXPENDITURE TO PURCHASE TRAFFIC SIGNS AND POST FOR TRAFFIC SAFETY UNDER SOMERSET COUNTY 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 is in need of Traffic Signs and Post *for Public Safety*; 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, Tapco Safe Travels (Somerset County Contract # CC-0099-22 Group 10) 5100 West Brown Deer Road, Brown Deer, WI 53223 has provided a quote dated September 17, 2024 for \$16,239.00; and

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 purchase Traffic Signs and Post based upon the price quote on September 17, 2024 from Tapco Safe Travels (Somerset County Contract # CC-099-22 Group 10) in an amount not to exceed \$16,239.00; 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 purchase Traffic Signs and Post based upon the price quote on September 17, 2024 from Tapco Safe Travels (Somerset County Contract # CC-099-22 Group 10) in an amount not to exceed \$16,239.00; and

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

Account Number(s) 4-01-44-909-299 Amount \$16,239.00 Signature_____

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. 24-317

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING NEGATIVE CHANGE ORDER NO. 1 FINAL – FOR BEACH STREET END PUBLIC ACCESS IMPROVEMENTS – PHASE 3 WITH A DECREASE OF \$55,440.79 FOR A NEW CONTRACT PRICE \$1,715,809.21

WHEREAS, the Board of Commissioners passed Resolution No. 24-70 on February 7, 2024 which authorized the Award of Contract for **BEACH STREET END PUBLIC ACCESS IMPROVEMENTS – PHASE 3** for \$1,771,250.00 and was awarded to South State, Inc., PO Box 68, Bridgeton, NJ 08302; and

WHEREAS, Borough Engineer, Marc DeBlasio, of DeBlasio and Associates has reviewed the As-Built Quantity Adjustments and approves Negative Change Order No 1 – with a decreased amount of \$55,440.79 and revising the Contract Price to \$1,715,809.21; and

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 Negative Change Order Number 1 with a decreased amount of \$55,440.79 and revising the contract price to \$1,715,809.21 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. 24-318

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING AN AGREEMENT WITH CREST SAVINGS BANK FOR POSITIVE PAY AT NO COST AND AUTHORIZING THE MAYOR TO SIGN THE AGREEMENT

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey, that an agreement with Crest Savings Bank is hereby authorized and approved effective the date of the attached Agreement, for the express purpose of fraud prevention services; and

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 the Municipal Clerk are hereby authorized and empowered to execute and attest any and all documents, including the "Provider Agreement," necessary to effectuate the award of this agreement; all of which is fully approved subject to the certification of availability of funds below from the CFO.
3. 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. 24-319

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING BOROUGH ENGINEER WORK ORDER FOR SANITARY SEWER IMPROVEMENTS NJ INFRASTRUCTURE BANK APPLICATION (NJIB) – FY2025 CLEAN WATER APPLICATION – SURVEY, ENGINEERING DESIGN PHASE AND PERMITTING SERVICES- AT THE NTE SUM OF \$260,000

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 **SANITARY SEWER IMPROVEMENTS NJ INFRASTRUCTURE BANK APPLICATION (NJIB) – FY2025 CLEAN WATER APPLICATION – SURVEY, ENGINEERING DESIGN PHASE AND PERMITTING SERVICES** for engineering services which are more specifically set forth in the attached Proposal from Marc DeBlasio and the Firm of DeBlasio & Associates, dated **October 24, 2024** 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 **\$260,000.00**; 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 **\$260,000.00**.

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. 24-320

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING AWARD OF PROFESSIONAL SERVICES CONTRACT TO SHANT H. ZAKARIAN, ESQ. AS CONFLICT LABOR COUNSEL FOR THE BOROUGH OF WILDWOOD CREST AT NTE SUM \$20,000

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest has determined that there exists the need for a "Professional Services" Conflict Labor Counsel for the Borough of Wildwood Crest, 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, 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, the Commissioners of the Borough of Wildwood Crest desire to appoint Shant H. Zakarian to serve as the Conflict Labor Counsel to handle all necessary legal work and to represent the interests of the Borough of Wildwood Crest; 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. That a contract for Conflict Labor Counsel is awarded to Shant H. Zakarian, Esquire.
3. The award of this contract is contingent upon compliance with the New Jersey Pay to Play Law as set forth in N.J.S.A. 19:44A-1; production of the Business Entity Disclosure Certificate, Affirmative Action Compliance Notice, New Jersey Certificate of Employee Information Report, New Jersey Business Registration Certificate and proof of insurance as required in the contract and certification from the Chief Financial Officer as to the availability of funds; a copy of these documents shall be kept on file in the office of the Borough Clerk.
4. That the Mayor and Borough Clerk are hereby authorized and empowered to enter into a contract effective immediately through November 5, 2025 and Shant H. Zakarian shall be compensated pursuant to attached agreement, at the billable rate not to exceed \$20,000.00.
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. 24-321

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST ACKNOWLEDGING THE DECERTIFICATION OF REPRESENTATION BY THE UNITED INDEPENDENT UNION

WHEREAS, On September 27, 2024 the membership of the United Independent Union known hereafter as the UIU petitioned the Public Employees Relations Commission (PERC to decertify their membership in the union; and

WHEREAS, further the UIU sought to no longer have the unit be represented by any collective negotiations representative for up to year from decertification; and

WHEREAS, in accordance with NJAC 19:11-2.4 notice of the decertification was properly posted and PERC advised the Borough that UIU representation has disclaimed further interest in representing the unit of sanitation workers of Wildwood Crest Borough thereby satisfying the petition.

NOW THEREFORE BE IT RESOLVED that the Governing Body of the Borough of Wildwood Crest hereby acknowledges the decertification of representation by the UIU for purposed of collective bargaining negotiations.

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. 24-322

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING THE APPOINTMENT OF ALEXA ALVARADO TO FILL A VACANCY AS ALTERNATE MEMBER #3 OF THE WILDWOOD CREST PLANNING BOARD COMMENCING IMMEDIATELY AND THROUGH ORIGINAL TERM OF DECEMBER 31, 2024 AND APPOINTING FOR ADDITIONAL TWO YEAR TERM EFFECTIVE JANUARY 1, 2025 AND EXPIRING DECEMBER 31, 2026

WHEREAS, it is the desire of the Board of Commissioners of the Borough of Wildwood Crest to appoint ALEXA ALVARADO 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.

WHEREAS, it is also the desire of the Board of Commissioners of the Borough of Wildwood Crest to appoint an additional two year term for ALEXA ALVARADO as Alternate Member #3 of the PLANNING BOARD of the Borough of Wildwood Crest for a term effective January 1, 2025 and expiring December 31, 2026.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest that ALEXA ALVARADO is hereby appointed as Alternate Member #3 of the PLANNING BOARD of the Borough of Wildwood Crest to a term through December 31, 2024 and appointed for additional two year term effective January 1, 2025 and expiring December 31, 2026.

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. 24-323

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING EXPENDITURE TO PURCHASE 2025 FORD UTILITY INTERCEPTOR BASE VEHICLE FOR THE FIRE PREVENTION DEPARTMENT UNDER STATE CONTRACT IN THE AMOUNT OF \$42,953.00

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 is in need of a 2025 Ford Utility Interceptor Base Vehicle; 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, Winner Ford (State Contract # 20-FLEET-01189) 250 Haddonfield/Berlin Road, Cherry Hill, NJ 08034; and

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 purchase a 2025 Ford Utility Interceptor Base Vehicle based upon the price quote from Winner Ford (State Contract # 20-FLEET -01189) in an amount not to exceed \$42,953.00; and

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

Account Number(s) _____ Amount \$42,953.00 Signature _____

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. 24-324

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING AWARD OF CONTRACT FOR RECONSTRUCTION OF TOLEDO AVENUE (FY 2024 NJDOT MUNICIPAL AID)

WHEREAS, a Notice to Bidders was authorized for advertisement by Resolution No. 24-279 on October 2, 2024 for the Borough of Wildwood Crest contract for the RECONSTRUCTION OF TOLEDO AVENUE (FY 2024 NJDOT MUNICIPAL AID); and

WHEREAS, Notice to Bidders was advertised in the *Herald of Cape May County* on October 9, 2024 and *The Press of Atlantic City* on October 8, 2024 with receipt of sealed bids on October 30, 2024 at 10:30 a.m.; and

WHEREAS, seven sealed bid proposals were received, opened and reviewed on October 30, 2024 by the Bid Opening Committee who reviewed the bid proposal and recommended that the Bid (\$2,174,400.00) for the RECONSTRUCTION OF TOLEDO AVENUE (FY 2024 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 Conflict Solicitor recommending the award of the Bid (\$2,174,400.00) 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 \$2,174,400.00; and

WHEREAS, Wildwood Water Utility has participating items, which tabulate in the amount of \$257,707.00 and the Borough of Wildwood Crest's participating items tabulate in the amount of \$1,916,693.00; 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, 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 TOLEDO AVENUE (FY 2024 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 is contingent upon Wildwood Water Utility awarding a separate contract to Asphalt Paving Systems, Inc. under a separate contract for its participating items, which tabulate in the amount of \$257,707.00.
4. The award of this contract in the amount of \$1,916,693.00 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.
5. 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.
6. 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. 24-325

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING AWARD OF CONTRACT FOR NJDCA WILDWOOD CREST MUNICIPAL BUILDING BATHROOM RENOVATIONS

WHEREAS, a Notice to Bidders was authorized for advertisement by Resolution No. 24-278 on October 2, 2024 for the Borough of Wildwood Crest contract for the **NJDCA WILDWOOD CREST MUNICIPAL BUILDING BATHROOM RENOVATIONS**; and

WHEREAS, Notice to Bidders was advertised in the *Herald of Cape May County* on October 9, 2024 and *The Press of Atlantic City* on October 8, 2024 with receipt of sealed bids on October 30, 2024 at 10:00 a.m.; and

WHEREAS, five sealed bid proposals were received, opened and reviewed on October 30, 2024 by the Bid Opening Committee who reviewed the bid proposals; and

WHEREAS, the low bidder, R. Maxwell Construction Company, Inc., 206 West Delilah Road, Pleasantville, New Jersey 08232, submitted a defective bid (\$247,000.00) which failed to meet the requirements of N.J.S.A. 40A:11-23.2(e) and both the Borough Conflict Solicitor and the Borough Engineer recommended rejecting the fatally flawed bid and awarding the Bid in the amount of (\$270,549.00) for the **NJDCA WILDWOOD CREST MUNICIPAL BUILDING BATHROOM RENOVATIONS** to the next lowest responsive bidder, which is Capri Construction Company, 4266 Post Road, Vineland, New Jersey 08360; 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 Conflict Solicitor recommending the award of the Bid (\$270,549.00) for the **NJDCA WILDWOOD CREST MUNICIPAL BUILDING BATHROOM RENOVATIONS** be awarded to the next lowest responsive bidder, which is Capri Construction Company, 4266 Post Road, Vineland, New Jersey 08360; 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. The fatally flawed bid received by R. Maxwell Construction Company, Inc. is hereby rejected.
3. **NJDCA WILDWOOD CREST MUNICIPAL BUILDING BATHROOM RENOVATIONS** is hereby awarded to Capri Construction Company, 4266 Post Road, Vineland, New Jersey 08360 the lowest responsive bidder.
4. The award of this contract in the amount of \$270,549.00 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.
5. The Mayor and the Borough Clerk are hereby authorized and empowered to enter into a formal contract with Capri Construction Company, 4266 Post Road, Vineland, New Jersey 08360 in accordance with this Resolution, Notice to Bidders, Bid Specifications and Information Packet and the submitted bid proposal.
6. 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: n/a

DISCUSSION:
NEW BUSINESS: N/A

OLD BUSINESS:

- Bicycle safety – bike path:** Waiting to hear if this can be done in house or via contractor and if money needs to be budgeted in 2025
- Lightning Detection System:** No movement.
- 250th birthday committee-** Press release went out and all were advised that if they wanted to join the committee to please contact the clerk.
- WC Municipal App** – On hold for 2025.
- Old Tourism building use – 2025-** On hold for 2025.
- Historical museum - 2025** – On hold for 2025.
- Proposed Amendment to Ord. 1432 – Ch. 79 – Time Limit Parking** – Solicitor is still working on it.
- Concession agreement hotel zone / beach chairs** – On hold.

- Traffic Calming** – This is moving forward and there are grant monies out there.
- Back Beach Excavation:** Tied to the USACE dune and the plans are at 95% and available in the conference room for review and inspection.
- Dredging:** The Administrator reached out to Genivieve Clifton (Mgr Maritime Division) and are trying to have a meeting with Scott Douglass’ replacement.
- NJ Avenue infrastructure pre-county:** 2025
- PW roof:** In Progress
- Washington / Seaview – beach outfalls and capacity:** There appears to be good words on the project.

PUBLIC COMMENTS:

Dave McWilliams inquired about the timing for the New Jersey Avenue project and he was informed 2026.

Mr. McWilliams then inquired about having a dog park and utilizing the Newark Avenue soccer field. He also asked about possibly bringing forth a petition with signatures to get an area designated for a dog park. The soccer field is designated as an emergency debris and mobilization area. The mayor added that this has been discussed previously and an overwhelming majority of people spoke against the idea.

Lisa Rippo also indicated that Sunset Lake is constantly littered with dogs and many dog owners do not pick up after their dogs and that double utilizing a lot makes sense.

She also indicated that she was not happy with Dispatch services moving over to the county. She cited that she has been reaching out for the past 8 months regarding county dispatch and how it is a liability. The mayor indicated that one of the reasons a shared services agreement was entered into with the county was due to staffing and the constant upkeep for technology and equipment. Many municipalities in Cape May are also utilizing the county for dispatch. She wanted to know if the borough had any help wanted for staffing dispatch and how living on a barrier with our beaches and numerous motels without lifeguards is a liability.

The mayor added that if /when there are complaints regarding the county dispatch that municipalities are made aware and that the county addresses them. Ms. Rippo again noted that having dispatch at the county level is a liability. She had several more questions about ascertaining information and was told to simply file an OPRA request and it would be provided. Lastly, she shared a story about county dispatch that didn’t relate to Wildwood Crest.

Mike Marino added that Wildwood Crest will be the recipient of the New Jersey Governor’s “We Value our Veterans” award and he will represent Wildwood Crest on Veteran’s Day at the recognition ceremony. He also went to the County Local Road Safety Program meeting and there was a lot of good information. Lastly, he was eager to hear about the start date for Park Boulevard as well as the intersection of Cresse Avenue and Park Boulevard.

Commissioner Comments:

- Commissioner Schiff: Happy Thanksgiving
- Commissioner Franco: Happy to hear Mayor Cabrera is able to be back and continuing his journey back to health.
- Mayor Cabrera: Thanks to so many including borough staff, residents and so many reached out to check on him. He commended Wildwood Crest on the efforts that have made for those with disabilities with parking and access to buildings and that there is still more to do.

There being nothing further, Mr, Schiff motioned and Mr. Cabrera seconded that the meeting be adjourned. The time was 10:41 a.m.

Dated: November 20, 2024

Patricia A. Feketics, Borough Clerk
