

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

December 6, 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.

It was noted that due to computer malfunction, the meeting was streaming without audio. The phone line was still available if people wanted to call in.

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. 1413 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. 1413**

**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**

Mr. Franco motioned and Mr. Schiff seconded that a public hearing be held on Ordinance No. 1413.

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. 1413 now be closed.

Vote: Schiff - Franco – Cabrera – YES

Mr. Franco motioned and Mr. Schiff seconded that Ordinance No. 1413 be passed on second reading and advertised according to law.

Vote: Schiff - Franco – Cabrera – YES

Mr. Franco motioned and Mr. Schiff seconded that Ordinance No. 1414 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. 1414**

**ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 61, SEWERS, SECTION 61-44 ADJUSTMENTS AND CREDITS OF THE CODE OF THE BOROUGH OF WILDWOOD CREST**

Mr. Franco motioned and Mr. Schiff seconded that a public hearing be held on Ordinance No. 1414.

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. 1414 now be closed.

Vote: Schiff - Franco – Cabrera – YES

Mr. Franco motioned and Mr. Schiff seconded that Ordinance No. 1414 be passed on second reading and advertised according to law.

Vote: Schiff - Franco – Cabrera – YES

Mr. Franco motioned and Mr. Schiff seconded that Ordinance No. 1415 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. 1415**

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

Mr. Franco motioned and Mr. Schiff seconded that a public hearing be held on Ordinance No. 1415.

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. 1415 now be closed.

Vote: Schiff - Franco – Cabrera – YES

Mr. Franco motioned and Mr. Schiff seconded that Ordinance No. 1415 be passed on second reading and advertised according to law.

Vote: Schiff - Franco – Cabrera – YES

Mr. Franco motioned and Mr. Schiff seconded that Ordinance No. 1416 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. 1416**

**ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 23, COURT; MUNICIPAL OF THE CODE OF THE BOROUGH OF WILDWOOD CREST**

Mr. Franco motioned and Mr. Schiff seconded that a public hearing be held on Ordinance No. 1416.

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. 1416 now be closed.

Vote: Schiff - Franco – Cabrera – YES

Mr. Franco motioned and Mr. Schiff seconded that Ordinance No. 1416 be passed on second reading and advertised according to law.

Vote: Schiff - Franco – Cabrera – YES

Mr. Franco motioned and Mr. Schiff seconded that Ordinance No. 1417 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. 1417**

**ORDINANCE OF THE BOROUGH OF WILDWOOD CREST  
AMENDING AND SUPPLEMENTING THE CODE OF THE BOROUGH  
OF WILDWOOD CREST ARTICLE I, LEAD-BASED PAINT  
INSPECTIONS OF CHAPTER 14 AMENDING FEES FOR LEAD-BASED  
PAINT IN INSPECTIONS**

Mr. Franco motioned and Mr. Schiff seconded that a public hearing be held on Ordinance No. 1417.

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. 1417 now be closed.

Vote: Schiff - Franco – Cabrera – YES

Mr. Franco motioned and Mr. Schiff seconded that Ordinance No. 1417 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. 1418**

**ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 79  
VEHICLES AND TRAFFIC, SECTION 79-8.4 PARKING OF GOLF  
CARTS AND MOTORCYCLES TO ADD ADDITIONAL SPACES**

Mr. Schiff motioned and Mr. Franco seconded that Ordinance No. 1418 be passed on first reading, advertised according to law, be brought up for second and final reading and public hearing on December 20, 2023 at 9:30 a.m.

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING ORDINANCE BY TITLE:

**ORDINANCE NO. 1419**

**ORDINANCE OF THE BOROUGH OF WILDWOOD CREST  
AMENDING AND SUPPLEMENTING CHAPTER 79 VEHICLES AND  
TRAFFIC, SECTION 79-32, NO PARKING OF THE CODE OF THE  
BOROUGH OF WILDWOOD CREST**

Mr. Schiff motioned and Mr. Franco seconded that Ordinance No. 1419 be passed on first reading, advertised according to law, be brought up for second and final reading and public hearing on December 20, 2023 at 9:30 a.m.

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING ORDINANCE BY TITLE:

**ORDINANCE NO. 1420**

**ORDINANCE OF THE BOROUGH OF WILDWOOD CREST  
AMENDING AND SUPPLEMENTING SECTION 79-6 AND SECTION 79-  
35 SCHEDULE IV TIME LIMIT PARKING SPACES OF CHAPTER 79  
VEHICLES AND TRAFFIC OF THE CODE OF THE BOROUGH OF  
WILDWOOD CREST**

Mr. Schiff motioned and Mr. Franco seconded that Ordinance No. 1420 be passed on first reading, advertised according to law, be brought up for second and final reading and public hearing on December 20, 2023 at 9:30 a.m.

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

**RESOLUTION NO. 23-326**

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF  
WILDWOOD CREST ACCEPTING THE DRIVE SOBER OR GET PULLED OVER  
GRANT FROM THE NJ DIVISION OF HIGHWAY TRAFFIC SAFETY FROM  
DECEMBER 1, 2023 TO JANUARY 1, 2024 IN THE AMOUNT OF \$2,800 AND**

**AUTHORIZING THE CHIEF FINANCIAL OFFICER TO PAY THE FLAT RATE PER HOUR TO LAW ENFORCEMENT**

**WHEREAS**, the U.S. Department of Transportation's National Highway Traffic Safety Administration is working alongside local law enforcement during the Drive Sober or Get Pulled Over Holiday Campaign that occurs between December 1, 2023 and January 1, 2024 aimed at preventing and raising awareness about the dangers of impaired driving. *Drive Sober or Get Pulled Over* high-visibility enforcement drunk-driving prevention campaign; and

**WHEREAS**, the 2023 *Drive Sober or Get Pulled Over* Holiday Enforcement Campaign will pay for overtime enforcement during the approved period, with a maximum rate to be reimbursed of \$70.00 per hour; and

**WHEREAS**, this is a reimbursement grant and as such, participating departments will incur all costs and then submit the necessary documentation to the Division of Highway Traffic Safety for reimbursement; and

**WHEREAS**, the Borough of Wildwood Crest received notification of award in the amount of \$2,800 on November 21, 2023; and

**WHEREAS**, the New Jersey Division of Highway Traffic Safety has provided grant funding for *Drive Sober or Get Pulled Over* to run December 1, 2023 to January 1, 2024.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey accepting the *Drive Sober or Get Pulled Over* to run December 1, 2023 to January 1, 2024 and the Chief Financial Officer be and is hereby authorized and directed to pay flat rate of \$70.00 per hour to law enforcement.

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. 23-327**

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING THE CANCELLATION OF THE BALANCE ON EMERGENCY APPROPRIATION**

**WHEREAS**, on July 19, 2023 the Borough authorized an Emergency Appropriation in the amount of \$325,000.00 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 \$325,000.00 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 \$325,000.00 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. 23-328**

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST CANCELING BOND ORDINANCE IMPROVEMENT AUTHORIZATION BALANCES**

**WHEREAS**, there exist unexpended balances in certain General Capital Fund Bond Ordinance Improvement authorizations which were dedicated to specific capital projects; and

**WHEREAS**, said capital projects have been completed and there is no further need to retain said unexpended balances of improvement authorizations; and

**WHEREAS**, it is deemed to be in the best interest of the Borough of Wildwood Crest to cancel said unexpended balances of improvement authorizations, and it is the desire of the Board of Commissioners to cancel these unexpended balances.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey that unexpended balances of General Capital Fund Bond Ordinance improvement authorizations be and are hereby canceled as follows:

<u>Ord. #</u>	<u>Date Authorized</u>	<u>Description</u>	<u>Amt. Authorized to Cancel</u>
1267	02.02.2018	Borough Construction and Acq of Equip	3,039.25
1268	02.21.2018	Acquisition of Vehicles	3,780.58
1299	03.20.2019	Various Improvements	
		B. Beach and Bay Improvements	4,807.10
		C. Improvements to Buildings	49,690.63
		D. Improv to Recreation and Parks	4,852.03
1323	03.25.2020	Acq of Property at 5900 NJ Ave	21,749.00
1338	11.18.2020	Purchase of Vol Fire Dept Radios	7,987.55
1357	05.26.2021	Acq of Property at 6208 NJ Ave	20,945.00
1387	11.09.2022	Purchase of Property at DPW	<u>144.30</u>
TOTAL AUTHORIZED TO BE CANCELED			\$ <u><u>116,995.44</u></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. 23-329**

**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:	Recycling – OE	\$ 5,000.00
	Tourism - OE	\$ 6,000.00
	Fuel – Oil – OE	\$ 45,000.00
	Group Insurance – OE	\$ 30,000.00
	<b>TOTAL</b>	<u>\$ 86,000.00</u>
TO:	Public Works – S/W	\$ 30,000.00
	Tourism – S/W	\$ 6,000.00
	Street Lighting – OE	\$ 35,000.00
	Water – OE	\$ 10,000.00
	Social Security – OE	\$ 5,000.00
	<b>TOTAL</b>	<u>\$ 86,000.00</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. 23-330**

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING AWARD OF CONTRACT TO TRINITY CODE INSPECTIONS, LLC FOR ON-SITE INSPECTIONS AND PLAN REVIEW AGENCIES FOR THE FOLLOWING SUBCODES: PLUMBING AND ELECTRIC FOR 2024**

**WHEREAS**, on October 18, 2023, the Borough of Wildwood Crest authorized re-advertisement of a Notice to Bidders for authorized on-site inspections and plan review agencies for the following subcodes: Plumbing and Electric via Resolution No. 23-295; and

**WHEREAS**, Trinity Code Inspections, LLC, was the lowest responsible bidder; and

**WHEREAS**, the Borough Solicitor has reviewed the proposal that was submitted by Trinity Code Inspections, LLC, a qualified contractor and conveyed the proposal to the Borough of Wildwood Crest for review; and

**WHEREAS**, the review committee has reported that, in their opinion, Trinity Code Inspections, LLC, is a qualified, private on-site inspection and plan review agency, approved by the New Jersey Department of Community Affairs, and is qualified to provide the required services; 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. All of the statements of the preamble are incorporated herein by this reference as though the same were set forth at length.

2. A one year contract, with two one year options and a thirty day cancellation provision, for an on-site inspection and plan review agency for the plumbing and electric subcodes is awarded to Trinity Code Inspections, LLC, with fees to be charged for services rendered to be one hundred (100%) percent of the Department of Community Affairs Fee Schedule allowable by Wildwood Crest ordinance.

3. The Borough of Wildwood Crest authorizes the Mayor and the Borough Clerk to enter into the aforesaid contract with Trinity Code Inspection, L.L.C. to provide on-site inspection and plan review for the plumbing and electric subcodes.

4. The aforementioned agreement provides for extensions from year-to-year by mutual agreement and resolution, with the last renewal to expire no later than 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. 23-331**

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING BOROUGH ENGINEER WORK ORDER FOR BEACH STREET END PUBLIC ACCESS IMPROVEMENTS – PHASE 3 (CRESSE AVENUE TO PRIMROSE ROAD)– AT THE NTE SUM OF \$210,000**

**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 **BEACH STREET END PUBLIC ACCESS IMPROVEMENTS – PHASE 3 (CRESSE AVENUE TO PRIMROSE ROAD)** for engineering services which are more specifically set forth in the attached Proposal from Marc DeBlasio and the Firm of DeBlasio & Associates, dated **August 28, 2023** 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 **\$210,000.00**; 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 **\$210,000.00**.

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. 23-332**

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING A SERVICE AGREEMENT WITH POWER DMS FOR PUBLIC SAFETY POLICY MANAGEMENT SOFTWARE 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 POWER DMS be and the same is hereby authorized and approved effective the date of the attached Service Agreement, for the express purpose of enabling said POWER DMS to provide policy management software and services to the Borough of Wildwood Crest for the sole purpose of recruiting, training, equipping, and protecting public safety employees.

**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 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. 23-333**

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING AMENDMENT TO THE 2023 MUNICIPAL BUDGET TO ACCOUNT FOR ADDITIONAL FUNDING FROM THE COUNTY OF CAPE MAY OPEN SPACE AND FARMLAND PRESERVATION PROGRAM FOR CREST ARTS PAVILION PARK IMPROVEMENTS**

**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 \$1,043,968.75 from the County of Cape May Open Space and Farmland Preservation Program for Crest Art Pavilion Park Improvements, and wishes to amend its 2023 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 2023 in the sum of \$1,043,968.75 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:	
County of Cape May Open Space and Farmland Preservation Program – Crest Arts	
Pavilion Park Improvements	\$1,043,968.75

**BE IT FURTHER RESOLVED** that a like sum of \$1,043,968.75 be and the same is hereby appropriated under the caption of:

**GENERAL APPROPRIATIONS**

- (a) Operations Excluded from Caps
  - Public and Private Programs Offset by Revenues:
  - County of Cape May Open Space and Farmland Preservation Program – Crest Arts Pavilion Park Improvements

**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.

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. 23-334**

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING APPOINTMENT OF RICHARD ALLEN AS BUILDING SUBCODE OFFICIAL AND MECHANICAL INSPECTOR IN 2024**

**WHEREAS**, in furtherance of the directives prescribed by the State Uniform Construction Code Act (the "Construction Act"), N.J.S.A. 52:27D-119, *et. seq.*, and the administrative regulations adopted thereunder as the New Jersey Uniform Construction Code (the "Construction Code"), N.J.A.C. 5:23-1.1, *et. seq.*, the Borough of Wildwood Crest has established the "Department of Inspections" with the Construction Official as the Chief Administrator of the "enforcing agency" (N.J.S.A. 52:27D-121); and

**WHEREAS**, as the Borough of Wildwood Crest's "Department of Inspections" consists of a Construction Official, Building Subcode Official and Fire Subcode Official, Plumbing Subcode Official, Electrical Subcode Official, and such other subcode officials for such additional subcodes as the Commissioner of the Department of Community Affairs, State of New Jersey, shall hereafter adopt as part of the State Uniform Construction Code; and

**WHEREAS**, the Construction Code, at N.J.A.C. 5:23-5.3(a)1vii, provides: "Mechanical inspectors are authorized to carry out field inspection and plan review work for all work under the mechanical subcode in existing structures of Group R-3 or R-5;" and

**WHEREAS**, it is the desire of the Board of Commissioners of the Borough of Wildwood Crest to appoint Richard Allen as Building Subcode Official and Mechanical Inspector Subcode Official effective January 1, 2024; and

**WHEREAS**, the Borough of Wildwood Crest's Construction Official, Richard Allen, holds all of the qualifications and New Jersey licenses for the positions of Building Subcode Official as they are prescribed by N.J.A.C. 5:23-5.7 and is licensed as a Mechanical Inspector per the provisions of N.J.A.C. 5:23-5.19A and N.J.A.C. 5:23-5.23, and Board of Commissioners is satisfied that Richard Allen is qualified to perform all of the duties required of the Building Subcode Official and of the position of Mechanical Inspector.

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

1. All of the statements of the preamble are repeated and are incorporated herein by this reference thereto as though the same were set forth at length.
2. Effective January 1, 2024, Richard Allen is hereby appointed to the positions of Building Subcode Official and Mechanical Inspector.
3. The Borough Clerk shall forward a copy of this Resolution, certified as true, to the Department of Community Affairs and to the Cape May County Construction Board of Appeals.

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. 23-335**

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING APPOINTMENT OF JAMES GRAUEL AS FIRE PROTECTION SUBCODE OFFICIAL IN 2024**

**WHEREAS**, in furtherance of the directives prescribed by the State Uniform Construction Code Act (the "Construction Act"), N.J.S.A. 52:27D-119, *et. seq.*, and the administrative regulations adopted thereunder as the New Jersey Uniform Construction Code (the "Construction Code"), N.J.A.C. 5:23-1.1, *et. seq.*, the Borough of Wildwood Crest has established the "Department of Inspections" with the Construction Official as the Chief Administrator of the "enforcing agency" (N.J.S.A. 52:27D-121); and

**WHEREAS**, as the Borough of Wildwood Crest's "Department of Inspections" consists of a Construction Official, Building Subcode Official and Fire Subcode Official, Plumbing Subcode Official, Electrical Subcode Official, and such other subcode officials for such additional subcodes as the Commissioner of the Department of Community Affairs, State of New Jersey, shall hereafter adopt as part of the State Uniform Construction Code; and

**WHEREAS**, it is the desire of the Board of Commissioners of the Borough of Wildwood Crest to appoint JAMES GRAUEL as Fire Protection Subcode Official effective January 1, 2024; and

**WHEREAS**, JAMES GRAUEL holds all of the qualifications and New Jersey licenses for the position of Fire Protection Subcode Official as they are prescribed by N.J.A.C. 5:23-5.7 and the Board of Commissioners is satisfied that JAMES GRAUEL is qualified to perform all of the duties required of the Fire Protection Subcode Official.

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

1. All of the statements of the preamble are repeated and are incorporated herein by this reference thereto as though the same were set forth at length.
2. Effective January 1, 2024, JAMES GRAUEL is hereby appointed to the position of Fire Protection Subcode Official.



3. The Borough Clerk shall forward a copy of this Resolution, certified as true, to the Department of Community Affairs and to the Cape May County Construction Board of Appeals.

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

**PUBLIC COMMENTARY:** N/A

**NEW BUSINESS:**

There is a preliminary meeting scheduled regarding the fishing pier since the dune project seems to be edging closer and how it will affect the pier. The impending dune will cover the pier and attempts can either be made to save the pier or it will be removed. The Administrator indicated that the USACE may issue a LEERD credit (WC is eligible) and it is a part of a broad conversation, and it is incorporated into the State Aid Agreement and the amount of the credit is unknown. The Administrator added that she was authorized to have a preliminary meeting with Cape May County Open Space to see what is available.

**OLD BUSINESS:**

**-Municipal projects-** This is a follow up to the Engineer’s request for a list for Congressman Jeff Van Drew to include a narrative and estimate and this can be authorized at the last meeting of the year.

**-Concession agreement hotel zone / beach chairs-** Consensus was to wait to see where the exact location of the USACE dune will be. We are still trying to see where the “borrow area” will be with respect to the dune.

**-Potential Swim / Run Event** -There is an application in the Clerk’s office and the TDC. It was suggested that if planning and marketing resolutions were needed to have them ready for next meeting. It was made known that the race is owned by the Crest and the in kind services will be provided as such.

**-Traffic Calming** – Engineer is working on.

**-Back Beach Excavation:** Moving forward and keep under Old Business.

**-Dredging:** No movement; there is a dredging committee meeting at 3:30 pm.

**-NJ Avenue infrastructure pre-county:** No movement. Keep on Old Business.

**-PW roof:** Waiting on bid specs...in conjunction with Crest Pier coop. Crest Pier may prioritize.

**-Bayside outfalls and capacity / bulkhead repairs / replacement:** Since the project has pivoted and expanded, bid specifications are still being formulated. It was noted that there are many moving parts: private property owners must be made aware of the impending changes and how it will individually affect them (one on one meetings were suggested), need to coordinate with Lomax Engineering for necessary permits and using a phase type approach. The overall cost must be addressed as well as current funding. The Engineer indicated that 7 street ends out of the original plan were getting valves only and no permits were required and hopefully done by May. Lead time was another factor from vendors that must be taken into consideration. It was agreed to do specification that addressed all phases so there was one contractor. Since private property owners will be affected, it was suggested that they be put on notice and made aware of all aspects. Bid specifications should be complete by the end of January /beginning of February and getting a timeline from Lomax for permitting was a crucial piece. The bottom line was: notify the property owners, have one bid specification so there was one contractor, see the costs of the project with current funding and phase it all in.

**-Washington / Seaview – beach outfalls and capacity:** Waiting on grant application outcome.

**PUBLIC COMMENTARY:**

Commissioner Comments:

The Mayor added there is the Crest Holiday Jubilee on Sunday (12-12-23) from 12:00 pm to 2:00 pm. Apologies were made for last minute cancellation of the tree lighting on Friday, but the rain prevailed. There is a Crest Holiday Lights Walk on December 18<sup>th</sup> and Tree to Tree to run on the 21<sup>st</sup>. All are welcome. The sentiments were echoed by Commissioners Franco and Schiff.

After hearing nothing from the public, Mr. Schiff motioned and Mr. Franco seconded that the meeting be adjourned. All were in favor. The time was 10:10 a.m.

Dated: December 21, 2023

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Patricia A. Feketics, Borough Clerk

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