

Note: Complete Meeting Appears
On 03-20 on file in
Borough Clerk's Office

February 5, 2020
Wildwood Crest, NJ

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 in the Municipal Court Room 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 Gazette-Leader, Herald of Cape May County and The Press on October 23, 2019.

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

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 2020-69

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING BOROUGH ENGINEER WORK ORDER FOR 2019 ROAD IMPROVEMENT PROGRAM – ADDITIONAL SERVICES – SUNRISE PARK IMPROVEMENTS AT THE NTE SUM OF \$11,000

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 **2019 ROAD IMPROVEMENT PROGRAM – ADDITIONAL SERVICES – SUNRISE PARK IMPROVEMENTS**, for engineering services which are more specifically set forth in the attached Proposal from Marc DeBlasio and the Firm of DeBlasio & Associates, dated **January 21, 2020** 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 **\$11,000.00**; 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 **\$11,000.00**.

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. 2020-70

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING AWARD OF CONTRACT TO CHRISTOPHER WINTER AS LAW ENFORCEMENT CONSULTANT SPECIALIZING IN POLICE ACCREDITATION FOR CY2020

WHEREAS, there exists the need for the “Services” of a specialist to be retained by the Borough for the performance of Police Accreditation services and related duties associated therewith as directed by the authorized representatives of the Borough of Wildwood Crest, all as more specifically set forth in the attached Agreement which is made a part hereof by reference as if fully set forth; and

WHEREAS, CHRISTOPHER WINTER has completed and submitted a Business Entity Disclosure Certification which certifies that **CHRISTOPHER WINTER** will not make any reportable contributions pursuant to N.J.S.A. 19:44A-1 commencing January 1, 2020 to any political committee or candidate through the term of this contract. Said term shall expire December 31, 2020.

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 the Mayor and Borough Clerk are hereby authorized and empowered to execute the attached agreement with **CHRISTOPHER WINTER**, who shall be compensated by voucher at the agreed upon hourly rates, not to exceed \$5,400.00, contingent upon certification from the Chief Financial Officer as to the availability of funds, and said "Independent Contractor" shall be required to comply with this Resolution, and the attached Agreement. Said **CHRISTOPHER WINTER** is further required to comply with all other conditions/provisions of law or regulation applicable to a "Contractor," including but not limited to procuring/maintaining sufficient insurance coverages necessary to fully protect the interests of the Borough in each and every instance relative to performance under this contract.
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 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.

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. 2020-71
RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST DESIGNATING CONSTANCE MAHON AS PUBLIC AGENCY COMPLIANCE OFFICER FOR 2020

WHEREAS, the State of New Jersey, Department of the Treasury, Division of Purchase and Property, requires that each municipality designate a Public Agency Compliance Officer (P.A.C.O.); and

WHEREAS, Patricia A. Feketics was designated Public Agency Compliance Officer (P.A.C.O.) for the Borough of Wildwood Crest on September 2, 2015 via Resolution No. 496-15; and

WHEREAS, it is the desire of the Board of Commissioners to designate the Borough Administrator as the Public Agency Compliance Officer (P.A.C.O.) in 2020.

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 Constance Mahon, Borough Administrator, is hereby designated as Public Agency Compliance Officer (P.A.C.O.) for the Borough of Wildwood Crest, New Jersey.

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. 2020-72
RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST DESIGNATING LYNN DIEM AS CONTACT PERSON AND CONSTANCE MAHON AS ADDITIONAL CONTACT PERSON FOR THE ACMJIF EMPLOYMENT PRACTICES LIABILITY HOTLINE

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest hereinafter referred to as "MUNICIPALITY," is a member of the Atlantic County Municipal Joint Insurance Fund, hereinafter referred to as "FUND"; and

WHEREAS, the FUND has adopted a policy authorizing the Employment Practices Liability Attorney Consultation Service; and

WHEREAS, the FUND has budgeted an annual allowance per member for EPL consulting services; and

WHEREAS, the FUND requires the MUNICIPALITY to designate specific managerial or supervisory individuals who will have telephone access to the EPL Hotline.

NOW THEREFORE, be it resolved that the Board of Commissioners of the Borough of Wildwood Crest does hereby appoint Lynn Diem as its Contact Person.

BE IT FURTHER RESOLVED that the Board of the Commissioners of the Borough of Wildwood Crest does hereby appoint Constance Mahon as additional Contact Person.

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. 2020-73

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST CANCELING ERRONEOUS 2019 SEWER RENTS IN THE AMOUNT OF \$124.00 FOR PROPERTY LOCATED AT 202 EAST WISTERIA ROAD

WHEREAS, it has been determined by the Tax Collector of the Borough of Wildwood Crest, that a sewer account has been billed erroneous sewer rents for 2019; and

WHEREAS, sewer account 850-0, at 202 E Wisteria Road had no water meter installed for the year 2018, the sewer rents levied in 2019 should be canceled; and

WHEREAS, the Tax Collector of the Borough of Wildwood Crest has determined the said erroneous sewer rents should be canceled accordingly as indicated below.

Block/Lot Sewer ID#	Name	Amount
42.01-15.01 850-0	Wildwood Crest Development, LLC 202 E. Wisteria Road 2019 Sewer Rents	\$124.00

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, State of New Jersey, hereby authorize the Tax Collector of the Borough of Wildwood Crest to cancel said sewer amounts for 2019.

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. 2020-74

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING THE APPOINTMENT OF SALVATORE VOLPE AS A MEMBER OF THE RECREATION COMMISSION TO A THREE-YEAR TERM COMMENCING JANUARY 1, 2020 AND EXPIRING DECEMBER 31, 2022

WHEREAS, it is the desire of the Board of Commissioners of the Borough of Wildwood Crest to appoint SALVATORE VOLPE as a member of the RECREATION COMMISSION of the Borough of Wildwood Crest commencing January 1, 2020 and expiring December 31, 2022.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest that SALVATORE VOLPE is hereby appointed as a member of the RECREATION COMMISSION of the Borough of Wildwood Crest for a three-year term commencing immediately, and expiring December 31, 2022.

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. 2020-75

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AMENDING RESOLUION NO. 2020-17, WHICH AUTHORIZED A PROFESSIONAL SERVICES CONTRACT WITH JEFFREY R. SURENIAN AND ASSOCIATES, LLC, AS SPECIAL COUNSEL FOR COAH RELATED MATTERS FOR CY2020 TO READ SURENIAN, EDWARDS & NOLAN, LLC

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest adopted Resolution No. 2020-17, which authorized a Professional Services Contract with Jeffrey R. Surenian and Associates, LLC as Special Counsel for COAH related Matters for CY2020; and

WHEREAS, effective January 1, 2020, the law firm of Jeffrey R. Surenian, LLC is Surenian, Edwards & Nolan, LLC; and

WHEREAS, Surenian, Edwards & Nolan, LLC have provided updated Business Registration Certificate and W-9 to the Borough of Wildwood Crest for the firm's name.

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

1. The above recital paragraphs are incorporated herein as if set forth at length.
2. That the Mayor and Borough Clerk are hereby authorized and empowered to execute any and all documents necessary to effectuate the terms of the Resolution to amend the existing contract with Jeffrey R. Surenian, LLC to reflect the new law firm name of Surenian, Edwards & Nolan, LLC.

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. 2020-76

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AMENDING RESOLUTION NO. 2020-02, WHICH AUTHORIZED SIGNATORIES FOR VARIOUS BOROUGH OF WILDWOOD CREST ACCOUNTS AND SUPPLEMENTING THE RESOLUTION BY ADDING A NEW BANK ACCOUNT AT CREST SAVINGS BANK FOR BEACH BOXES

BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, in the County of Cape May, State of New Jersey, that Francine B. Springer, Chief Financial Officer, be the custodian of the following accounts:

CREST SAVINGS BANK

<u>Account Number</u>	<u>Account Name</u>
54-902507-3	Borough of Wildwood Crest Lien Redemption Account
54-901556-1	Borough of Wildwood Crest Current Account
54-901557-9	Borough of Wildwood Crest Disbursement Account
54-901560-3	Borough of Wildwood Crest Trust Escrow Account
54-901559-5	Borough of Wildwood Crest Recreation Trust Account
54-901561-1	Borough of Wildwood Crest Police Forfeiture Account
54-901564-5	Borough of Wildwood Crest Animal Control Account
53-181178-5	Borough of Wildwood Crest Unemployment Trust Account
54-100167-6	Borough of Wildwood Crest General Capital Fund
54-901558-7	Borough of Wildwood Crest Payroll Account
54-904337-3	Borough of Wildwood Crest Flexible Spending Account
54-902576-8	Borough of Wildwood Crest Uniform Construction Code
99-006342-2	Borough of Wildwood Crest Affordable Housing Trust Fund

99-0098964 **Borough of Wildwood Crest Beach Boxes Account**

PNC BANK

80-2395-1884 Wildwood Crest Borough Money Market Account

STATE OF NEW JERSEY CASH MANAGEMENT FUND (NON-STATE)

000075590-171 Borough of Wildwood Crest GENL AC

NEW JERSEY ASSET & REBATE MANAGEMENT

NJ ARM – Account #280-00

BE IT FURTHER RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, in the County of Cape May and State of New Jersey, that the municipal officials listed hereinbelow are hereby designated as signatories on the above listed accounts (excluding Alexa Campilango on the Payroll Account) when necessary or required as follows:

_____ Francine B. Springer	or and	_____ Alexa Campilango
_____ Don Cabrera	or	_____ Joyce P. Gould
	and	_____ David C. Thompson
_____ Patricia A. Feketics	or	_____ Loretta G. Scott

BE IT FURTHER RESOLVED that Francine B. Springer, Don Cabrera, Joyce P. Gould, David C. Thompson, and Patricia A. Feketics are hereby designated as the authorized signatories on the Borough of Wildwood Crest Payroll Account (No. 54-901558-7).

BE IT FURTHER RESOLVED that Francine B. Springer, Lyndsey Herman and Alexa Campilango are hereby designated as the authorized signatory of the Borough of Wildwood Crest Lien Redemption Account (No. 54-902507-3).

Lyndsey Herman

BE IT FURTHER RESOLVED that Patricia A. Feketics and Francine B. Springer are hereby designated as the authorized signatory of the Borough of Wildwood Crest Borough Election Account (No. 54-900478-9).

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. 2020-77

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING SERVICE AGREEMENT WITH PAYSAFE PAYMENT PROCESSING SOLUTIONS, INC. FOR ACCEPTING ONLINE CREDIT CARD PAYMENTS FOR BEACH BOX RENTALS

WHEREAS, there exists the need for the “Financial Services” of a company to be retained by the Borough to process online credit card payments through the payment gateway know as AUTHORIZE.NET related to Beach Box Rentals fees as more specifically set forth in the attached Agreement which is made a part hereof by reference as if fully set forth.

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

1. The above recital paragraphs are incorporated herein as if set forth at length.
2. That the Mayor and Borough Clerk are hereby authorized and empowered to execute the attached agreement with **PAYSAFE PAYMENT PROCESSING SOLUTIONS, INC.** who shall be compensated as a detailed in the attached agreement as a percentage of the sales and said “Independent Contractor” shall be required to comply with this Resolution, and the attached Agreement.
3. That a notice of this agreement 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 agreement are on file and available for public inspection in the office of the Borough Clerk.

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. 2020-78

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST APPROVING ANNUAL SEWER RATES AND MINIMUM CHARGES FOR CALENDAR YEAR 2020

WHEREAS, Borough of Wildwood Crest Ordinance Numbers 947 and 1203 contain formulas for the calculation and establishment of annual sewerage rates, including the current year Variable Rate Fee; and

WHEREAS, the said calculations have been prepared and reviewed in accordance with the aforementioned Ordinances Numbered 947 and 1203; and

WHEREAS, it is promulgated in Ordinance No. 947 the Commissioner of Revenue and Finance shall submit the proposed sewerage rates and minimum charges to the Board of Commissioners for confirmation by resolution; and

WHEREAS, the rates as calculated, reviewed and submitted are as follows:

Fixed Rate Charge:	\$4.00 per 1000 gallons of metered water consumption
Variable Rate Charge:	\$23.00 per 1000 gallons of metered water consumption
Minimum Annual Charge:	\$124.00

WHEREAS, the due date for the first quarter will be April 1, 2020 with a ten day grace period.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Borough of Wildwood Crest, in the County of Cape May and the State of New Jersey, that the sewerage rates and minimum charges as presented by the Commissioner of Revenue and Finance be confirmed for calendar year 2020.

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. 2020-79

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING LOCAL EFFICIENCY ACHIEVEMENT PROGRAM (LEAP) CHALLENGE GRANT

WHEREAS, the State of New Jersey has allocated \$150,000 within each county for a statewide total of \$3.15 million in Local Efficiency Achievement Program (LEAP) funds to promote innovation among peer local units across New Jersey, and;

WHEREAS, the Department of Community Affairs, Division of Local Government Services (DLGS) administers the LEAP grant program, and;

WHEREAS, the LEAP Challenge Grant exists to challenge municipalities and counties to collaborate on more extensive partnership and collaborations to produce efficiencies through shared services, and;

WHEREAS, The City of North Wildwood, the Borough of Wildwood Crest and the City of Wildwood have determined to apply for a LEAP Challenge Grant through the State of New Jersey Efficiency Achievement Program in the amount of \$150,000, and;

WHEREAS, The City of North Wildwood has agreed to be the lead agency in this program, and;

WHEREAS, the State of New Jersey has made LEAP grants available to assist local units to study, develop and implement new shared services initiatives, and;

WHEREAS, the purpose of the project submitted in this grant application is intended to provide benefits to the participant local units' residents through the sharing of EMS Services and the partial sharing of Fire Services.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Wildwood Crest that the Borough of Wildwood Crest does hereby join with the City of North Wildwood in applying for a LEAP challenge grant to support undertaking this endeavor.

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. 2020-80

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING A SHARED SERVICES AGREEMENT BETWEEN THE CITY OF NORTH WILDWOOD, THE CITY OF WILDWOOD AND THE BOROUGH OF WILDWOOD CREST FOR THE PURPOSE OF ENTERING INTO A CONTRACT WITH TRIAD ASSOCIATES TO PREPARE AND SUBMIT A GRANT APPLICATION TO THE LOCAL EFFICIENCY ASSISTANCE PROGRAM (LEAP) FOR THE PURPOSE OF REVIEWING AND STUDYING THE FEASIBILITY OF CONSOLIDATION OF ISLAND-WIDE, PAID FIRE AND EMS SERVICES

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, *et. seq.*, authorizes municipalities to enter into agreements for the exchange and sharing of services; and

WHEREAS, the City of North Wildwood, the City of Wildwood and the Borough of Wildwood Crest (hereafter "Municipalities") desire to study the feasibility of combining paid municipal Fire and EMS Services for North Wildwood and Wildwood and EMS only for Wildwood Crest into an island-wide shared service, providing coverage for the Municipalities involved; and

WHEREAS, the Local Efficiency Assistance Program ("LEAP") of the New Jersey Department of Community Affairs provides funding for municipalities to study the feasibility of such matters; and

WHEREAS, the Municipalities have determined that the best and most expedient way to proceed is to jointly engage the services of an outside firm to prepare and submit a grant application to the LEAP to finance the cost of studying the possibility of the consolidation of the paid Fire and EMS Services of the Municipalities into an island-wide shared service; and

WHEREAS, the City of North Wildwood and the City of Wildwood have determined that this study will encompass the potential for the consolidation of both of their career Fire/EMS Departments; and

WHEREAS, the Borough of Wildwood Crest has determined that this study will only include their career EMS services and not the Borough's Volunteer Fire Company; and

WHEREAS, the plan for the Municipalities, designated herein is:

1. To enter into a Shared Services Agreement, a copy of which is available in the Office of the Municipal Clerk; and

2. To agree to an equal cost share of the fees associated with the preparation, submission and coordination of a LEAP grant to the NJDCA to be paid by the City of North Wildwood in accordance with the Shared Services Agreement.

3. To agree to pay the City of North Wildwood their respective, proportionate share of \$1,833.34.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Borough of Wildwood Crest, in the County of Cape May and State of New Jersey, 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. The Mayor and Borough Clerk are hereby authorized and directed to execute a Shared Services Agreement between THE CITY OF NORTH WILDWOOD, THE CITY OF WILDWOOD and the BOROUGH OF WILDWOOD CREST for the reasons expressed herein and any other documents necessary to carry out the intent and purpose of this Resolution.

3. The City of North Wildwood shall act as the Lead Agency for the Municipalities in carrying out the intent and purpose of this Resolution and the Borough of Wildwood Crest shall pay their proportionate share of \$1,833.34 to North Wildwood.

4. This Resolution is contingent upon an identical or substantially identical Resolution being adopted by each of the Municipalities named herein.

Mrs. Gould motions, Mr. Thompson seconds that the foregoing resolution be adopted. Prior to the vote, Mr. Thompson indicated it was for paid services and did not include the volunteer fire company.

Vote: Gould - Thompson – Cabrera – YES

BILLS: Mr. Thompson motioned and Mrs. Gould seconded that all bills properly authorized, as submitted, be paid.

Vote: Gould - Thompson – Cabrera – YES

PUBLIC COMMENTS:

Captain Lloyd, WCPD, gave an overview of the Presidential visit to Wildwood on January 28, 2020. He thanked the governing body and various departments for their support and understanding as details unfolded. He noted for the first time that every police officer worked a portion of that day and the collaboration between local, county, state and federal agencies was a complete success. Mayor Cabrera thanked everyone for their hard work. Commissioner Thompson also thanked Captain Lloyd and the entire department, the Volunteer Fire Company, the Rescue Squad and that they completely prepared for any circumstances and contingency plans were in place.

Victoria Dolan, 6400 Atlantic Avenue, inquired about the officers getting paid for their service and Captain Lloyd indicated they were being paid and that the Borough provided mutual aid.

DISCUSSION:

NEW BUSINESS:

-Bulkhead Ordinance / Lot Grading

-Flood Mitigation Efforts

Mayor Cabrera indicated that two ordinances will be forthcoming at the next meeting for both lot grading and bulkheads.

OLD BUSINESS: (ALL TABLED UNTIL NEXT MEETING)

-Tents on the beach/ Smoking on the beach: N/A

-Parking in front of Leader Printers: N/A

-Draft Ordinance for Ch. 63 Sidewalks: N/A

-Sunset Lake Bathroom: N/A

-Parking for RVs: N/A

-Old Library- N/A

-Referendum permitting one consumption liquor license in business zone- N/A

PRESENTATION: FISHING PIER

Before the presentation, Mayor Cabrera reminded everyone that the US Army Corps of Engineers will be placing a 16 ft dune on our island in the upcoming future and the project will have an impact on our fishing pier and now is the time and we have an unique opportunity to make the fishing pier better for future generations. He gave a brief overview of the fishing pier and how to preserve the 100-year history. He added that it could be more than a just a fishing pier; it would be destination for surfers, it would be a wedding venue, it would be a place to showcase historical photographs, and there could a revenue source to if the building were leased out. He was proud to share the upcoming vision of the pier and welcomed further discussions throughout the entire process. Lastly, he recognized the Fishing Pier committee, which consists of: Jason Hesley, Jamie Peterson, and Stephen Delmonte; he recognized Borough Engineer, Marc DeBlasio as well as Architect Bill McLees.

After the video presentation, there were several comments from the public.

Bruce Hamlin, Cardinal Road, wanted further information on original pier and if it would remain.

Ken Dreschel, 6400 Atlantic Avenue, wanted to know if the pier would be ADA accessible.

Kim Gerecke, 5501 Pacific Avenue, inquired about parking and if that was a concern.

Pauline Levy, 6300 Pacific Avenue, thought the plans were gorgeous, but had concerns over the intersection area of the bike path and proposed fishing pier entrance.

Architect Bill McLees, added there is a circular design to help direct the traffic pattern. The Mayor added that this conceptual rendering is a starting point and can be tweaked in the upcoming meetings.

Mike (inaudible), Atlantic Avenue, wanted to know the depth from the end of the fishing pier to the water line and the Engineer indicated that it would depend how far the pier stretched out, but if it were to go 500 ft out, it would be 11 feet.

Stephen Delmonte, Fishing Pier Advisory member and Atlantic Avenue resident indicated he has lived on Heather Road for 15 years and has seen the beaches grow in that time. The added that this has historical significance and other places would love to have this opportunity, but they can't. He further added that we have paid a lot of money into Cape May County Open Space and have reaped small amounts and that now is Wildwood Crest's time to seek that funding and that it needs to make sense for Wildwood Crest taxpayers and it should be pursued if it makes financial sense.

The Borough Administrator added that the County has had two deadlines for application funding and the last one was due this past month and the borough was not ready to submit, but they will in the next round, which takes place in April. The CFO added that the Borough of Wildwood Crest has paid \$3.7 million since 2000 and received \$586,000 for two projects: Sunrise Park and Recreation Improvements along Sunset Lake.

Jason Hesley, Tax Assessor and Fishing Pier Advisory member noted that Wildwood Crest is considered a net giver and that essentially, we are funding projects in other municipalities and now is our chance with the impending 16 ft dune. He noted that Wildwood Crest has either the lowest or second lowest tax rate in the county and between 15-20 million in ratables with a

healthy reserve to get better funding. He added that the fishing pier is more than fishing and it goes hand in hand with surfers, it has the ability to serve as a wedding venue and it's perfect for fitness classes and the possibilities are endless.

Jamie Peterson, Fishing Pier Advisory member added that he has grown up in Wildwood Crest and the work done in the borough is magnificent. He added that the fishing pier has an identity, especially among the surfing community and that this could be a true icon up and down the east coast. The borough has a special opportunity to make the fishing pier a true fishing pier and more.

Teresa Carey, Palm Road, wanted to know which distance the borough was considering and wanted to go the furthest.

The Mayor added that right now, the borough is looking at 750 feet and the depth of the water needs to be quantified as well. The Administrator added that if it goes to 1000 feet, that it will increase the cost by 40% because it will need to be cement structure. The Tax Assessor added that the pier needs to be constructed prior to the sand take back from the Army Corp of Engineers because it will 2/3 greater if done over water.

Lisa Russo, 7200 Atlantic Avenue, added that she would like to see fishing tournaments to take place and a fishing club brought back.

Bruce Hamlin, Cardinal Road, asked that pier is not given to anyone and that includes advertising and that all revenue goes back to the borough.

Kim Gerecke, 5501 Pacific Avenue, asked if the pier were to be expanded in the future, could stairs be added and they are currently in the plan.

Ed Masterson, 7301 Pacific Avenue, noted that the pier is 100 years old and that it should be saved and cherished and that the beach is our largest asset and that would only add to it.

Carl Schmoyer, Ocean Avenue, added that he has given artifacts to Wildwood Crest to preserve the history of the fishing club and he envisions displaying the history will also be an attraction and wished the commissioners well with this endeavor.

Commissioner Gould had some comments over the piers displayed in the Fishing Pier presented earlier and that all of those piers had populations way in excess of Wildwood Crest's 2500 and are wealthy communities. She indicated as the commissioner of Revenue & Finance; it concerns her how much the pier could cost. Lastly, she added that the presentation and the concept are great, but the bottom line is money. She mentioned that the Fishing Pier Advisory Committee lacks gender equality.

Mayor Cabrera indicated that when the request was put out to have this committee, there was no interest from any females and that interest is always welcomed. He further added that the Borough of Wildwood Crest is very interested in pursuing all avenues for funding. He indicated that the New Jersey Transportation Trust Fund was a potential funding source for the boardwalk in both Wildwood and North Wildwood and that Wildwood Crest wants its share and that he will personally be in attendance at every meeting and that we will exhaust every opportunity for funding this project.

PUBLIC COMMENTARY:

Hearing nothing further from the public, Mrs. Gould motioned, seconded by Mr. Thompson that they enter closed session and the time was 10:58 a.m.

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 2020-81

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING EXECUTIVE/CLOSED SESSION IN ACCORDANCE WITH THE PROVISIONS OF THE OPEN PUBLIC MEETINGS ACT, SPECIFICALLY N.J.S.A. 10:4-12(B)

WHEREAS, the Open Public Meetings Act (N.J.S.A. 10:4-6 et. seq.) requires all meetings of the Board of Commissioners of the Borough of Wildwood Crest to be held in public, except that N.J.S.A. 10:4-12(b) sets forth nine (9) types of matters that may lawfully be discussed in “Executive or Closed Session,” i.e., without the public being permitted to attend; and

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest has determined that one (1) issue(s) is/are permitted by N.J.S.A. 10:4-12(b) to be discussed without the public in attendance to be discussed during the Executive or Closed Session to be held on **Wednesday, February 5, 2020 at 9:30 A.M.**; and

WHEREAS, the nine (9) exceptions to public meetings set forth in N.J.S.A. 10:4-12(b) are listed below, and next to each exception is a box within which the number of issues to be privately discussed that fall within that exception shall be written, and after each exception is a space where additional information that will disclose as much information about the discussion as possible without undermining the purpose of the exception shall be written:

_____ **“(1) Any matter which, by express provision of Federal law, State statute or rule of court shall be rendered confidential or excluded from public discussion.”** The legal citation to the provision(s) at issue is: _____ and the nature of the matter, described as specifically as possible without undermining the need for confidentiality is _____

_____ **“(2) Any matter in which the release of information would impair a right to receive funds from the state or federal government.”** The nature of the matter, described as specifically as possible without undermining the need for confidentiality is _____

_____ **“(3) Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information relative to the individual’s personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly.”** The nature of the matter, described as specifically as possible without undermining the need for confidentiality is _____

_____ **“(4) Any collective bargaining agreement, or the terms and conditions of which are proposed for inclusion in any collective bargaining agreement, including the negotiation of terms and conditions with employees or representatives of employees of the public body.”** The collective bargaining contract(s) discussed are between the Borough and _____

 x _____ **“(5) Any matter involving the purchase, lease or acquisition of real property with public funds, the setting of bank rates or investment of public funds where it could adversely affect the public interest if discussion of such matters were disclosed.”** The nature of the matter, described as specifically as possible without undermining the need for confidentiality is _____

_____ **“(6) Any tactics and techniques utilized in protecting the safety and property of the public provided that their disclosure could impair such protection. Any investigations of violations or possible violations of the law.”** The nature of the matter, described as specifically as possible without undermining the need for confidentiality is _____

_____ **“(7) Any pending or anticipated litigation or contract negotiation in which the public body is or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer.”** The parties to and docket numbers of each item of litigation and/or the parties to each contract discussed and the nature of the discussion, described as specifically as possible without undermining the need for confidentiality is potential contract negotiations and more specifically is potential acquisition of property

_____ **“(8) Any matter involving the employment, appointment, termination of employment, terms and conditions or employment, evaluation of the performance, promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all individual employees or appointees whose rights could be adversely affected request, in writing, that such matter or matters be discussed at a public meeting.”** Subject to the balancing of the public’s interest and the employee’s privacy rights under *South Jersey Publishing Co. v. New Jersey Expressway Authority*, 124 N.J. 478, the employee(s) and nature of the discussion, described as specifically as possible without undermining the need for confidentiality are _____.

“(9) Any deliberation of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party as a result of an act or omission for which the responding party bears responsibility.” The nature of the matter, described as specifically as possible without undermining the need for confidentiality is

WHEREAS, the Board of Commissioners shall reconvene the public meeting at the conclusion of the authorized closed or executive session, which may or may not include formal action as a result of the discussion(s) held.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, assembled in public session on the date of the meeting of the governing body set forth herein above, that a closed session shall be held for the discussion of matters relating to the specific items designated above involving the Borough of Wildwood Crest. The governing body shall convene a closed session discussion immediately upon passage of this resolution and it is anticipated that the deliberations conducted in closed session shall be disclosed to the public upon conclusion of the matter and/or after determination of the Board of Commissioners that the public interest will no longer be served by such confidentiality and that the meeting will return to open session at the conclusion of the discussion and formal action may be taken if/as authorized.

BE IT FURTHER RESOLVED that the Municipal Clerk, at the present public meeting, shall read aloud enough of this resolution so that members of the public in attendance can understand, as precisely as possible, the nature of the matters that will be privately discussed.

BE IT FURTHER RESOLVED that the Municipal Clerk, on the next business day following this meeting, shall furnish a copy of this resolution to any member of the public who requests one at the fees authorized by N.J.S.A. 47:1A-1, et. seq.

Mrs. Gould motions, Mr. Thompson seconds that the foregoing resolution be adopted.

Vote: Gould - Thompson – Cabrera – YES

After leaving closed session and going back into open session, and hearing nothing from the public, Mrs. Gould motioned, seconded by Mr. Thompson that the meeting be adjourned. All were in favor. The time was 11:42 a.m.

Dated: February 19, 2020

Patricia A. Feketics, Borough Clerk

