

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

February 8, 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.

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 motions, Mr. Schiff seconds that Ordinance No. 1395 be placed on second reading and final passage by title only.

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE ORDINANCE BY TITLE:

**ORDINANCE NO. 1395**

**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 motions, Mr. Schiff seconds that a public hearing now be held on Ordinance No. 1395.

Vote: Schiff - Franco – Cabrera – YES

Mr. Franco motions, Mr. Schiff seconds that a public hearing now be closed on Ordinance No. 1395.

Vote: Schiff - Franco – Cabrera – YES

Mr. Franco motions, Mr. Schiff seconds that Ordinance No. 1395 be passed on second and final reading and advertised according to law.

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

**RESOLUTION NO. 23-65**

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING AWARD OF SPECIAL SERVICE CONTRACT FOR TRADEMARK PATENTS TO LAURA MAGEDOFF OF NISSENBAUM LAW GROUP FOR CY2023**

**WHEREAS**, the Board of Commissioners of the Borough of Wildwood Crest has determined that there exists the need for a Trademark Patent 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 to 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 Laura Magedoff, Esquire to serve as counsel to the Borough of Wildwood Crest to handle all legal work necessary and as may be assigned by the Borough to represent the interests of the Borough of Wildwood Crest.

**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 Special Counsel is awarded to Laura Magedoff, 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 December 31, 2023, with Laura Magedoff, Esquire, who shall be compensated at the not to exceed sum of \$7,000.00.

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. 23-66

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING THE APPOINTMENT OF VETERAN MICHAEL MARINO TO ASSIST THE BOROUGH OF WILDWOOD CREST IN THE “WE VALUE OUR VETERANS” CAMPAIGN**

**WHEREAS**, the Borough of Wildwood Crest recognizes there is an opportunity to value and honor the sacrifices, patriotism, and bravery displayed by our men and women who have worn the military uniform; and

**WHEREAS**, the Borough of Wildwood Crest will embark upon the “We Value our Veterans” campaign to identify those who have answered the call to arms in defense of American values; and

**WHEREAS**, the Borough of Wildwood Crest has enlisted the help of Veteran Air Force Combat Control

member Michael Marino to assist borough personnel with attaining awarded points for specific initiatives for veteran related events; and

**WHEREAS**, the borough municipal staff will work in collaboration with Veteran Michael Marino to help achieve those objectives; and

**WHEREAS**, Cape May County has over 7,000 veterans and the Borough of Wildwood Crest is poised to mark their service.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey, that Veteran Michael Marino shall be appointed to assist the borough in the “We Value Our Veterans” campaign.

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. 23-67

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING BOROUGH ENGINEER WORK ORDER FOR FEMA GRANT APPLICATION – WASHINGTON AVENUE STORM SEWER BEACH OUTFALL- PRELIMINARY INVESTIGATION – AT THE NTE SUM OF \$90,000**

**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 **FEMA GRANT APPLICATION – WASHINGTON AVENUE STORM SEWER BEACH OUTFALL- PRELIMINARY INVESTIGATION**, for engineering services which are more specifically set forth in the attached Proposal from Marc DeBlasio and the Firm of DeBlasio & Associates, dated **January 25, 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 **\$90,000.00**; 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 **\$90,000.00**.

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. 23-68

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING RELEASE OF ESCROW FUNDS FOR PERMIT #SO21-1004 IN THE AMOUNT OF \$367.50**

**WHEREAS**, the Wildwood Crest Construction Official has received written approval from the Borough Engineer, DeBlasio & Associates, on December 6, 2022 to refund escrow to Garden State General Construction, Inc. for Street Opening Permit #SO21-1004, Block 98.02/Lot 8; and

**WHEREAS**, the Wildwood Crest Construction Official has confirmed that all Borough Engineer billings related to Street Opening Application #SO21-1004 are complete; and

**WHEREAS**, Garden State General Construction, Inc., 8 Clermont Drive, Clermont, New Jersey 08210 made an escrow payment to the Borough of Wildwood Crest of \$1,000.00 on October 04, 2021 for Street Opening Permit for location 409 E. Atlanta Avenue, Block 98.02/ Lot 8 and has requested return of the unused escrow balance; and

**WHEREAS**, the escrow used totaled \$632.50 and the Borough of Wildwood Crest Construction Official is recommending the return of the unused escrow fee of **\$367.50**.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Borough of Wildwood Crest, in the County of Cape May, New Jersey, that the return of the balance of the unused escrow account in the

amount of \$367.50 to Garden State General Construction, Inc., 8 Clermont Drive, Clermont, New Jersey 08210 be and hereby is approved.

**BE IT FURTHER RESOLVED** that the Chief Financial Officer is hereby authorized to return the balance of the unused escrow account in the amount of \$367.50 to Garden State General Construction, Inc., 8 Clermont Drive, Clermont, New Jersey 08210.

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. 23-69

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING RELEASE OF ESCROW FUNDS FOR PERMIT #SO21-1105 IN THE AMOUNT OF \$277.50**

**WHEREAS**, the Wildwood Crest Construction Official has received written approval from the Borough Engineer, DeBlasio & Associates, on December 06, 2022 to refund escrow to Mitchell Nichols Enterprises, Inc. for Street Opening Permit #SO21-1105, Block 94.03/Lot 7; and

**WHEREAS**, the Wildwood Crest Construction Official has confirmed that all Borough Engineer billings related to Street Opening Application #SO21-1105 are complete; and

**WHEREAS**, Mitchell Nichols Enterprises, Inc., 23 King Street, Rio Grande, NJ 08242 made an escrow payment to the Borough of Wildwood Crest of \$1,000.00 on November 06, 2021 for Street Opening Permit for location 507-515 East Orchid Road, Block 94.03/Lot 7 and has requested return of the unused escrow balance; and

**WHEREAS**, the escrow used totaled \$722.50 and the Borough of Wildwood Crest Construction Official is recommending the return of the unused escrow fee of **\$277.50**.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Borough of Wildwood Crest, in the County of Cape May, New Jersey, that the return of the balance of the unused escrow account in the amount of \$277.50 to Mitchell Nichols Enterprises, Inc., 23 King Street, Rio Grande, NJ 08242 be and hereby is approved.

**BE IT FURTHER RESOLVED** that the Chief Financial Officer is hereby authorized to return the balance of the unused escrow account in the amount of \$277.50 to Mitchell Nichols Enterprises, Inc., 23 King Street, Rio Grande, NJ 08242.

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. 23-70

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING CERTIFICATION IN THE AMOUNT OF \$84,870.00 TO STARR GENERAL CONTRACTING CORPORATION FOR PORTABLE TOILETS CONTRACT**

**WHEREAS**, the Board of Commissioners of the Borough of Wildwood Crest awarded a contract, via Resolution No. 22-153 adopted April 13, 2022, to STARR GENERAL CONTRACTING CORPORATION, for portable toilets contract at the NTE sum of \$70,870.00; and

**WHEREAS**, via Resolution No. 22-307 increased the amount of the certification \$14,000.00 to \$84,870.00; and

**WHEREAS**, the CFO has certified the availability of funds as evidenced below by her signature for the year 2023:

Account Number(s)	Amount	Signature
<u>3-01-26-312-299</u>	<u>\$24,870.00</u>	_____
<u>3-01-28-381-299</u>	<u>\$60,000.00</u>	_____

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

1. That the recital paragraphs set forth above are incorporated herein as if set forth at length.
2. That the terms and conditions of the contract between the Borough of Wildwood Crest and STARR GENERAL CONTRACTING CORPORATION, authorized by Resolution No. 22-307 adopted October 26, 2022 shall remain in full force and effect, with the sole exception that the amount of the contract shall be increased to a total sum not to exceed \$84,870.00 all of which is contingent upon certification from the Chief Financial Officer as to the availability of funds.

3. That a copy of the specific items appertaining to the award of this contract shall be published in a Notice of Award in *The Herald of Cape May County* as required by law within ten (10) days of passage of the Resolution authorizing same.

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. 23-71

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST APPROVING ANNUAL SEWER RATES AND MINIMUM CHARGES FOR CALENDAR YEAR 2023**

**WHEREAS**, Borough of Wildwood Crest Ordinance Number 1330 contains 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 Ordinance Numbered 1330; and

**WHEREAS**, it is promulgated in Ordinance No. 1330 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:	\$5.00 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, 2023 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 2023.

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. 23-72

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING ADVERTISEMENT OF A NOTICE TO BIDDERS FOR LANDSCAPING SERVICES**

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Borough of Wildwood Crest, in the County of Cape May, New Jersey, that the Borough Clerk is hereby authorized to advertise a Notice to Bidders in *The Herald of Cape May County* on February 15, 2023.

**BE IT FURTHER RESOLVED** that the plan and design as set forth in the Specifications on file in the Borough for **LANDSCAPING SERVICES** is hereby approved.

**BE IT FURTHER RESOLVED** Sealed bids will be received by the Bid Opening Committee in the Municipal Court Room, Wildwood Crest Borough Hall, on **Wednesday, MARCH 15, 2023 at 10:00 a.m.**, 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:

**LANDSCAPING SERVICES**

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 23-73

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING THE APPOINTMENT OF THREE (3) CLASS I POLICE OFFICERS**

**WHEREAS**, the Commissioner of Public Safety desires to appoint **Three (3) Class I Police Officers** for the Borough of Wildwood Crest; and

**WHEREAS**, it is the desire of the Commissioner of Public Safety to appoint **Christopher Baucault, Kevin Castillo and Brook Steckel** as **Class I Police Officers** for the Borough of Wildwood Crest, to serve in an “at-will” capacity at the pleasure of the Commissioner of Public Safety at an annual salary as contained in the current year salary ordinance of the Borough of Wildwood Crest; and

**WHEREAS**, the Board of Commissioners of the Borough of Wildwood Crest has determined that it is in the best interests of the Borough of Wildwood Crest to confirm and ratify the appointment of **Christopher Baucault, Kevin Castillo and Brook Steckel** as **Class I Police Officers**.

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

1. The above recital paragraphs are incorporated herein as if fully set forth at length.
2. The appointment of **Christopher Baucault, Kevin Castillo and Brook Steckel** as **Class I Police Officers** effective the date of passage of this resolution, at an annual salary as permitted within the parameters of the range established in the current year “Salary Ordinance” of the Borough of Wildwood Crest, be and the same is hereby confirmed and ratified.
3. That said unclassified appointment shall be “at-will,” at the pleasure of the Commissioner of Public Safety and shall remain in full force and effect until further notice.

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 23-74

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING AWARD OF CONTRACT FOR BEACH STREET END PUBLIC ACCESS IMPROVEMENTS – PHASE 2**

**WHEREAS**, a Notice to Bidders was authorized for advertisement by Resolution No. 23-51 on January 4, 2023 for the Borough of Wildwood Crest contract for the BEACH STREET END PUBLIC ACCESS IMPROVEMENTS – PHASE 2; and

**WHEREAS**, Notice to Bidders was advertised in the *Press of Atlantic City* on January 11, 2023 and *Herald of Cape May County* on January 11, 2023 with receipt of sealed bids on February 1, 2023 at 10:00 a.m.; and

**WHEREAS**, five sealed bid proposals were received, opened and reviewed on February 1, 2023 by the Bid Opening Committee who reviewed the bid proposal and determined that Fred M. Schiavone Construction Inc., PO Box 416, Malaga, NJ 08328 was the lowest responsive bidder in the amount of \$3,228,065.20 for the BEACH STREET END PUBLIC ACCESS IMPROVEMENTS – PHASE 2; and

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

Account Number(s) G-02-41-847-022 Amount \$2,440,000.00 Signature \_\_\_\_\_

Account Number(s) G-02-41-671-022 Amount \$ 50,000.00 Signature \_\_\_\_\_

Account Number(s) C-04-55-138-8A2 Amount \$ 458,099.00 Signature \_\_\_\_\_

Account Number(s) C-04-55-137-0A2 Amount \$ 279,966.20 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 BEACH STREET END PUBLIC ACCESS IMPROVEMENTS – PHASE 2 is hereby awarded to Fred M. Schiavone Construction Inc., PO Box 416, Malaga, NJ 08328 the lowest responsive bidder.
3. The award of this contract is contingent upon compliance with all terms, conditions and requirements set forth in the Notice to Bidders; Bid Specifications and Information Packet and other Bid Documents and certification from the Chief Financial Officer as to the availability of funds.
4. The Mayor and the Borough Clerk are hereby authorized and empowered to enter into a formal contract with Fred M. Schiavone Construction Inc., PO Box 416, Malaga, NJ 08328 in accordance with this Resolution, Notice to Bidders, Bid Specifications and Information Packet and the submitted bid proposal.
5. That a Notice of Award shall be published in The Herald of Cape May County as required by law within ten (10) days of passage of this Resolution, which notice shall state that this Resolution and the contract are on file and available for public inspection in the office of the Borough Clerk.

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 23-75

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST CALLING FOR AN IMMEDIATE MORATORIUM ON OFFSHORE WIND DEVELOPMENT PENDING A THOROUGH INVESTIGATION INTO THE UNPRECEDENTED DEATHS OF WHALES**

**WHEREAS**, the Board of Commissioners of the Borough of Wildwood Crest is calling for immediate suspension of all offshore wind development activity until a comprehensive, thorough investigation is held by federal and state agencies that confidently concludes these activities are not a contributing factor to recent whale deaths; and

**WHEREAS**, the marine mammal population has seen eight (8) tragic deaths of whales on the coasts stretching from New York to New Jersey in a brief period of time; and

**WHEREAS**, the Wildwood Crest community is heartbroken over the latest young whale to wash ashore in the vicinity of Brigantine on January 12th, 2023; and

**WHEREAS**, Wildwood Crest supports clean energy programs, but seeks to first fully understand the cause of these tragic deaths and what can be done to prevent future losses; and

**WHEREAS**, United States Congressman Jeff Van Drew has expressed his opposition to moving forward with offshore wind projects pending further research of the disclosed impacts of such projects on the environment and fishing industry; and

**WHEREAS**, New Jersey State Senator Vince Polistina has also called for the suspension of offshore wind activities until there can be a conclusive determination as to the cause of recent whale fatalities; and

**WHEREAS**, the Board of Commissioners of the Borough of Wildwood Crest is of the opinion that offshore activity should be suspended pending further research as to the potential impact such activity has on whales and other marine life; and

**WHEREAS**, the Board of Commissioners of the Borough of Wildwood Crest joins and supports the approach and statements made by United States Congressman Van Drew and State Senator Polistina.

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Commissioners of the Borough of Wildwood Crest state they affirmatively support the position of United States Congressman Van Drew and State Senator Polistina, and endorse and appreciate their efforts in this matter.

**BE IT FURTHER RESOLVED**, that the Board of Commissioners of the Borough of Wildwood Crest shall share its expression by forwarding a copy of this Resolution to all members of the United States House of Representatives and United States Senate representing the Borough of Wildwood Crest and representing the State of New Jersey.

**BE IT FURTHER RESOLVED**, that Board of Commissioners of the Borough of Wildwood Crest shall also share this Resolution with the Members of the New Jersey State Senate and the New Jersey General Assembly.

**BE IT FURTHER RESOLVED**, that Board of Commissioners of the Borough of Wildwood Crest shall also share this Resolution with the Governor of the State of New Jersey.

**BE IT FURTHER RESOLVED**, that Board of Commissioners of the Borough of Wildwood Crest shall also share this Resolution with the Cape May County Board of Commissioners.

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. 23-76

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING EXPENDITURE TO RELOCATE SEVERAL UTILITY POLES AND ANCHORS ON ORCHID, STANTON, AND TOLEDO AVENUES FOR THE BEACH ACCESS PHASE TWO PROJECT WITH ATLANTIC CITY ELECTRIC COMPANY**

**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 having several utility poles and anchors on Orchid, Stanton, and Toledo Avenues for the Beach Access Phase Two Project with Atlantic City Electric Company performed; 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**, the CFO has certified the availability of funds as evidenced below by her signature:

Account Number(s) \_\_\_\_\_ Amount \$16,688.00

Signature \_\_\_\_\_

**NOW THEREFORE, 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 relocate several poles and anchors on Orchid, Stanton, and Toledo Avenues for the Beach Access Phase Two Project with Atlantic City Electric Company performed.

**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 relocate several poles and anchors on Orchid, Stanton, and Toledo Avenues for the Beach Access Phase Two Project with Atlantic City Electric Company at an amount not to exceed \$16,688.00.

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. 23-77

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING ADVERTISEMENT OF A NOTICE TO BIDDERS FOR JOSEPH VON SAVAGE POOL AND ROOF IMPROVEMENTS**

**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* and *The Press of Atlantic City* on February 15, 2023.

**BE IT FURTHER RESOLVED** that the plan and design as set forth in the Specifications on file in the Borough for the **JOSEPH VON SAVAGE POOL AND ROOF IMPROVEMENTS** is hereby approved.

**BE IT FURTHER RESOLVED** that sealed bids will be received by the Bid Opening Committee in the Commissioners Meeting Room, Wildwood Crest Borough Hall, on **Thursday, March 9, 2023 at 10:00 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:

**JOSEPH VON SAVAGE POOL AND ROOF IMPROVEMENTS**

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. 23-78

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST TO AUTHORIZE WAIVING THE FEE REQUIRED FOR APPLICATION TO WILDWOOD CATHOLIC ACADEMY TO HOST A PROM PROCESSION AT CENTENNIAL PARK ON APRIL 29, 2023 FROM 6:00-8:00 PM**

**WHEREAS**, Wildwood Catholic Academy has requested the use of Centennial Park to host a prom procession at Centennial Park on April 29, 2023 from 6:00-8:00 pm; and

**WHEREAS**, the Board of Commissioners of the Borough of Wildwood Crest has reviewed the request for their upcoming prom procession and in the spirit of supporting school events and our community, the Board of Commissioners has agreed to waive the fee required by application.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey, that the fee required by



application of the Wildwood Catholic Academy for prom procession being held on April 29, 2023 from 6:00-8:00 pm at Centennial Park.

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

**DISCUSSION:**

**NEW BUSINESS:**

Commissioner Schiff wanted to discuss Park Mobile and moving away from meters. He indicated that they are older, people to maintain them and empty them. He added that there are pilot areas to try this: Crest Arts Pavilion, Crest Pier Park / Scoop Taylor and by Coastal Colors townhouses. The Chief of Police added they are trending away from coin usage and would like to eliminate the costs and move forward with only Park Mobile. The governing body members were in agreement.

**OLD BUSINESS:**

-**Back Beach Excavation:** No movement.

-**Flood Mitigation Projects:** Preliminary work being done.

-**Dredging:** Preliminary work being done.

-**CAFRA Permit:** Heading into public comment period.

-**NJ Avenue infrastructure pre-county:** The Mayor indicated he met with the Co. Engineer recently and they are looking at starting in the Spring of 2025, so the Borough needs to get the Sanitary Sewer and Water infrastructure underway by Fall of 2024.

-**Major reconstructing streets plan:** On Hold.

-**North / South street line striping / pedestrian cross walks:** On Hold.

-**Pool roof and resurfacing:** The resolution authorizing the NTB was done earlier in the meeting.

-**PW roof:** Pending.

-**Borough hall exterior and addition – office moves:** Awaiting quote.

-**Bayside outfalls and capacity / bulkhead repairs / replacement:** In queue.

-**Arts Pavilion Exterior – with CMCOS:** Waiting for award to be on their agenda.

-**Washington / Seaview – beach outfalls and capacity:** Resolution authorizing the engineer to begin was done earlier in the meeting.

-**Seating in lieu of barricades at Centennial Park:** In queue.

-**Update Landscaping and add lighting in Business district -NJ-** Asst. Superintendent of PW is working on it

**PUBLIC COMMENTARY:**

Dave McWilliams, New Jersey Avenue, inquired about the property adjacent to his and it's current condition with respect to the front and back yards. He would like to get ahead of the problem before spring when the mosquitoes start. The Mayor added that the CMC Health Department and Code Enforcement have done everything they can at this point and it is now in the hands of the municipal court. He inquired about the status of the case and the solicitor advised that he contact the municipal court for that information. The Mayor asked the Commissioner of Public Safety to look into the cleanup and mosquito situation.

Joe Viscomi, Washington Avenue, inquired about the possibility of the bike path extension going south from Rambler Road and if the plans were still in place. The Mayor indicated that the plans are tied in with the Army Corp and he was recently on a conference call with North Wildwood, Wildwood and Lower Township and representative LaTourette from the DEP and as of now, Lower Township and Wildwood have yet to sign their state agreement. He indicated that the deadline to sign state agreements in February 22<sup>nd</sup>. Lastly, Wildwood Crest has three things in the mix: there are discussions to allow the bike path at the beach (pacific avenue too); possible LURP credit for fishing pier (under 2 million); and excavation to grade the back beaches.

Dave McWilliams, New Jersey Avenue, inquired if the privately owned beaches in Lower Township refuse to sign the agreement, what happens with Wildwood Crest. The Mayor added that the state's position is to have every municipality on board and to not exclude eminent domain.

**Commissioner Comments:**

**Commissioner Schiff:** The electric pole outages are being looked into and reported to Atlantic City Electric. There is a list of currently reported outages. Go birds!

**Commissioner Franco:** Thank you to the Volunteer Fire Company for the invitation to ladies auxiliary dinner for both him and his wife. Go birds!

**Mayor Cabrera:** There has been a bill proposed by Asm. McClellan called a "pop up bill" and to expect that sometime around July. Regarding Ocean Wind I and II, there are currently 12 municipalities on board. The topic of seasonal and year round employees and where to live was brought up and Cape May County and Wildwood Crest are looking into it. Lastly, the County received the American Rescue Plan grant and each municipality is eligible for \$400,000 grant and he was awaiting a recommendation from the Engineer. Go Birds!

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 23-79

**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) WITH REGARD TO THE POLICIES AND PROCEDURES MANUAL**

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

Vote: Schiff - Franco – Cabrera – YES

After returning into Open Session and hearing nothing from the public, Mr. Schiff motioned and Mr. Franco seconded that the meeting be adjourned. All were in favor. The time was 10:27 am.

Dated: February 22, 2023

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Patricia A. Feketics, Borough Clerk

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