

Note: Complete Meeting Appears
On 05-20 on file in
Borough Clerk's Office

March 11, 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.

Mrs. Gould motions, Mr. Thompson seconds that Ordinance No. 1321 be placed on second reading and final passage by title only.

Vote: Gould - Thompson - Cabrera - YES

THE CLERK READS THE ORDINANCE BY TITLE:

ORDINANCE NO. 1321
ORDINANCE TO ESTABLISH CAP BANK FOR
CY2020 PURSUANT TO N.J.S.A. 40A:4-45.14

Mrs. Gould motions, Mr. Thompson seconds that a public hearing now be held on Ordinance No. 1321.

Vote: Gould - Thompson - Cabrera - Yes

After hearing nothing from the public, Mrs. Gould motions, Mr. Thompson seconds that a public hearing now be closed on Ordinance No. 1321.

Vote: Gould - Thompson - Cabrera - Yes

Mrs. Gould motions, Mr. Thompson seconds that Ordinance No. 1321 be passed on second and final reading and advertised according to law.

Vote: Gould - Thompson - Cabrera - Yes

THE CLERK READS THE ORDINANCE BY TITLE:

ORDINANCE NO. 1322
**ORDINANCE OF THE BOROUGH OF WILDWOOD CREST CREATING
CHAPTER 74A TOWING AND STORAGE OF VEHICLES**

Mrs. Gould motions, Mr. Thompson seconds that Ordinance No. 1322 be passed on first reading, advertised according to law, be brought up for second and final reading and public hearing on March 25, 2020 at 5:30 p.m.

Vote: Gould - Thompson - Cabrera - Yes

THE CLERK READS THE ORDINANCE BY TITLE:

ORDINANCE NO. 1323
ORDINANCE PROVIDING FOR THE ACQUISITION OF
REAL PROPERTY LOCATED AT 5900 NEW JERSEY
AVENUE IN AND BY THE BOROUGH OF WILDWOOD
CREST, IN THE COUNTY OF CAPE MAY, NEW JERSEY,
AND APPROPRIATING \$400,000 THEREFOR FROM THE
CAPITAL IMPROVEMENT FUND OF THE BOROUGH.

Mrs. Gould motions, Mr. Thompson seconds that Ordinance No. 1323 be passed on first reading, advertised according to law, be brought up for second and final reading and public hearing on March 25, 2020 at 5:30 p.m.

Vote: Gould - Thompson - Cabrera – Yes

THE CLERK READS THE ORDINANCE BY TITLE:

ORDINANCE NO. 1324

AN ORDINANCE OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING THE ACQUISITION OF REAL PROPERTY BY THE BOROUGH OF WILDWOOD CREST KNOWN AS 5900 NEW JERSEY AVENUE, AND DESIGNATED AS LOTS 49 AND 50 IN BLOCK 28 ON THE MUNICIPAL TAX MAP

Mrs. Gould motions, Mr. Thompson seconds that Ordinance No. 1324 be passed on first reading, advertised according to law, be brought up for second and final reading and public hearing on March 25, 2020 at 5:30 p.m.

Vote: Gould - Thompson - Cabrera – Yes

THE CLERK READS THE ORDINANCE BY TITLE:

ORDINANCE NO. 1325

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

Mrs. Gould motions, Mr. Thompson seconds that Ordinance No. 1325 be passed on first reading, advertised according to law, be brought up for second and final reading and public hearing on March 25, 2020 at 5:30 p.m.

Vote: Gould - Thompson - Cabrera – Yes

THE CLERK READS THE ORDINANCE BY TITLE:

ORDINANCE NO. 1326

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

Mrs. Gould motions, Mr. Thompson seconds that Ordinance No. 1326 be passed on first reading, advertised according to law, be brought up for second and final reading and public hearing on March 25, 2020 at 5:30 p.m.

Vote: Gould - Thompson - Cabrera – Yes

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 2020-95

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST APPROVING THE PURCHASE OF A KUBOTA TRACTOR FROM FARM-RITE, INC., IN ACCORDANCE WITH SOURCEWELL

WHEREAS, the Borough of Wildwood Crest published a *Notice of Intent to Award Contract under Sourcewell* – to purchase a **KUBOTA TRACTOR** in the Herald of Cape May County on February 12, 2020; and

WHEREAS, said the comment period for this notice expired on February 23, 2020; and

WHEREAS, the Borough of Wildwood Crest is authorized to participate in national purchasing cooperative per N.J.S.A 52:34-6.2 (b) P.L. 2001, c.139 which was enacted into law permitting agencies to utilize national purchasing cooperatives; and

WHEREAS, the Borough of Wildwood Crest entered into the National Joint Powers Alliance (NJPA) Cooperative Pricing System and it is now known as Sourcewell; and

WHEREAS, Sourcewell has a contract with FARM-RITE, INC., INC., Contract #021815-KBA for Agricultural Tractors & Equipment through March 17, 2020; and

WHEREAS, the Department of Public Works will be using Sourcewell #021815-KBA to purchase the necessary tractor; and

WHEREAS, it is recommended that the Borough Commissioners approve the purchase of the Kubota Tractor through the contract with Farm-Rite, Inc. in the amount of \$99,208.65; 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 Borough Commissioners of the Borough of Wildwood Crest, New Jersey, that it approves the purchase of a Kubota Tractor in in the amount of \$99,208.65 in accordance with Sourcewell #021815-KBA.

BE IT FURTHER RESOLVED by the Board of Commissioners of Wildwood Crest, New Jersey authorizes the purchase of a Kubota Tractor from Farm-Rite, Inc. in accordance with Sourcewell and that the Departments are authorized to issue a purchase order as needed for a Kubota Tractor in accordance with the terms of the Sourcewell #021815-KBA.

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. 2020-96

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST APPROVING THE PURCHASE OF A MCCOY MILLER AMBULANCE FROM FIREFIGHTER ONE APPARATUS IN ACCORDANCE WITH H-GAC COOPERATIVE PURCHASING

WHEREAS, the Borough of Wildwood Crest published a *Notice of Intent to Award Contract under a National Cooperative Purchasing Agreement – H-GAC Cooperative Purchasing Program* to purchase a **2019 McCoy Miller Ambulance** in the Herald of Cape May County on February 12, 2020; and

WHEREAS, said the comment period for this notice expired on February 23, 2020; and

WHEREAS, on January 27, 2020, Firefighter One, LLC, supplied a quote for the above referenced ambulance in the amount of \$154,776.00; and

WHEREAS, the Borough of Wildwood Crest is authorized to participate in national purchasing cooperative per N.J.S.A 52:34-6.2 (b) P.L. 2001, c.139 which was enacted into law permitting agencies to utilize national purchasing cooperatives; and

WHEREAS, the Borough of Wildwood Crest (ID #19-7578) entered into the H-GAC Cooperative Purchasing Program effective February 27, 2019; and

WHEREAS, H-GAC has a contract with McCoy Miller, Contract # AM10-18, for Ambulances, EMS and Other Special Service Vehicles, through 12/31/2020; and

WHEREAS, the Department of Emergency Medical Services will be using H-GAC Contract # AM10-18 to purchase a new 2019 McCoy Miller Ambulance; and

WHEREAS, it is recommended that the Borough Commissioners approve the purchase of new 2019 McCoy Miller Ambulance, through the contract with H-GAC Contract # AM10-18 in the amount of \$154,776.00; 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, Cape May County, New Jersey, that it approves the purchase of new 2019 McCoy Miller Ambulance, through the contract with H-GAC Contract # AM10-18 in the amount of \$154,776.00, in accordance with the H-GAC Cooperative Purchasing Program.

BE IT FURTHER RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, New Jersey authorizes the purchase of Equipment, in accordance with the H-GAC Cooperative Purchasing System and that the Departments are authorized to issue a purchase orders as needed for the necessary items in accordance with the terms of H-GAC Cooperative Purchasing System as per Contract # AM10-18.

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. 2020-97

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING CERTIFICATION OF COMPLIANCE WITH THE UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'S "ENFORCEMENT GUIDANCE ON THE CONSIDERATION OF ARREST AND CONVICTION RECORDS IN EMPLOYMENT DECISIONS UNDER TITLE VII OF THE CIVIL RIGHTS ACT OF 1964"

WHEREAS, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c. 183 requires the governing body of each municipality and county to certify that their local unit's hiring practices comply with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," *as amended*, 42 U.S.C. §2000e *et seq.*, (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

WHEREAS, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit's hiring practices as they pertain to the consideration of an individual's criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

NOW, THEREFORE BE IT RESOLVED, That the Board of Commissioners of the Borough of Wildwood Crest, hereby states that it has complied with N.J.S.A. 40A: 4-5, as amended by P.L. 2017, c. 183, by certifying that the local unit's hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

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. 2020-98

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING HOURS AND PERIODS OF OPERATION OF PARKING METERS FOR 2020

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest adopted Ordinance No. 1224, on October 21, 2015, which has approved new zones for parking meters; and

WHEREAS, the fee schedule for "parking meter charges" throughout the Borough, in accordance with the provisions of the aforesaid Ordinance and any amendments related thereto, does provide for a PER HOUR, NOT TO EXCEED AMOUNT OF ONE DOLLAR FIFTY CENTS (\$1.50); and

WHEREAS, the seasonal parking permit rate for all zones shall be \$250.00; and

WHEREAS, it is the desire of the Board of Commissioners to establish precise fees to be charged in accordance with the foregoing limit set, for calendar year 2020.

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 by reference as if fully set forth.
2. The hours and periods of operation of parking meters in the Borough of Wildwood Crest shall be 8:00 A.M. to 10:00 P.M. daily, commencing May 15, 2020 through September 15, 2020.
3. That the designated officials of the Borough of Wildwood Crest are hereby authorized, empowered and directed to charge/collect fees as follows: Not to exceed one dollar fifty cents (\$1.50) per hour and seasonal parking permits for all zones two hundred fifty dollars (\$250.00) in accordance with the schedule set forth hereinabove.

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. 2020-99

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING HOURS AND PERIODS OF OPERATION OF PARKING METERS FOR 2020

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest adopted Ordinance No. 1224, on October 21, 2015, which has approved new zones for parking meters; and

WHEREAS, the fee schedule for “parking meter charges” throughout the Borough, in accordance with the provisions of the aforesaid Ordinance and any amendments related thereto, does provide for a PER HOUR, NOT TO EXCEED AMOUNT OF ONE DOLLAR FIFTY CENTS (\$1.50); and

WHEREAS, the seasonal parking permit rate for all zones shall be \$250.00; and

WHEREAS, it is the desire of the Board of Commissioners to establish precise fees to be charged in accordance with the foregoing limit set, for calendar year 2020.

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 by reference as if fully set forth.
2. The hours and periods of operation of parking meters in the Borough of Wildwood Crest shall be 8:00 A.M. to 10:00 P.M. daily, commencing May 15, 2020 through September 15, 2020.
3. That the designated officials of the Borough of Wildwood Crest are hereby authorized, empowered and directed to charge/collect fees as follows: Not to exceed one dollar fifty cents (\$1.50) per hour and seasonal parking permits for all zones two hundred fifty dollars (\$250.00) in accordance with the schedule set forth hereinabove.

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. 2020-100

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AMENDING RESOLUTION NO. 296-19 WHICH AUTHORIZED THE GOVERNOR’S COUNCIL ON ALCOHOLISM AND DRUG ABUSE FISCAL GRANT CYCLE JULY 1, 2020 TO JUNE 30, 2021

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest authorized the Governor’s County on Alcoholism and Drug Abuse Fiscal Grant Cycle July 1, 2020 to June 30, 2021 via Resolution No. 296-19 on November 21, 2019; and

WHEREAS, the grant no longer accepts rounded amounts; and

WHEREAS, the new FY2021 Greater Wildwood Municipal Alliance grant amounts are as follows:

DEDR	\$20,374.00
Cash Match	\$5,093.50
In-Kind	\$15,280.50

WHEREAS, the Borough of Wildwood Crest portion of the local cash match shall be \$1,493.77; and

WHEREAS, the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey; and

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and

WHEREAS, the Borough of Wildwood Crest further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Cape May.

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 authorizes the submission of the grant for the Greater Wildwood Municipal Alliance Consortium grant in the amount of:

1. The Borough Commission does hereby authorize submission of a strategic plan for the Greater Wildwood Municipal Alliance grant for fiscal year 2021 (July 1, 2020– June 30, 2021) in the amount of:

DEDR	\$20,374.00
Cash Match	\$5,093.50

In-Kind \$15,280.50

The Borough of Wildwood Crest portion of the local cash match shall be \$1,493.77

2. The Board of Commissioners of the Borough of Wildwood Crest acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

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. 2020-101

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING A LICENSING AGREEMENT BETWEEN BOROUGH OF WILDWOOD CREST AND C & C DOCKS, INC. FOR USE OF PORTION OF LAKEVIEW DOCKS FOR PORTA POTTIES

WHEREAS, the Borough of Wildwood Crest has requested to use a portion of Lakeview Docks, located at 7116-18 Park Boulevard, Wildwood Crest, New Jersey, for the non-exclusive rights of two porta potties for use by the public and customers of C & C Docks, Inc.; and

WHEREAS, the C & C Docks, Inc. desires to enter into a license agreement to allow for non-exclusive rights of two porta potties for use by the public and customers of C & C Docks, Inc. and does herewith agree to enter into a licensing agreement with the Borough of Wildwood Crest for a license for the non-exclusive right to use the Licensed Property known as the Lakeview Docks.

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. That the recital paragraphs set forth above are incorporated herein as if set forth at length.
2. That a license for the non-exclusive right to use the Licensed Property known as the Lakeview Docks in the Borough of Wildwood Crest is hereby authorized for the period commencing March 11, 2020 and ending March 10, 2021, and shall automatically renew for additional license periods of one year unless terminated by either party by written notice provided no less than ninety (90) days prior to the next license period.
3. The Mayor and the Borough Clerk are hereby authorized and directed to execute and attest said license agreement on behalf of the Borough.

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. 2020-102

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING A LICENSING AGREEMENT BETWEEN BOROUGH OF WILDWOOD CREST AND BABE RUTH LEAGUE FOR USE OF HIGBEE'S FIELD FOR BOYS' BASEBALL

WHEREAS, the Greater Wildwood Little League has decided to split their league into two: Babe Ruth League for boys' baseball and Greater Wildwood Little League for girls' softball; and

WHEREAS, the Babe Ruth League has requested the use of Higbee's Field, located at 6001 Atlantic Avenue, for baseball practice and/or games for the 2020 season; and

WHEREAS, the Babe Ruth League desires to enter into a license agreement to use Higbee's Field and the Board of Commissioners does herewith agree to enter into a licensing agreement with the Babe Ruth League for a license for the right to use the Licensed Property known as the Higbee's Field.

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. That the recital paragraphs set forth above are incorporated herein as if set forth at length.
2. That a license for the right to use the Licensed Property known as the Higbee's Field in the Borough of Wildwood Crest is hereby granted to Babe Ruth League for the period commencing March 14, 2020 and ending July 31, 2020. The specific days and hours of permitted use, and all other conditions including the responsibilities of both Wildwood Crest Public Works and Babe Ruth League, which shall affect, change or modify this license shall be contained in said License Agreement as Schedule "A", a copy of which is attached hereto and made a part hereof.

3. The Mayor and the Borough Clerk be and they are hereby authorized and directed to execute and attest said license agreement on behalf of the Borough.

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. 2020-103

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING A LICENSING AGREEMENT BETWEEN BOROUGH OF WILDWOOD CREST AND GREATER WILDWOOD LITTLE LEAGUE FOR USE OF MOREY'S FIELD FOR GIRLS' SOFTBALL

WHEREAS, the Greater Wildwood Little League has decided to split their league into two: Babe Ruth League for boys' baseball and Greater Wildwood Little League for girls' softball; and

WHEREAS, the Greater Wildwood Little League has requested the use of Morey's Field, located at 6001 Ocean Avenue, for softball practice and/or games for the 2020 season; and

WHEREAS, the Greater Wildwood Little League desires to enter into a license agreement to use Morey's Field and the Board of Commissioners does herewith agree to enter into a licensing agreement with the Greater Wildwood Little League for a license for the right to use the Licensed Property known as the Morey's Field.

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. That the recital paragraphs set forth above are incorporated herein as if set forth at length.
2. That a license for the exclusive right to use the Licensed Property known as the Morey's Field in the Borough of Wildwood Crest is hereby granted to Greater Wildwood Little League for the period commencing March 14, 2020 and ending July 31, 2020. The specific days and hours of permitted use, and all other conditions including the responsibilities of both Wildwood Crest Public Works and Greater Wildwood Little League, which shall affect, change or modify this license shall be contained in said License Agreement as Schedule "A", a copy of which is attached hereto and made a part hereof.
3. The Mayor and the Borough Clerk be and they are hereby authorized and directed to execute and attest said license agreement on behalf of the Borough.

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. 2020-104

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING ADVERTISEMENT OF A NOTICE TO BIDDERS FOR BEACH AND STREET END SIGNAGE

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 March 18, 2020.

BE IT FURTHER RESOLVED that the plan and design as set forth in the Specifications on file in the Borough for the **BEACH AND STREET END SIGNAGE** 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, APRIL 1, 2020 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:

BEACH AND STREET END SIGNAGE

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. 2020-105

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING ADVERTISEMENT OF A NOTICE TO BIDDERS FOR PORTABLE TOILETS

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 March 18, 2020.

BE IT FURTHER RESOLVED that the plan and design as set forth in the Specifications on file in the Borough for the **PORTABLE TOILETS** 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, APRIL 1, 2020 at 10:15 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:

PORTABLE TOILETS

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. 2020-106

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST APPROVING RESPONSES TO FREQUENTLY ASKED QUESTIONS CONCERNING THE REGULATION OF ALCOHOL SALES IN THE EVENT A REFERENDUM IS APPROVED BY THE VOTERS AT A GENERAL ELECTION

WHEREAS, many questions and concerns of the public have been expressed to the Board of Commissioners by the public at multiple public meetings concerning a possible referendum that could reverse the prohibition against the sale of alcohol in the Borough; and

WHEREAS, in response to these questions and concerns, the Board of Commissioners of the Borough of Wildwood Crest have determined that it is appropriate to clarify the Board of Commissioner's position with regard to possible regulation of the sale of alcohol in the Borough of Wildwood Crest in the event that a petition is received to place a question on the ballot at a general election that seeks to reverse the existing prohibition of the sale of alcohol in the Borough.

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 the Board of Commissioners find that the answers contained in the attached Frequently Asked Questions sheet are reasonable and appropriate responses to the concerns and questions of the public and reflect the methods by which the Board of Commissioners may regulate the sale of alcohol in the Borough in the event the existing prohibition on the sale of alcohol is reversed.

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. 2020-107

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING REFUND OF MEMORIAL BENCH FEE IN THE AMOUNT OF \$500.00 MADE PAYABLE TO RANDY KROEGMAN

WHEREAS, Mr. Randy Kroegman, paid the memorial bench fee in the amount of \$500.00 on June 10, 2019 via check #542; and

WHEREAS, Mr. Randy Kroegman, has requested a full refund of the memorial bench paid in the amount of \$500.00 due to the requested location being unavailable.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey, that the Chief Financial Officer of the Borough of Wildwood Crest is hereby authorized and directed to cause a refund in the amount of \$500.00 to be made to Mr. Randy Kroegman, 182 Nicklaus Lane, Magnolia, DE 19962 for the reasons more fully set forth above.

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. 2020-108

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING REFUND OF CONFISCATED MONEY IN THE AMOUNT OF \$153.00 MADE PAYABLE TO ROBERT NICHOLS

WHEREAS, the Wildwood Crest Police Department confiscated \$153.00 from Mr. Robert Nichols in 2017; and

WHEREAS, Detective James Collins has requested the fund be returned to Mr. Robert Nichols.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey, that the Chief Financial Officer of the Borough of Wildwood Crest is hereby authorized and directed to cause a refund in the amount of \$153.00 to be made to Mr. Robert Nichols, 6 Heritage Drive, Cape May Court House, New Jersey, 08210 for the reasons more fully set forth above.

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. 2020-109

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CANCELING ERRONEOUS 2020 SEWER RENTS IN THE AMOUNT OF \$124.00 FOR PROPERTY LOCATED AT 5610 ATLANTIC AVENUE

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 2020; and

WHEREAS, sewer account 4445-0, at 5610 Atlantic Avenue had no water meter installed for the year 2019, the sewer rents levied in 2020 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
11.02-1.01 4445-0	Lavender Lane Condo Association 5610 Atlantic Avenue 2020 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 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. 2020-110

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CANCELING ERRONEOUS 2020 SEWER RENTS IN THE AMOUNT OF \$124.00 FOR PROPERTY LOCATED AT 7802 PACIFIC AVENUE

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 2020; and

WHEREAS, sewer account 1748-0, at 7802 Pacific Ave. had no water meter installed for the year 2019, the sewer rents levied in 2020 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
114-2 1748-0	Vernieri, John & Renee 7802 Pacific Avenue 2020 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 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. 2020-111

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING SPECIAL EVENTS PERMIT TO THE NORTH AMERICAN POWER KITE ASSOCIATION FOR A KITE BUGGY BASH TO BE HELD FROM APRIL 6-12, 2020 ON THE BEACH AT ROSEMARY ROAD

WHEREAS, on February 12, 2020, the North American Power Kite Assoc., P.O. Box 1358, Westport, WA 98595, applied for a Special Events Permit for the purpose of a Kite Buggy Bash to be held from April 6-12, 2020, from Sunrise to Sunset, on the Beach at Rosemary Road; and

WHEREAS,

WHEREAS, has supplied all documentation required under Ordinance No. 1304, including the requisite Certificate of Insurance, and has further pledged to comply with all applicable rules and regulations pertaining to the conduct of said Special Event; and

WHEREAS, the application has been reviewed by the Board of Commissioners, upon verification by appropriate members of staff as to completeness of the application, scheduling compatibility, etc.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey that the Borough Clerk is hereby authorized and directed to issue a Special Events Permit to

WHEREAS, , P.O. Box 1358, Westport, WA 98595, for the purpose of a Kite Buggy Bash to be held from April 6-12, 2020, from Sunrise to Sunset, on the Beach at Rosemary Road.

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. 2020-112

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING SPECIAL EVENTS PERMIT TO NORTH WILDWOOD UNITED METHODIST CHURCH FOR AN EASTER SUNRISE SERVICE TO BE HELD ON APRIL 12, 2020 AT CENTENNIAL PARK

WHEREAS, on February 11, 2020, North Wildwood United Methodist Church, 139 East Second Avenue, North Wildwood, NJ 08260, applied for a Special Events Permit for the purpose of an Easter Sunrise Service to be held on April 12, 2020, from 6:00 a.m. to 6:30 a.m., at Centennial Park; and

WHEREAS,

WHEREAS, has supplied all documentation required under Ordinance No. 1304, including the requisite Certificate of Insurance, and has further pledged to comply with all applicable rules and regulations pertaining to the conduct of said Special Event; and

WHEREAS, the application has been reviewed by the Board of Commissioners, upon verification by appropriate members of staff as to completeness of the application, scheduling compatibility, etc.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey that the Borough Clerk is hereby authorized and directed to issue a Special Events Permit to the

WHEREAS, , P.O. Box 1358, Westport, WA 98595, for the purpose of a Kite Buggy Bash to be held from April 6-12, 2020, from Sunrise to Sunset, on the Beach at Rosemary Road.

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. 2020-113

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING SPECIAL EVENTS PERMIT TO JULIE BLANCHARD FOR A WEDDING TO BE HELD ON JULY 5, 2020 ON THE STANTON RD. BEACH

WHEREAS, on January 29, 2020, Julie Blanchard, 3216 Rt. 9N, Greenfield Ctr., NY 12833, applied for a Special Events Permit for the purpose of a Wedding to be held on July 5, 2020, from 5:30 p.m. to 6:30 p.m., on the Stanton Road Beach; and

WHEREAS,

WHEREAS, has supplied all documentation required under Ordinance No. 1304, including the requisite Certificate of Insurance, and has further pledged to comply with all applicable rules and regulations pertaining to the conduct of said Special Event; and

WHEREAS, the application has been reviewed by the Board of Commissioners, upon verification by appropriate members of staff as to completeness of the application, scheduling compatibility, etc.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey that the Borough Clerk is hereby authorized and directed to issue a Special Events Permit to

WHEREAS, , P.O. Box 1358, Westport, WA 98595, for the purpose of a Kite Buggy Bash to be held from April 6-12, 2020, from Sunrise to Sunset, on the Beach at Rosemary Road.

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. 2020-114

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING SPECIAL EVENTS PERMIT TO GREGORY WHISSELL FOR A WEDDING TO BE HELD ON APRIL 24, 2020 AT THE SUNSET LAKE GAZEBO

WHEREAS, on February 26, 2020, Gregory Whissell, 113 W. Denver Ave, Wildwood Crest, NJ 08260, applied for a Special Events Permit for the purpose of a Wedding to be held on April 24, 2020, from 5:00 p.m. to 6:00 p.m., at the Sunset Lake Gazebo; and

WHEREAS,

WHEREAS, has supplied all documentation required under Ordinance No. 1304, including the requisite Certificate of Insurance, and has further pledged to comply with all applicable rules and regulations pertaining to the conduct of said Special Event; and

WHEREAS, the application has been reviewed by the Board of Commissioners, upon verification by appropriate members of staff as to completeness of the application, scheduling compatibility, etc.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey that the Borough Clerk be and she is hereby authorized and directed to issue a Special Events Permit to

WHEREAS, , P.O. Box 1358, Westport, WA 98595, for the purpose of a Kite Buggy Bash to be held from April 6-12, 2020, from Sunrise to Sunset, on the Beach at Rosemary Road.

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. 2020-115

A RESOLUTION IN ACCORDANCE WITH N.J.S.A. 40A:11-6 AUTHORIZING AWARD OF EMERGENCY CONTRACT TO H & H COMMERCIAL SERVICES, INC. FOR HVAC COMPRESSOR FOR HEAT, AIR CONDITIONING AND DEHUMIDIFICATION SYSTEMS AT JOSEPH VON SAVAGE POOL

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

WHEREAS, an emergency has arisen with respect to the pool facility known as Joseph Von Savage Pool that requires public expenditure to protect public health, safety and welfare; and

WHEREAS, based upon the documentation attached hereto, because of a defective Copeland circuit in “B” Compressor which is still under factory warranty a quote from the installer was received to repair in the amount of \$8,375.00:

WHEREAS, while repairing the circuit on “B” Compressor, the contractor discovered that there was a defective heat reclaim valve and Zone Terminal for the Desert Aire dehumidification system which regulates the heat, air conditioning and dehumidification in the system. The cost of the parts and the repair of the secondary issues totaling approximately \$18,625.00. The warranty of the “B” Compressor may be in jeopardy if the work is not completed as required and the governing body has determined that it is necessary to immediately remedy any possible public health concern regarding the pool facility; and

WHEREAS, on March 11, 2020, the Board of Commissioners of the Borough of Wildwood Crest wishes to award an emergency contract to H&H Commercial Services of Essington PA for HVAC Compressor for heat, air conditioning and dehumidification system repair,

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, in the County of Cape, State of New Jersey, that in accordance with N.J.S.A. 40A:11-6, an emergency contract be awarded to H&H Commercial Services of Essington PA, 3 Industrial Highway Essington, PA 19029 for the total amount not to exceed \$27,000.00 for HVAC Compressor heat, air conditioning and dehumidification system, and same is hereby authorized to be commenced immediately, subject to certification of availability of funds by the CFO as evidenced below by her signature.

Account Number(s)	Amount	Signature
0-01-26-300-263	\$8,575.00	_____
0-01-26-310-263	\$16,675.00	_____
0-01-26-312-263	\$1,750.00	_____

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. 2020-116

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST EXPRESSING SUPPORT FOR LEGISLATION INCREASING STATE FUNDING TO THE “SHORE PROTECTION FUND” FROM \$25 MILLION TO \$50 MILLION A-639 / S-1071

WHEREAS, the State of New Jersey maintains the Shore Protection Fund, which was established in 1992; and

WHEREAS, the Shore Protection Fund provides important funding that allows the State and Municipalities to engage in cost-share partnerships with the U.S. Army Corps of Engineers on shore protection projects including beach restoration and maintenance; and

WHEREAS, the Shore Protection Fund is funded by State Realty Transfer Fee revenues, and is currently capped at \$25 million, an amount that was last adjusted in 1999; and

WHEREAS, following the devastating effects of Superstorm Sandy, it has become evident that the current funding to the Shore Protection Fund is inadequate for allowing the State and Municipalities to fund necessary recovery projects; and

WHEREAS, pending before the Legislature are bills A-639 and S-1071, which would increase the cap on funding to the Shore Protection Fund to \$50 million; and

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest believes this proposed increase to the Shore Protection Fund is essential to protecting the shorelines of Cape May County and that of every other Shore Community compromising the Jersey Shore.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey, that it hereby expresses its support for an increase in funding to the Shore Protection Fund from \$25 million to \$50 million, as provided in the bills pending before New Jersey Legislature as A-636 and S-1071.

BE IT FURTHER RESOLVED that a certified copy of this resolution be transmitted to Governor Phil Murphy, Senate President Steve Sweeney, Assembly Speaker Craig Coughlin, Senator Michael L. Testa, Jr., Assemblyman Antwan L. McClellan, and Assemblyman Erik K. Simonsen.

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. 2020-117

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING INCREASE OF CONTRACT AMOUNT FOR \$339.45 TO CASA REPORTING SERVICES

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest awarded a contract, via Resolution No. 67-19 adopted February 6, 2019, to CASA REPORTING SERVICES, to provide Affordable Care Act Reporting Services at the not to exceed sum of \$5,000.00; and

WHEREAS, it is the desire of the Board of Commissioners of the Borough of Wildwood Crest to increase the amount of the contract by \$339.45; and

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

Account Number(s)	Amount	Signature
_____	_____	_____

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

1. 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 CASA REPORTING SERVICES, authorized by Resolution No. 67-19 adopted February 6, 2019 shall remain in full force and effect, with the sole exception that the amount of the contract shall be increased to a sum not to exceed \$5,339.45 all of which is contingent upon certification below from the Chief Financial Officer as to the availability of funds.
3. That a copy of the specific items appertaining to the award of this contract shall be published in a Notice of Award in *The Herald of Cape May County* as required by law within ten (10) days of passage of the Resolution authorizing same.

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

Vote: Gould - Thompson – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

**RESOLUTION NO. 2020-118
RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF
WILDWOOD CREST AUTHORIZING A LICENSING AGREEMENT BETWEEN
BOROUGH OF WILDWOOD CREST AND THE CITY OF WILDWOOD FOR THE USE
OF MOREY’S FIELD FOR GIRLS’ SOFTBALL**

WHEREAS, the Greater Wildwood Little League has decided to split their league into two: Babe Ruth League for boys’ baseball and Greater Wildwood Little League for girls’ softball; and

WHEREAS, the City of Wildwood has requested the use of Morey’s Field, located at 6001 Ocean Avenue, for softball practice and/or games for the 2020 season; and

WHEREAS, the City of Wildwood desires to enter into a license agreement to use Morey’s Field and the Board of Commissioners does herewith agree to enter into a licensing agreement with the City of Wildwood for a license for the right to use the Licensed Property known as the Morey’s Field.

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. That the recital paragraphs set forth above are incorporated herein as if set forth at length.
2. That a license for the right to use the Licensed Property known as the Morey’s Field in the Borough of Wildwood Crest is hereby granted to the City of Wildwood for the period commencing March 14, 2020 and ending July 31, 2020. The specific days and hours of permitted use, and all other conditions including the responsibilities of both Wildwood Crest Public Works and City of Wildwood, which shall affect, change or modify this license shall be contained in said License Agreement as Schedule “A”, a copy of which is attached hereto and made a part hereof.
3. The Mayor and the Borough Clerk are hereby authorized and directed to execute and attest said license agreement on behalf of the Borough.

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. 2020-119
RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF
WILDWOOD CREST AUTHORIZING ESCROW REFUND IN THE AMOUNT OF \$150.50**

WHEREAS, SCOTT PETER, 129 E Columbine Rd; a/k/a blk 43, lot 7, made application to the Wildwood Crest Planning Board for subdivision and variance relief for 129 E Columbine Rd; a/k/a blk 43, lot 7, Wildwood Crest, New Jersey; and

WHEREAS, SCOTT PETER has requested the return of the unused escrow fee of \$150.50; and

WHEREAS, the Planning Board of the Borough of Wildwood Crest, by Resolution PB-A-20-10 of said Board dated March 4, 2020, has recommended that the escrow fee as referenced above be returned to SCOTT PETER;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey, that the Chief Financial Officer of the Borough of Wildwood Crest be and he is hereby authorized and directed to cause a refund of escrow fee of \$150.50 to be made to SCOTT PETER, 129 E Columbine Rd; a/k/a blk 43, lot 7, for the reasons set forth above.

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

PRESENTATION: Marc DeBlasio, Borough Engineer, gave a slideshow presentation on the need to raise bulkheads and how this was born from the Flood Mitigation and Storm Sewer Master Plan last May. Commissioner Gould questioned the average price it will be for a homeowner. The Engineer indicated that it may be just a capping issue and the ordinance will be tiered with regard to compliance. The Mayor urged that the private property owners and the Borough will have to work together on this and further indicated that the borough will ensure that property owners are made aware via certified mail.

Sal DeSimone, CRS specialist, reviewed the proposed ordinance in detail and requested to meet with the Engineer to review because there is a window of opportunity and a critical time period in order to receive points and to get the Borough to a “five.”

Ken Dreschel, 6400 Atlantic Avenue, wanted to know if there was a correlation with bulkheads and flooding when it rains. The Mayor added there were many things to consider when flooding occurs such as drain systems, elevations, slopes, gutters, etc.

PUBLIC COMMENTARY:

N/A

DISCUSSION:

NEW BUSINESS:

The Mayor asked Brian Cunniff, Public Information Officer, for an update of the beach boxes. He indicated that there was approximately a 95-98% renewal rate. He expects when it gets opened to the general public, that it will sell out in an hour.

OLD BUSINESS:

-Bulkhead Ordinance / Lot Grading

-Flood Mitigation Efforts – Previously discussed with the Engineer’s presentation.

-Draft Ordinance for Ch. 63 Sidewalks: Waiting on Planning Board opinion.

-Parking for RVs: Waiting on Planning Board opinion.

-Old Library- Forthcoming presentation will take place with Architect William McLees.

-Referendum permitting one consumption liquor license in business zone-

The Mayor indicated there will be a stakeholder meeting taking place on March 28th at 11:00 am at the Volunteer Fire Company.

PUBLIC COMMENTARY:

Hearing nothing further from the public, Mrs. Gould motioned, seconded by Mr. Thompson that they enter closed session and the time was 10:20 a.m.

Vote: Gould - Thompson – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 2020-120

**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, March 11, 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 hearing nothing further from the public, Mrs. Gould motioned, seconded by Mr. Thompson that the meeting be adjourned. All were in favor. The time was 10:55 a.m.

Dated: March 25, 2020

Patricia A. Feketics, Borough Clerk

