

Note: Complete Meeting Appears  
On Borough of Wildwood Crest Facebook page by date  
And on disc by date

March 17, 2021

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 Municipal Hall 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 Herald of Cape May County and The Press on October 28, 2020.

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

Mr. Cabrera noted that this meeting was partially open to the public in accordance with Executive Orders, the meeting is capped at 33 people and there are currently 13 people in attendance. He reminded those tuning in that you could also listen in and provide commentary by dialing in 888-363-4734 and using 9699020. Again, he said that public commentary is available by calling in the number. When the public portion opens, you will be able to provide your name and comment. A response will be given right away.

Mr. Thompson motions, Mr. Cabrera seconds that Ordinance No. 1346 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. 1346**

**ORDINANCE TO ESTABLISH CAP BANK FOR  
CY2021 PURSUANT TO N.J.S.A. 40A:4-45.14**

Mr. Thompson motions, Mr. Cabrera seconds that a public hearing now be held on Ordinance No. 1346.

Vote: Gould - Thompson – Cabrera – YES

After hearing nothing from the public, Mr. Thompson motions, Mr. Cabrera seconds that the public hearing on Ordinance No. 1346 now be closed.

Vote: Gould - Thompson – Cabrera – YES

Mr. Thompson motions, Mr. Cabrera seconds that Ordinance No. 1346 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. 1347**

**ORDINANCE AMENDING AND SUPPLEMENTING  
CHAPTER 79 VEHICLES AND TRAFFIC PERMITTING  
THE PARKING OF GOLF CARTS AND MOTORCYCLES  
IN SPECIFIED PARKING SPACES AND TIME PERIODS**

Mrs. Gould motioned, Mr. Thompson seconded that Ordinance No. 1347 be passed on first reading, advertised according to law, be brought up for second and final reading and public hearing on March 31, 2021 at 5:30 p.m.

Vote: Gould - Thompson - Cabrera - YES

THE CLERK READS THE ORDINANCE BY TITLE:

**ORDINANCE NO. 1348**

**ORDINANCE OF THE BOROUGH OF WILDWOOD CREST  
AMENDING CHAPTER 73, TAXICABS REGARDING THE LICENSING  
AND REGULATION OF TAXI-CABS IN THE BOROUGH OF  
WILDWOOD CREST**

Mrs. Gould motioned, Mr. Thompson seconded that Ordinance No. 1348 be passed on first reading, advertised according to law, be brought up for second and final reading and public hearing on March 31, 2021 at 5:30 p.m.

Vote: Gould - Thompson - Cabrera - YES

THE CLERK READS THE ORDINANCE BY TITLE:

**ORDINANCE NO. 1349**

**ORDINANCE SUPPLEMENTING AND REPLACING  
CHAPTER 66 STORMWATER CONTROL OF THE CODE  
OF THE BOROUGH OF WILDWOOD CREST**

Mrs. Gould motioned, Mr. Thompson seconded that Ordinance No. 1349 be passed on first reading, advertised according to law, be brought up for second and final reading and public hearing on March 31, 2021 at 5:30 p.m.

Vote: Gould - Thompson - Cabrera - YES

THE CLERK READS THE ORDINANCE BY TITLE:

**ORDINANCE NO. 1350**

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

Mrs. Gould motioned, Mr. Thompson seconded that Ordinance No. 1350 be passed on first reading, advertised according to law, be brought up for second and final reading and public hearing on March 31, 2021 at 5:30 p.m.

Vote: Gould - Thompson - Cabrera - YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

**RESOLUTION NO. 21-101**

**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. 21-102

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING BOROUGH ENGINEER WORK ORDER FOR PACIFIC AVENUE STORM SEWER IMPROVEMENTS & VARIOUS BOROUGH STREET IMPROVEMENTS – ADDITIONAL SERVICES: JOSEPH VON SAVAGE MEMORIAL POOL PARKING LOT IMPROVEMENTS COST AT THE NTE SUM OF \$14,000**

**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 **PACIFIC AVENUE STORM SEWER IMPROVEMENTS & VARIOUS BOROUGH STREET IMPROVEMENTS – ADDITIONAL SERVICES: JOSEPH VON SAVAGE MEMORIAL POOL PARKING LOT IMPROVEMENTS**, for engineering services which are more specifically set forth in the attached Proposal from Marc DeBlasio and the Firm of DeBlasio & Associates, dated **February 11, 2021** 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 **\$14,000.00**; 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 **\$14,000.00**.

Mrs. Gould motions, Mr. Thompson seconds that the foregoing resolution be adopted.  
Vote: Gould - Thompson - Cabrera - YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 21-103

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING APPROVAL OF CHANGE ORDER NUMBER 3 – PACIFIC AVENUE & VARIOUS STREETS CAPITAL IMPROVEMENTS PROGRAM – ADDITIONAL SERVICES- RESURFACING JOSEPH VON SAVAGE MEMORIAL POOL PARKING LOT AT THE NTE SUM OF \$166,347.00**

**WHEREAS**, Asphalt Paving Systems, Inc., Hammonton, New Jersey was awarded the contract known as PACIFIC AVENUE & VARIOUS STREETS CAPITAL IMPROVEMENTS PROGRAM via Resolution No. 2020-194 on February 19, 2020 for \$4,959,873.00; and

**WHEREAS**, the Board of Commissioners authorized Change Order No. 1 for Additional Services – Resurfacing of Crest Memorial School Parking Lots at the NTE sum of \$85,105.00 via Resolution No. 2020-174 on May 20, 2020 revising the contract price to \$5,044,978.00; and

**WHEREAS**, the Board of Commissioners authorized Change Order No. 2 for Additional Services – Reconstruction of Ocean Avenue between Crocus Road and Aster Road at the NTE sum of \$202,290.00 via Resolution No. 2020-328 on December 9, 2020 revising the contract price to \$5,247,268.00; and

**WHEREAS**, upon recommendation from Marc DeBlasio of DeBlasio & Associates (the Borough Engineer), the Board of Commissioners of the Borough of Wildwood Crest wish to authorize Change Order Number 3 – **RESURFACING JOSEPH VON SAVAGE MEMORIAL POOL PARKING LOT** increasing the AMENDED contract of \$5,247,268.00 by \$166,347.00 making the REVISED contract amount \$5,413,615.00; and

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

Account Number (s) \_\_\_\_\_ Amount \_\_\_\_\_ Signature \_\_\_\_\_

**NOW THEREFORE, BE IT RESOLVED**, by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May and State of New Jersey, that said Change Order Number 2- PACIFIC AVENUE & VARIOUS STREETS CAPITAL IMPROVEMENTS PROGRAM – ADDITIONAL SERVICES – RESURFACING JOSEPH VON SAVAGE MEMORIAL POOL PARKING LOT increasing the total contract amount by \$166,347.00 and revising the contract price to \$5,413,615.00 is hereby approved.

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

1. That the above recital paragraphs are incorporated herein by reference as if set forth at length.
2. That the Mayor and Borough Clerk of the Borough of Wildwood Crest are hereby authorized and directed to execute and attest said change order documents on behalf of the Borough of Wildwood Crest.

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. 21-104**

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST OPPOSING NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION PROPOSAL ENTITLED “PROTECTING AGAINST CLIMATE THREATS (PACT)”**

**WHEREAS**, the Board of Commissioners of the Borough of Wildwood Crest recognizes the challenges and threats that face every municipality in New Jersey due to climate change and rising sea levels; and

**WHEREAS**, the New Jersey Department of Environmental Protection is basing its “Protecting Against Climate Threats” proposal on a non-peer reviewed report entitled: “New Jersey’s Rising Seas and Changing Coastal Storms; Report of the 2019 Science and Technical Advisory Panel, which contained sea level rise through the year 2150; and

**WHEREAS**, the New Jersey Department of Environmental Protection selected the year 2100 with an anticipated sea level rise of 5.1 feet, which is a value that has a confidence level of 17%; and

**WHEREAS**, the New Jersey Department of Environmental Protection is proposing various regulatory changes that include requiring five feet of additional freeboard above the one foot that is currently required; and

**WHEREAS**, this additional requirement of five feet of freeboard will have a devastating effect on the construction industry and would require substantial changes to zoning regulations and infrastructure development; and

**WHEREAS**, the Board of Commissioners of the Borough of Wildwood Crest supports the regulations implemented by FEMA through the NFIP and the flood mapping process; and

**WHEREAS**, the Board of Commissioners of the Borough of Wildwood Crest requests that the proposed regulations be subject to a scientific peer review and modified and that an economic impact assessment be completed before legislation is proposed.

**NOW, THEREFORE, BE IT RESOLVED**, that on this date, March 17, 2021, the Board of Commissioners of the Borough of Wildwood Crest hereby opposes the New Jersey Department of Environmental Protection’s Proposal entitled “Protecting Against Climate Threats (PACT) as it is currently written and requests Governor Philip Murphy to have the proposal subject to scientific peer review and modified and that an economic impact assessment be completed prior to the formal proposal of this legislation.

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. 21-105**

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING AN INTERLOCAL SERVICES AGREEMENT – FACILITIES AND SERVICES BETWEEN THE BOROUGH OF WILDWOOD CREST AND WILDWOOD CREST SCHOOL DISTRICT**

**WHEREAS**, the Borough owns various equipment and employs personnel to provide maintenance and related services for all municipally owned buildings and grounds; and

**WHEREAS**, the Borough is desirous of occasionally sharing equipment and personnel with the School District to provide limited exterior grounds maintenance; and

**WHEREAS**, the School District is desirous of occasionally sharing the facility with the Borough,

particularly in the event of any emergency or natural or manmade disaster, for the use of the facility as a public shelter; and

**WHEREAS**, the Uniform Shared Services and Consolidation Act (N.J.S.A. 40A:65-1, et seq.) authorizes and empowers the Borough and the School District to enter into this Agreement; and

**WHEREAS**, the Board of Commissioners of the Borough of Wildwood Crest have deemed it to be in the best interest of the residents of the municipality to enter into an Interlocal Services Agreement with the Wildwood Crest School District for the use of certain facilities owned by the Wildwood Crest School District, and for certain services to be rendered by the Borough of Wildwood Crest.

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

1. All of the statements of the preamble are incorporated herein by reference thereto as though the same were set forth at length.

2. The Mayor and Borough Clerk of the Borough of Wildwood Crest hereby authorized to execute the Interlocal Services Agreement, a copy of which is annexed hereto, with the Wildwood Crest School District by the Wildwood Crest Board of Education for the use of certain facilities and exchange of services in accordance with the terms and provisions contained therein.

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. 21-106

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING ADVERTISEMENT OF A NOTICE TO BIDDERS FOR SUPPLY, INSTALLATION AND SERVICING OF VENDING MACHINES 2021-2023**

**NOW THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Borough of Wildwood Crest, Cape May County, New Jersey, that the Borough Clerk is hereby authorized to advertise a Notice to Bidders in *The Herald of Cape May County* on March 24, 2021.

**BE IT FURTHER RESOLVED** that the plan and design as set forth in the Specifications on file in the Borough for the **SUPPLY, INSTALLATION AND SERVICING OF VENDING MACHINES 2021-2023** 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, April 15, 2021 at 10:30am**, 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:

**SUPPLY, INSTALLATION AND SERVICING OF VENDING MACHINES 2021-2023**

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. 21-107

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING HOURS AND PERIODS OF OPERATION OF PARKING METERS FOR 2021**

**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 2021.

**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, 2021 through September 15, 2021.
3. 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. 21-108

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING CONSTRUCTION PERMIT FEE REFUND IN THE AMOUNT OF \$1,393.00 FOR PROPERTY LOCATED AT 139 WEST CARDINAL ROAD**

**WHEREAS**, David and Linda Butler, owners of the property located at 139 West Cardinal Road applied for a construction permit to install an inground pool; and

**WHEREAS**, Permit #20210036 was issued on February 23, 2021; and

**WHEREAS**, a fee of \$1,393.00 was collected as payment for said permit; and

**WHEREAS**, the applicant was inadvertently overcharged and is requesting reimbursement of the permit fee; and

**WHEREAS**, the applicant will apply for new permit with correct fee.

**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 be and is hereby authorized and directed to issue a refund of Construction Permit #20210036 in the amount \$1,393.00 to David and Linda Butler, 139 West Cardinal Road, Wildwood Crest, NJ 08260.

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. 21-109

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD AUTHORIZING REFUND OF PROPERTY TAXES OR UTILITIES OVERPAYMENT IN THE AMOUNT OF \$1,202.64 FOR PROPERTY LOCATED AT 112 EAST SYRACUSE AVENUE #1 MADE PAYABLE TO CORELOGIC**

**WHEREAS**, the Tax Collector of the Borough of Wildwood Crest collected from the property owner or it's designee an excess amount on 2021 property taxes and/or utility payments; and

**WHEREAS**, an overpayment was created for the reason listed above, and

**WHEREAS**, the Tax Collector of the Borough of Wildwood Crest has determined the said overpayment should be refunded accordingly as indicated below.

141-25.02-C0001 2021 Taxes	Bellapigna, Leon and Valli 112 East Syracuse Avenue #1 Title company and mortgage company both paid First quarter taxes Refund overpayment to Corelogic 3001 Hackberry Road Irving, Texas 75063	<b>Amount</b> \$1,202.64
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**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Commissioners of the Borough of Wildwood Crest, County of Cape May, State of New Jersey, the Chief Financial Officer is hereby authorized to execute said refund as soon as practicable and the Tax Collector should mark the records accordingly to reflect said refund as per the meeting on March 17, 2021.

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. 21-110

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD AUTHORIZING REFUND OF PROPERTY TAXES OR UTILITIES OVERPAYMENT IN THE AMOUNT OF \$579.09 FOR PROPERTY LOCATED AT 128 EAST ROSEMARY ROAD MADE PAYABLE TO CORELOGIC**

**WHEREAS**, the Tax Collector of the Borough of Wildwood Crest collected from the property owner or it's designee an excess amount on 2021 property taxes and/or utility payments; and

**WHEREAS**, an overpayment was created for the reason listed above, and

**WHEREAS**, the Tax Collector of the Borough of Wildwood Crest has determined the said overpayment should be refunded accordingly as indicated below.

51-37-C0003	Mauro, Peter & Maryann	<b>Amount</b>
2021 Taxes	128 East Rosemary Road	\$579.09
	Title company and mortgage company both paid	
	First quarter taxes	
	Refund overpayment to Corelogic	
	3001 Hackberry Road	
	Irving, Texas 75063	

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Commissioners of the Borough of Wildwood Crest, County of Cape May, State of New Jersey, the Chief Financial Officer is hereby authorized to execute said refund as soon as practicable and the Tax Collector should mark the records accordingly to reflect said refund as per the meeting on March 17, 2021.

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. 21-111**

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING A LICENSING AGREEMENT BETWEEN BOROUGH OF WILDWOOD CREST AND NORTH WILDWOOD FIRE DEPARTMENT FOR THE USE OF THE JOSEPH VON SAVAGE POOL**

**WHEREAS**, the North Wildwood Fire Department has requested to use the Joseph Von Savage Pool located at 8800 New Jersey Avenue for water rescue training for four time periods in May and detailed below; and

**WHEREAS**, the North Wildwood Fire Department would like to enter into a license agreement for the following payment terms:

**\$600.00 TOTAL**  
**\$150.00 PER SESSION: (MAY 8<sup>TH</sup>, MAY 22<sup>ND</sup>, MAY 23<sup>RD</sup>, MAY 29<sup>TH</sup>)**  
**9:00AM – 11:00 AM**

**WHEREAS**, the Board of Commissioners does herewith agree to enter into a licensing agreement with North Wildwood Fire Department for a license for the non-exclusive right to use the Licensed Property known as the Joseph Von Savage Pool for the above referenced fees and swim sessions.

**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 Joseph Von Savage Pool in the Borough of Wildwood Crest is hereby granted to NORTH WILDWOOD FIRE DEPARTMENT for the period listed above. The foregoing payment schedule, the days and hours of permitted use, and all other conditions, 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. 21-112**

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING INCREASE OF PROFESSIONAL SERVICES CONTRACT IN THE AMOUNT OF \$7,500.00 WITH MICHAEL TESTA OF TESTA HECK TESTA & WHITE AS CONFLICT SPECIAL LABOR COUNSEL FOR 2021**

**WHEREAS**, the Board of Commissioners of the Borough of Wildwood Crest awarded a contract, via Resolution No. 21-27 adopted January 6, 2021 to MICHAEL TESTA OF TESTA HECK TESTA & WHITE for legal services for Conflict Special Labor matters from January through December 2021 at the NTE sum of \$2,500.00; 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 \$7,500.00 and thus making the new NTE sum of \$10,000.00; 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, 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 MICHAEL TESTA OF TESTA HECK TESTA & WHITE, for legal services authorized by Resolution No. 21-27 adopted January 6, 2021 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 \$10,000.00 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.

Mrs. Gould motions, Mr. Thompson seconds that the foregoing resolution be adopted. Prior to voting, Mrs. Gould asked for clarification.

Vote: Gould - Thompson - Cabrera - YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

**RESOLUTION NO. 21-113**

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING APPOINTMENT OF PATRICIA MCQUEEN AS MEMBER OF THE WILDWOOD CREST GREEN TEAM TO FILL A VACANCY COMMENCING IMMEDIATELY AND EXPIRING DECEMBER 31, 2023**

**WHEREAS**, the Board of Commissioners of the Borough of Wildwood Crest have determined to appoint PATRICIA MCQUEEN as a Member of the Wildwood Crest Green Team to fill a vacancy commencing immediately and expiring December 31, 2023.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey, that PATRICIA MCQUEEN is hereby appointed as Member of the Wildwood Crest Green Team with a term expiring December 31, 2023.

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. 21-114**

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING APPOINTMENT OF LEONARD J. BERNSTEIN AS ALTERNATE #2 MEMBER OF THE WILDWOOD CREST ZONING BOARD OF ADJUSTMENT COMMENCING IMMEDIATELY AND EXPIRING DECEMBER 31, 2022**

**WHEREAS**, Regular Member Alan Seijas has submitted a letter of resignation, and

**WHEREAS**, Mayor Don Cabrera has determined that Bradley Vogdes, Alternate #1 member should fill the vacancy of Regular Member Alan Seijas for the unexpired term ending December 31, 2023, and

**WHEREAS**, Mayor Don Cabrera has recommended that Kelly Franco fill the Alternate #1 vacancy previously held Bradley Vogdes for the unexpired term ending December 31, 2021, and



**WHEREAS**, Mayor Don Cabrera has recommended the appointment of Leonard J. Bernstein to fill the Alternate #2 vacancy previously held by Kelly Franco for the unexpired term ending December 31, 2022; and

**WHEREAS**, the Board of Commissioners of the Borough of Wildwood Crest wish to acknowledge the Zoning Board appointments listed below by Mayor Cabrera:

1. BRADLEY VOGDES, as a Regular Member for the unexpired term of Alan Seijas ending December 31, 2023
2. KELLY FRANCO as Alternate Member #1 for the unexpired term of Bradley Vogdes ending December 31, 2021
3. LEONARD J. BERNSTEIN as Alternate Member #2 for the unexpired term of Kelly Franco ending December 31, 2022

**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. That the appointment of BRADLEY VOGDES, by Mayor Don Cabrera as a Regular Member of the Zoning Board with for the unexpired term ending December 31, 2023 is hereby confirmed and ratified effective immediately.
2. That the appointment of KELLY FRANCO, by Mayor Don Cabrera as a ALTERNATE #1 Member of the Zoning Board with a term expiring December 31, 2021 is hereby confirmed and ratified effective immediately.
3. That the appointment of LEONARD J. BERNSTEIN, by Mayor Don Cabrera as a ALTERNATE #2 Member of the Zoning Board with a term expiring December 31, 2022 is hereby confirmed and ratified effective immediately.

Mrs. Gould motions, Mr. Thompson seconds that the foregoing resolution be adopted. Prior to voting, Mrs. Gould confirmed that Mr. Thompson met with Mr. Bernstein.

Vote: Gould - Thompson - Cabrera - YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

**RESOLUTION NO. 21-115**

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING SALE OF SURPLUS STREET SIGNS**

**WHEREAS**, the Borough of Wildwood Crest has determined that there is an inventory of public street signs that are no longer needed for public use and no longer serviceable for their intended purpose which have further been determined to have no salvage value and to have only an historic intrinsic value to residents of the Borough of Wildwood Crest; and

**WHEREAS**, N.J.S.A. 40A:11-6 provides that if the estimated fair value of the property to be sold does not exceed the applicable bid threshold it may be sold at private sale without advertising for bids; and

**WHEREAS**, all funds generated from the sale of the street signs will be dedicated to the preservation of Wildwood Crest historical artifacts; and

**WHEREAS**, the Board of Commissioners desires that the street signs be sold to those persons residing within the Borough of Wildwood Crest for historic and nostalgic purposes.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey, that the public street signs are hereby authorized to be sold at a price of \$20.00 per single sign and \$50.00 per double (intersection) sign through the Wildwood Crest Recreation Commission via telephone and in-person registration from April 1 – 23, 2021 with registration closing April 24, 2021 and lottery drawing taking place week of April 26<sup>th</sup> at the Wildwood Crest Pier. All inquiries are directed to Crest Pier at 609-523-0202. All signs shall be offered in an “as is” condition, without any express or implied warranties of any nature whatsoever.

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. 21-116**

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING EXPENDITURE TO GAMETIME TO PURCHASE PLAYGROUND EQUIPMENT UNDER STATE CONTRACT #16-FLEET-00121 FOR PLAYGROUNDS**

**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 procurement of goods and services through a state 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**, Gametime (State Contract # 16-FLEET-00121 T0103) P.O. Box 106, Spring Lake, New Jersey 07762 has all the necessary Equipment and Material and Accessories; and

**BE IT RESOLVED**, by the Board of Commissioners of the Borough of Wildwood Crest, in the County of Cape May, that the Borough is authorized to fund the expenditure to purchase Playground Equipment based upon the price quote \$117,499.74 on March 2, 2021 from Gametime (State Contract # 16-FLEET-00121 T0103) in an amount not to exceed \$117,499.74; and

**BE IT FURTHER RESOLVED**, by the Board of Commissioners of the Borough of Wildwood Crest, in the County of Cape May, that the Borough is authorized to fund the expenditure to purchase Playground Equipment based upon the price quote \$117,499.74 on March 2, 2021 from Gametime using (State Contract number 16-FLEET-00121 T0103) in an amount not to exceed \$117,499.74; and

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

Account Number(s) G-02-41-835-020 Amount \$ 117,499.74

Signature\_\_\_\_\_

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. 21-117

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING WAIVING THE FEE REQUIRED BY APPLICATION TO WILDWOOD CREST SCHOOL DISTRICT TO HOST A GRADUATION CEREMONY AT CENTENNIAL PARK ON JUNE 10, 2021 FROM 6:00-7:00 PM WITH A RAIN DATE OF JUNE 15, 2021**

**WHEREAS**, due to COVID-19, the Wildwood Crest School District has requested the use of Centennial Park to host a graduation ceremony at Centennial Park on June 10, 2021 from 6:00-7:00 pm with a rain date of June 15, 2021, and

**WHEREAS**, Wildwood Crest School District has applied to the Borough of Wildwood Crest for the use of off duty Police Officers for the public's security during this event, and

**WHEREAS**, the Commissioners of the Borough of Wildwood Crest and the Wildwood Crest Police Department have reviewed the request for the use of off-duty Police for their upcoming graduation ceremony, and

**WHEREAS**, in the spirit of supporting our local school district and our community, the Board of Commissioners have agreed to waive the fee for the services requested.

**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 Crest School District for the use of Off-Duty Police Officers for the graduation ceremony being held on June 10, 2021 from 6:00-7:00 pm at Centennial Park with a rain date of June 15, 2021 is hereby waived.

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. 21-118

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING REFUND OF BEACH BOX RENTAL FEE TO PATRICIA WORTON IN THE AMOUNT OF \$450.00**

**WHEREAS**, on February 19, 2021 Patricia Worton and Joann Derer were attempting to purchase a seasonal beach box; and

**WHEREAS**, on February 19, 2021 Joann Derer and Patricia Warton both paid \$450.00 via credit card for the rental of one seasonal beach box; and

**WHEREAS**, on February 23, 2021 the Borough received a request to refund one of the rental fees in the amount of \$450.00.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Commissioners of the Borough of Wildwood Crest, County of Cape May, State of New Jersey, that the Chief Financial Officer is hereby authorized to execute a refund in the amount of \$450.00 to Patricia Worton.

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. 21-119

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING BOROUGH ENGINEER WORK ORDER FOR RECONSTRUCTION OF BEACH AVENUE AND STANTON ROAD – ADDITIONAL SERVICES: BEACH AVENUE WATER MAIN IMPROVEMENTS COST AT THE NTE SUM OF \$21,000**

**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 **RECONSTRUCTION OF BEACH AVENUE AND STANTON ROAD – ADDITIONAL SERVICES: BEACH AVENUE WATER MAIN IMPROVEMENTS**, for engineering services which are more specifically set forth in the attached Proposal from Marc DeBlasio and the Firm of DeBlasio & Associates, dated **March 9, 2021** 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 **\$21,000.00**; 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 **\$21,000.00**.

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

Vote: Gould - Thompson - Cabrera - YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 21-120

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING THE WAIVER OF FEE FOR THE BOROUGH WIDE YARD SALE ON MAY 1, 2021**

**WHEREAS**, Ordinance No. 1304 Amended and Supplemented Chapter 40, which regulated Special Events and Use of Facilities in the Borough of Wildwood Crest; and

**WHEREAS**, said Yard Sale Permit is \$15.00; and

**WHEREAS**, the Board of Commissioners have agreed to waive the fee of \$15.00 for the new Borough Wide Yard Sale, which will take place on May 1, 2021.

**NOW, THEREFORE BE IT RESOLVED** by the Board of Commissioners of the Borough of Wildwood Crest that the fee for the Borough Wide Yard Sale on May 1, 2021 is hereby waived.

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

Vote: Gould - Thompson - Cabrera - YES

Prior to the Bills section, Mr. Cabrera asked the Supervisor of the Recreation Department to detail the process for the sale of the surplus street signs. The Mayor asked the Public Information Officer to provide a press release.

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

Vote: Gould - Thompson - Cabrera - YES

**CORRESPONDENCE:**

-Cape Assist memo was sent to the commissioners.

-Request to make beach Non-Smoking was emailed to the commissioners.

**PUBLIC COMMENTARY:**

Paul Franco, 508 E. Stanton Road, commended the Supervisor of the Recreation Department on his presentation of the selling of surplus property (street signs). Secondly, he noted at the corner of New Jersey Avenue & Park Boulevard, heading south by the docks, there is a no turn on red that is hard to see and people are proceeding. The Chief of Police indicated he would investigate.

Jim Zecca, 115 E. Hollywood Avenue, inquired about the status of the next stakeholder meeting for New Jersey Avenue. The Mayor indicated perhaps April or May and it will be announced at the commission meetings as well as blasted through social media and immediate homeowners and businesses will be notified. He suggested taking out a half page ad in the Herald two weeks prior.

**NEW BUSINESS:**

-**Marijuana Ordinance** – The Mayor indicated the proposed ordinance has been sent over to the Planning Board for review and recommendation. Commissioner Thompson indicated he would like to “walk slowly” with it and noted how it ties the hands of law enforcement.

**OLD BUSINESS:**

-**Washington Avenue Flooding Issues** – } No movement.

-**Bulkhead Ordinance / Lot Grading** – } Moving closer with neighboring municipalities for a joint ordinance and will present on a larger scale and looking for a venue large enough.

-**Flood Mitigation Efforts** – } No movement.

-**Referendum permitting one consumption liquor license in business zone-** No movement.

-**Beach Walkways** – PW will be building more in house...can remove.

-**Park Blvd / Pumping Station** – No movement.

-**Beach Bike Path** – No movement.

-**Little League Field-** Scheduled to start on Monday (3-22-21).

**PUBLIC COMMENTARY:**

The floor was once again opened for public commentary. The Mayor indicated we would take a two minute break before entering into Closed Session. The time was 10:04 a.m.

**THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:**

**RESOLUTION NO. 21-121**

**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 17, 2021 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 \_\_\_\_\_

\_\_\_\_\_ **“(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 motioned and Mr. Thompson seconded that the foregoing resolution be adopted.

Vote: Gould - Thompson - Cabrera - YES

After returning to Open Session, and hearing nothing further from the public, Mrs. Gould motioned, and Mr. Thompson seconded that the meeting be adjourned. All were in favor. The time was 10:46 a.m.

Dated: March 31, 2021

\_\_\_\_\_  
Patricia A. Feketics, Borough Clerk

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