

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

March 23, 2022

The Mayor led those present in the Pledge of Allegiance to the Flag.

The meeting of the Board of Commissioners, Borough of Wildwood Crest, Cape May County, New Jersey, was held at Borough Hall at 5:30 p.m. On roll call the following answered to their names:

Schiff - Franco - Cabrera - YES

Mr. Cabrera read the following statement: In compliance with the Open Public Meeting Act, Chapter 231, P.L. 1975, the notice requirements have been satisfied as to the time, place and date of holding said meeting by posting notice on the bulletin board in the Borough Hall and by e-mailing and same to the Herald of Cape May County and The Press on October 13, 2021.

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

The Mayor noted for the record that that this meeting was open to the public in accordance with Executive Orders and there is no longer a limit restriction for indoor gatherings and that the meeting could be streamed online at Borough's Facebook page Youtube page.

The Clerk indicated that Ordinance No. 1377 needed to be tabled and adopted at the next meeting scheduled for April 13, 2022 at 9:30 am due publisher's error.

Mr. Franco motioned, Mr. Schiff seconded that Ordinance No. 1378 be placed on second and final reading by title only.

Vote: Schiff - Franco - Cabrera - YES

THE CLERK READS THE INTRODUCED ORDINANCE BY TITLE:

ORDINANCE NO. 1378

**ORDINANCE OF THE BOROUGH OF WILDWOOD CREST
AMENDING AND SUPPLEMENTING ARTICLE XIV EXCEPTIONS
AND SUPPLEMENTAL REGULATIONS OF THE LAND
DEVELOPMENT ORDINANCE OF THE BOROUGH OF WILDWOOD
CREST PERMITTING ELECTRIC VEHICLE CHARGING STATIONS
AND EQUIPMENT AS AN ACCESSORY USE IN ALL ZONING
DISTRICTS IN THE BOROUGH OF WILDWOOD CREST**

Mr. Franco motioned, Mr. Schiff seconded that a hearing now be held on Ordinance No. 1378.

Vote: Schiff - Franco - Cabrera - YES

Hearing nothing from the public, Mr. Franco motioned, Mr. Schiff seconded that the hearing on Ordinance No. 1378 now be closed.

Vote: Schiff - Franco - Cabrera - YES

Mr. Franco motioned, Mr. Schiff seconded that Ordinance No. 1378 be passed on second and final reading and advertised according to law.

Vote: Schiff - Franco - Cabrera - YES

THE CLERK READS THE INTRODUCED ORDINANCE BY TITLE:

ORDINANCE NO. 1379

**ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER 47A, PARKS, OF THE CODE OF THE
BOROUGH OF WILDWOOD CREST PROHIBITING THE
USE OF FIREWORKS IN PUBLIC PARKS**

Mr. Franco motioned, Mr. Schiff seconded that Ordinance No. 1379 be passed on first reading, advertised according to law, be brought up for second and final reading and public hearing on April 13, 2022 at 9:30 a.m.

Vote: Schiff - Franco - Cabrera - YES

THE CLERK READS THE INTRODUCED ORDINANCE BY TITLE:

ORDINANCE NO. 1380
ORDINANCE OF THE BOROUGH OF WILDWOOD CREST
AMENDING AND SUPPLEMENTING CHAPTER 73, TAXICABS
REGARDING THE LICENSING AND REGULATION OF JITNEYS IN
THE BOROUGH OF WILDWOOD CREST

Mr. Franco motioned, Mr. Schiff seconded that Ordinance No. 1380 be passed on first reading, advertised according to law, be brought up for second and final reading and public hearing on April 13, 2022 at 9:30 a.m.

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 22-126
RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF
WILDWOOD CREST AUTHORIZING THE CY 2022 MUNICIPAL BUDGET BE
READ BY TITLE ONLY AND THAT A PUBLIC HEARING BE HELD ON THE CY
2022 MUNICIPAL BUDGET

WHEREAS, N.J.S.A. 40A:4-8 provides that the budget be read by title only at the time of the public hearing if a Resolution is passed by not less than a majority of the full membership of the governing body, providing that at least one week prior to the date of hearing a complete copy of the approved budget is advertised, has been posted on the bulletin board in Borough Hall, and copies have been made available by the Borough Clerk to persons requiring them on a daily basis thereafter, including the date and time of the actual public hearing held as a result thereof; and

WHEREAS, these required conditions have been satisfied.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, in the County of Cape May, State of New Jersey, that the municipal budget of the Borough of Wildwood Crest be read by title only.

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

Vote: Schiff - Franco – Cabrera – YES

PUBLIC HEARING: Mike Garcia, auditor from Ford Scott, gave a run down on how the Borough is doing fiscally. Some highlights were that the Borough was \$646,000 below the spending CAP and \$1.1 million below the Tax Levy Cap and that \$3.7 million from surplus was applied to the budget. Furthermore, at the close of the 2021, the Borough had \$10.4 million in surplus. Lastly, the tax increase is \$6.00 per \$100,000 in assessed value, which is .06 of a cent.

Dave McWilliams, New Jersey Avenue, inquired what the budget was and the Auditor indicated \$26,378,698.32. As a follow-up, Mr. McWilliams asked about the salary ordinance and the wages and if the borough was being competitive and the borough has recently taken steps to do so.

Hearing nothing further from the public, Mr Franco motions and Mr. Schiff seconds that the Public Hearing now be closed.

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 22-127
RESOLUTION OF THE BOARD OF COMMISSIONERS OF
THE BOROUGH OF WILDWOOD CREST AUTHORIZING
ADOPTION OF THE CY2022 MUNICIPAL BUDGET,
INCLUSIVE OF \$16,161,864.59 FOR MUNICIPAL
PURPOSES, BE ADOPTED

BE IT RESOLVED, by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey, that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorizations of the below amount of \$16,161,864.59 for municipal purposes.

BE IT FURTHER RESOLVED that the summary of revenues for inclusion in the 2022 MUNICIPAL BUDGET be and the same are as follows:

GENERAL REVENUES	
Surplus Anticipated	\$ 3,700,000.00
Miscellaneous Revenues Anticipated	6,166,833.73
Receipts from Delinquent Taxes	350,000.00
AMOUNT TO BE RAISED BY TAXATION FOR MUNICIPAL PURPOSES	<u>16,161,864.59</u>
TOTAL REVENUES	<u>\$26,378,698.32</u>

BE IT FURTHER RESOLVED that the summary of appropriations for inclusion in the 2022 MUNICIPAL BUDGET be and the same are as follows:

GENERAL APPROPRIATIONS	
Within "CAPS"	
(a&b) Operations including Contingent	\$15,165,881.00
(e) Deferred Charges and Statutory Expenditure – Municipal	1,524,343.00
(f) Judgments	150,000.00
Excluded from "CAPS"	
(a) Operations - Total Operations Excluded from "CAPS"	3,468,746.73
(c) Capital Improvements	1,137,400.00
(d) Municipal Debt Service	4,068,905.00
(m) Reserved for Uncollected Taxes	<u>863,422.59</u>
TOTAL APPROPRIATIONS	<u>\$26,378,698.32</u>

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 22-128

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING AWARD OF PROFESSIONAL SERVICES CONTRACT FOR SPECIAL COUNSEL FOR GENERAL LEGAL SERVICES PERTAINING TO PUBLIC UTILITY LAW AT THE NTE SUM OF \$5,000

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest has determined that there exists the need for a Special Counsel for general legal advice concerning public utility law for the Borough of Wildwood Crest, and

WHEREAS, this contract is awarded without competitive bidding in accordance with the provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-1, et. seq. as an authorized exception to the public bidding as a Professional Services Contract; and

WHEREAS, under the Local Public Contracts Law, N.J.S.A. 40A:11-1, et. seq., the subject contract would be a contract for professional services because:

1. Professional services of the type herein sought are of such a nature as to require a high degree of trust and confidence in the individual providing the service and may require the creation of a confidential or fiduciary relationship between that individual and the Borough;
2. The services required are highly specialized or technical in nature;
3. The services require peculiar ability and skill, and demand a high degree of specialized knowledge or expertise;
4. The services are such that their relative worth must be judged by subjective considerations that are not susceptible of valuation by competitive bidding;
5. The individual or entity who will provide these services has demonstrated competence and particular expertise in the services required;
6. The individual or entity who will perform these services is held to and fully adheres to the strict ethical standards that govern the involved profession;

7. The services include advise to and consultation with the municipality that require both knowledge and judgment on the part of the individual or entity providing services, as well as the confidence of the municipal officials, such that competitive bidding is not feasible or practical;

8. The services to be provided are such that their nature, scope and duration are not capable of precise measurement, but rather require a flexibility and discretion that render competitive bidding impractical and inefficient; and

WHEREAS, the Commissioners of the Borough of Wildwood Crest desire to appoint Joseph P. Baumann, Jr., of McManimon Scotland Baumann, LLC, to serve as special counsel to the Borough of Wildwood Crest to handle all legal work necessary and as may be assigned by the Borough to represent the interests of the Borough of Wildwood Crest.

WHEREAS, the CFO has certified the availability of funds as evidenced below by her signature:
Account Number(s) _____ Amount _____
Signature _____

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

1. The above recital paragraphs are incorporated herein as if set forth at length.
2. That a contract for Special Counsel is awarded to Joseph P. Baumann, Jr., of McManimon Scotland Baumann, LLC.
3. The award of this contract is contingent upon compliance with the New Jersey Pay to Play Law as set forth in N.J.S.A. 19:44A-1; production of the Business Entity Disclosure Certificate, Affirmative Action Compliance Notice, New Jersey Certificate of Employee Information Report, New Jersey Business Registration Certificate and proof of insurance as required in the contract and certification from the Chief Financial Officer as to the availability of funds; a copy of these documents shall be kept on file in the office of the Borough Clerk.
4. That the Mayor and Borough Clerk are hereby authorized and empowered to enter into a contract effective immediately through March 22, 2023, with Joseph P. Baumann, Jr., of McManimon Scotland Baumann, LLC who shall be compensated at the not to exceed sum of \$5,000.00.
5. That a Notice of Award shall be published in *The Herald of Cape May County* as required by law within ten (10) days of passage of this Resolution, which notice shall state that this Resolution and the contract are on file and available for public inspection in the office of the Borough Clerk.

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 22-129

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING THE BOROUGH OF WILDWOOD CREST TO ENTER INTO NEW JERSEY COOPERATIVE PURCHASING ALLIANCE # CK04

WHEREAS, N.J.S.A. 40A:11-11 (5) authorizes contracting units to establish a Cooperative Pricing System for the provision and performance of goods and services and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the County of Bergen (Lead Agency) is conducting a voluntary Cooperative Pricing System known as the New Jersey Cooperative Purchasing Alliance # CK04 with other contracting units; and

WHEREAS, on March 23, 2022, the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, State of New Jersey duly considered participation in a Cooperative Pricing System for the provision and performance of goods and services.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest that this resolution shall be cited as the Cooperative Pricing Resolution of the Borough of Wildwood Crest pursuant to the Provisions of NJSA 40A:11-11 (5), that the Mayor is hereby authorized to enter into New Jersey Cooperative Purchasing Alliance # CK04 with the Lead Agency.

BE IT FURTHER RESOLVED that the Lead Agency shall be responsible for complying with the provisions of the Local Public Contracts Law (NJSA 40A:11-1 et seq.) and all other provisions of the revised statutes of the State of New Jersey.

FOR THE BOROUGH OF WILDWOOD CREST

Witness/Attest:

Patricia A. Feketics, Clerk

By: _____
Don Cabrera, Mayor

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 22-130

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING BOROUGH ENGINEER WORK ORDER FOR BEACH PATROL HEADQUARTERS RENOVATIONS: DESIGN DEVELOPMENT, PREPARATION OF CONSTRUCTION DOCUMENTS, BIDDING AND AWARD, AND CONSTRUCTION PHASE SERVICES AT THE NTE SUM OF \$195,000

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 **BEACH PATROL HEADQUARTERS RENOVATIONS:- DESIGN DEVELOPMENT (\$90,000), PREPARATION OF CONSTRUCTION DOCUMENTS (\$30,000), AND BIDDING AND AWARD (\$10,000), AND CONSTRUCTION PHASE SERVICES (\$65,000.00)** for engineering services which are more specifically set forth in the attached Proposal from Marc DeBlasio and the Firm of DeBlasio & Associates, dated **January 6, 2022** 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 **\$195,000.00**; and

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

Account Number(s): _____ Amount: \$195,000.00 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 **\$195,000.00**.

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 22-131

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING WAIVER OF THE FEE REQUIRED FOR APPLICATION BY THE WILDWOOD CREST SCHOOL DISTRICT TO HOST A GRADUATION CEREMONY AT CENTENNIAL PARK ON JUNE 16, 2022 FROM 5:00-7:00 PM

WHEREAS, Wildwood Crest School District has requested the use of Centennial Park to host a graduation ceremony at Centennial Park on June 16, 2022 from 5:00-7:00 pm; and

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest has reviewed the request for their upcoming graduation ceremony and in the spirit of supporting our local school district and our community, the Board of Commissioners has agreed to waive the fee required by application.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey, that the fee required by application of the Wildwood Crest School District for the graduation ceremony being held on June 16, 2022 from 5:00-7:00 pm at Centennial Park.

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 22-132

AUTHORIZING THE APPOINTMENT OF JOSEPH FRANCO, JR. AS CLASS III MEMBER TO THE WILDWOOD CREST WILDWOOD CREST PLANNING BOARD

WHEREAS, N.J.S.A. 40:55D-23 provides for Planning Board membership; and

WHEREAS, the Borough of Wildwood Crest has adopted Ordinance No. 501 relative to said Planning Board membership, pursuant to the aforesaid statutory authority; and

WHEREAS, N.J.S.A. 40:55D-23 provides for the appointment of a Class III member, which shall be a member of the governing body; and

WHEREAS, Commissioner Joseph M. Schiff was appointed as Class III member to the Wildwood Crest Planning Board on January 4, 2022 via Resolution No. 22-51; and

WHEREAS, Joseph M. Schiff has submitted a letter of resignation for his membership on the Wildwood Crest Planning Board on March 2, 2022; and

WHEREAS, Commissioner Joseph Franco, Jr. has expressed interest in serving as Class III member to the Wildwood Crest Planning Board; and

WHEREAS, it is the desire of the Board of Commissioners to appoint Joseph Franco, Jr. as Class III member to the Wildwood Crest Planning Board to serve through December 31, 2025.

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, in the County of Cape May and State of New Jersey, that the following appointment is hereby made:

JOSEPH FRANCO, JR., as Class III member of the Planning Board of the Borough of Wildwood Crest to a term commencing effective immediately and terminating December 31, 2025, the expiration date of term of office.

BE IT FURTHER RESOLVED by the Board of Commissioners that the foregoing appointment is hereby confirmed and ratified.

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 22-133

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING THE APPOINTMENT OF ANGELA DANIELS TO FILL A VACANCY AS A MEMBER OF THE WILDWOOD CREST PLANNING BOARD COMMENCING IMMEDIATELY AND EXPIRING DECEMBER 31, 2023

WHEREAS, it is the desire of the Board of Commissioners of the Borough of Wildwood Crest to appoint ANGELA DANIELS as a member of the PLANNING BOARD of the Borough of Wildwood Crest to fill a vacancy with the term expiring December 31, 2023.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest that ANGELA DANIELS is hereby appointed as a member of the PLANNING BOARD of the Borough of Wildwood Crest to fill a vacancy commencing immediately and expiring December 31, 2023.

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 22-134

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING THE APPOINTMENT OF WILLIAM BUMBERNICK AS ALTERNATE #1 MEMBER OF THE WILDWOOD CREST PLANNING BOARD COMMENCING IMMEDIATELY AND EXPIRING DECEMBER 31, 2023

WHEREAS, it is the desire of the Board of Commissioners of the Borough of Wildwood Crest to appoint WILLIAM BUMBERNICK as a member of the PLANNING BOARD of the Borough of Wildwood Crest as Alternate #1 Member with the term expiring December 31, 2023.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest that WILLIAM BUMBERNICK is hereby appointed as Alternate #1 Member of the PLANNING BOARD of the Borough of Wildwood Crest commencing immediately and expiring December 31, 2023.

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 22-135

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING THE APPOINTMENT OF BRIAN STUART AS ALTERNATE #2 MEMBER OF THE WILDWOOD CREST PLANNING BOARD COMMENCING IMMEDIATELY AND EXPIRING DECEMBER 31, 2023

WHEREAS, it is the desire of the Board of Commissioners of the Borough of Wildwood Crest to appoint BRIAN STUART as a member of the PLANNING BOARD of the Borough of Wildwood Crest as Alternate #2 Member with the term expiring December 31, 2023.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest that BRIAN STUART is hereby appointed as Alternate #2 Member of the PLANNING BOARD of the Borough of Wildwood Crest commencing immediately and expiring December 31, 2023.

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 22-136

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING THE APPOINTMENT OF VINCENT TENAGLIA AS ALTERNATE #3 MEMBER OF THE WILDWOOD CREST PLANNING BOARD COMMENCING IMMEDIATELY AND EXPIRING DECEMBER 31, 2022

WHEREAS, it is the desire of the Board of Commissioners of the Borough of Wildwood Crest to appoint VINCENT TENAGLIA as a member of the PLANNING BOARD of the Borough of Wildwood Crest as Alternate #3 Member with the term expiring December 31, 2022.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest that VINCENT TENAGLIA is hereby appointed as Alternate #3 Member of the PLANNING BOARD of the Borough of Wildwood Crest commencing immediately and expiring December 31, 2022.

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 22-137

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING THE APPOINTMENT OF BRADLEY VOGDES AS ALTERNATE #4 MEMBER OF THE WILDWOOD CREST PLANNING BOARD COMMENCING IMMEDIATELY AND EXPIRING DECEMBER 31, 2022

WHEREAS, it is the desire of the Board of Commissioners of the Borough of Wildwood Crest to appoint BRADLEY VOGDES as a member of the PLANNING BOARD of the Borough of Wildwood Crest as Alternate #4 Member with the term expiring December 31, 2022.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest that BRADLEY VOGDES is hereby appointed as Alternate #4 Member of the PLANNING BOARD of the Borough of Wildwood Crest commencing immediately and expiring December 31, 2022.

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 22-138

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING BOROUGH ENGINEER WORK ORDER FOR NJDEP CAFRA INDIVIDUAL PERMIT APPLICATION FOR BEACH FRONT IMPROVEMENTS, SAND BACK PASSING & BEACH AND DUNE MAINTENANCE ACTIVITIES AT THE NTE SUM OF \$99,000

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 **NJDEP CAFRA INDIVIDUAL PERMIT APPLICATION FOR BEACH FRONT IMPROVEMENTS, SAND BACK PASSING & BEACH AND DUNE MAINTENANCE ACTIVITIES: SURVEY AND BASE MAPPING (\$39,000.00), ENGINEERING AND ENVIRONMENTAL SERVICES (\$22,000.00), DESIGN DOCUMENTS, BIDDING AND AWARD -BEACH BACK PASSING (\$12,000.00) AND CONSTRUCTION PHASE & AS-BUILT SERVICES -BEACH BACK PASSING (\$26,000.00)** for engineering services which are more specifically set forth in the attached Proposal from Marc DeBlasio and the Firm of DeBlasio & Associates, dated **March 18, 2022** 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 **\$99,000.00**; and

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

Account Number(s): _____ Amount: \$99,000.00 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 **\$99,000.00**.

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 22-139

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING THE MUNICIPAL ENGINEER TO MAKE PRE-APPLICATION TO THE CAPE MAY COUNTY OPEN SPACE FOR FUNDING REGIONAL BIKE PATH SYSTEM

WHEREAS, in 1997, the State of New Jersey passed a number of laws which expanded the potential function of the Open Space and Farmland Preservation Trust Fund programs to include recreation and historic preservation; and

WHEREAS, the decision to expand the Open Space Program into the realms of recreation and historic preservation beginning in 2013 has helped to enhance and protect our collective community assets; and

WHEREAS, the Board of Commissioners recognize the value of safe public access in Cape May County and the potential to enhance tourism and economic development while also promoting usage of the beachfront amenities with enhancements to Regional Bike Path System; and

WHEREAS, the Borough proposes to provide a site along the highly utilized bike path, which includes necessary amenities for cyclists, pedestrians and joggers and to link the bike path to the newly repurposed old library building which houses ADA compliant restrooms, refreshments, entertainment and arts; and

WHEREAS, the Board of Commissioners desire to apply to the Cape May County Open Space Board for Regional Bike Path System funding for the purposes stated herein.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Borough of Wildwood Crest, County of Cape, State of New Jersey, hereby authorize the Borough Engineer to make application to the Cape May County Open Space Board for the project known as: **CREST ARTS PAVILION (PHASE 2)**.

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 22-140

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING AN AMENDMENT TO RESOLUTION NO. 21-131 FOR BOROUGH ENGINEER WORK ORDER FOR OLD LIBRARY IMPROVEMENTS COST TO INCREASE THE AMOUNT OF THE NTE SUM BY \$50,000

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest adopted Resolution No. 21-131 on March 31, 2021 authorizing a Work Order to the Borough Engineer, Marc DeBlasio and the Firm of DeBlasio & Associates for the **OLD LIBRARY IMPROVEMENTS** and the Chief Financial Officer certified funds at the NTE sum of \$120,000.00; and

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest desires to authorize an amendment of the Work Order to the Borough Engineer, Marc DeBlasio and the Firm of DeBlasio & Associates for the **OLD LIBRARY IMPROVEMENTS**, for REVISED SCOPE OF WORK AND PROFESSIONAL FEE for engineering services which are more specifically set forth in the attached Proposal totaling **\$170,000.00** from Marc DeBlasio and the Firm of DeBlasio & Associates, dated **March 14, 2022** 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 for Work Order total not to exceed **\$170,000.00 total**; and

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

Account Number(s) _____ Amount **\$50,000.00** Signature _____

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

1. The above recital paragraphs are incorporated herein as if set forth at length.

2. That the terms and conditions of the work order between the Borough of Wildwood Crest and Marc DeBlasio, authorized by Resolution No. 21-131 adopted March 31, 2021 shall remain in full force and effect, with the sole exception that the amount of the authorized work order shall be increased by \$50,000.00 to a total sum

not to exceed \$170,000.00 all of which is contingent upon certification from the Chief Financial Officer as to the availability of funds.

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 22-141

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST TO AUTHORIZE WAIVING THE FEE REQUIRED FOR APPLICATION TO WILDWOOD CATHOLIC ACADEMY TO HOST A PROM PROCESSION AT CENTENNIAL PARK ON APRIL 30, 2022 FROM 6:00-8:00 PM

WHEREAS, Wildwood Catholic Academy has requested the use of Centennial Park to host a prom procession at Centennial Park on April 30, 2022 from 6:00-8:00 pm; and

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

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey, that the fee required by application of the Wildwood Catholic Academy for prom procession being held on April 30, 2022 from 6:00-8:00 pm at Centennial Park.

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 22-142

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING AWARD OF LEASE AGREEMENT WITH FP FINANCE FOR POSTAGE MACHINE – STATE CONTRACT # T-0200, 41263

WHEREAS, N.J.S.A. 40A:11-15(7) provides that a municipality may lease equipment of every nature and kind for a period not to exceed five (5) years, provided said lease is approved by resolution of the governing body and complies with all rules and regulations promulgated by the Director of the Division of Local Government Services; and

WHEREAS, all such leases must contain a clause making them subject to the availability and appropriation annually of sufficient funds as may be required to meet the extended obligation, or contain an annual cancellation clause: and

WHEREAS, the Borough of Wildwood Crest is currently in need of a postage meter machine to meet the daily operational needs of the Borough, and the Borough has determined that a sixty (60) month lease is the best method of financing this need; and

WHEREAS, the contracts awarded under a State Cooperative Purchasing Contract that are in excess of the contract unit's bid threshold shall be made by resolution of the governing body; and

WHEREAS, the Borough desires to evidence an Agreement with the Vendor: FP Finance – referenced under NJ State Contract #T-0200, 41263 which agreement shall be in the not to exceed amount of \$250.00 per month for the 60 month contract lease subject to all the conditions applicable to the current State Contract.

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 this Resolution shall constitute an Agreement between the Borough of Wildwood Crest and FP Finance – NJ State Contract #T-0200, 41263 subject to all conditions applicable to the State Contract.

BE IT FURTHER RESOLVED, pursuant to the rules of the Local Finance Board of the State of New Jersey, that no amount of these contracts shall be chargeable until such time as materials, supplies or equipment are ordered and a certification of availability of funds is made by the Chief Financial Officer.

WHEREAS, the Chief Financial Officer has certified the availability of funds as evidenced below by her signature:
Account Number(s) _____ Amount _____ Signature _____

BE IT FURTHER RESOLVED that the duration of this Agreement shall be sixty (60) months or upon expiration of a listed Vendor's State Contract, whichever event occurs first.

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 22-143

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING AWARD OF EUS CONTRACT WITH ROBINDALE MEDIA FOR MARKETING PLAN SPECIALIST AT NTE SUM OF \$19,500.00 FOR CY 2022

WHEREAS, there exists the need for the “Extraordinary Unspecifiable Services” of a MARKETING PLAN SPECIALIST, to be retained by the Borough for marketing plan, videos, coordinate web developer as directed by the authorized representatives of the Borough of Wildwood Crest, all as more specifically set forth in the attached Contract which is made a part hereof by reference as if fully set forth; and

WHEREAS, the Contract is awarded without competitive bidding as a “Extraordinary Unspecifiable Service” under the provisions of the Local Public Contracts Law pursuant to N.J.S.A. 40A:11-5 which states that no local unit shall be required to advertise for bids for services which are of such a qualitative nature as will not reasonably permit the drawing of specifications or the receipt of competitive bids, all of which classification the aforesaid contract falls within; and

WHEREAS, under the Local Public Contracts Law, N.J.S.A. 40A:11-1, et. seq., the subject contract would be a contract for Extraordinary Unspecifiable Services because the service requires unique artistic design skills and abilities that are of a qualitative nature; and

WHEREAS, Robindale Media has completed and submitted a Business Entity Disclosure Certification which certifies that he will not make any reportable contributions pursuant to N.J.S.A. 19:44A-1 commencing January 1, 2022 to any political committee or candidate through the term of this contract.

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. That the allegations of the preamble hereto are incorporated herein as if fully set forth.
2. That the Mayor and Borough Clerk are hereby authorized and empowered to execute the attached contract with **Robindale Media**, who shall be compensated by voucher at the agreed upon rate of \$19,500.00, contingent upon certification from the Chief Financial Officer as to the availability of funds, and whose rate/fee structure are contained in the aforesaid Contract and said “Independent Contractor” shall be required to comply with this Resolution, and the attached Contract. Said Marketing Plan Specialist is further required to comply with all other conditions/provisions of law or regulation applicable to a “Extraordinary Unspecified Contractor,” including but not limited to procuring/maintaining sufficient insurance coverages necessary to fully protect the interests of the Borough in each and every instance relative to performance under this contract. This contract is awarded pursuant to N.J.S.A. 40A:11-5(dd) which states “The provision or performance of goods or services for the support or maintenance of proprietary marketing planning, videos and website coordinator.
3. The award of this contract is contingent upon compliance with the New Jersey Pay to Play Law as set forth in N.J.S.A. 19:44A-1; production of the Business Entity Disclosure Certificate, Affirmative Action Compliance Notice, New Jersey Certificate of Employee Information Report, New Jersey Business Registration Certificate and proof of insurance as required in the contract and certification from the Chief Financial Officer as to the availability of funds; a copy of these documents shall be kept on file in the office of the Borough Clerk.
4. That a copy of the specific items appertaining to the award of this contract shall be published in a Notice of Award in *The Herald of Cape May County* as required by law within ten (10) days of passage of the Resolution authorizing same.

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 22-144

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING AWARD OF PROFESSIONAL SERVICES CONTRACT WITH JAMES RUTALA ASSOCIATES, LLC FOR PLANNING CONSULTANT SERVICES TO RESEARCH AND APPLY FOR GRANT FUNDING FOR SECURING GRANTS FOR FAST ELECTRIC VEHICLE CHARGERS AT THE NTE SUM OF \$5,000

WHEREAS, there exists the need for “Professional Services” for Professional Planning Services to Research and Apply for Grant Funding for Fast Electric Vehicle Chargers, and

WHEREAS, this contract is awarded without competitive bidding in accordance with the provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-1, et. seq. as an authorized exception to the public bidding as a Professional Services Contract; and

WHEREAS, under the Local Public Contracts Law, N.J.S.A. 40A:11-1, et. seq., the subject contract would be a contract for professional services because:

1. Professional services of the type herein sought are of such a nature as to require a high degree to trust and confidence in the individual providing the service and may require the creation of a confidential or fiduciary relationship between that individual and the Borough;
2. The services required are highly specialized or technical in nature;
3. The services require peculiar ability and skill, and demand a high degree of specialized knowledge or expertise;
4. The services are such that their relative worth must be judged by subjective considerations that are not susceptible of valuation by competitive bidding;
5. The individual or entity who will provide these services has demonstrated competence and particular expertise in the services required;
6. The individual or entity who will perform these services is held to and fully adheres to the strict ethical standards that govern the involved profession;
7. The services include advise to and consultation with the municipality that require both knowledge and judgment on the part of the individual or entity providing services, as well as the confidence of the municipal officials, such that competitive bidding is not feasible or practical;
8. The services to be provided are such that their nature, scope and duration are not capable of precise measurement, but rather require a flexibility and discretion that render competitive bidding impractical and inefficient; and

WHEREAS, James Rutala Associates, LLC is experienced and capable of providing the necessary planning consultant services needed by the Borough of Wildwood Crest and has submitted all required documents:

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

Account Number(s) _____ Amount _____ Signature _____

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

1. The above recital paragraphs are incorporated herein as if set forth at length.
2. That the Mayor and Borough Clerk are hereby authorized and empowered to execute the attached agreement effective immediately through March 22, 2023, James Rutala Associates, LLC, who shall be compensated pursuant to attached proposal dated March 16, 2022, but in no case shall the compensation exceed Five Thousand (\$5,000.00) Dollars.
3. The award of this contract is contingent upon compliance with the New Jersey Pay to Play Law as set forth in N.J.S.A. 19:44A-1; production of the Business Entity Disclosure Certificate, Affirmative Action Compliance Notice, New Jersey Certificate of Employee Information Report, New Jersey Business Registration Certificate and proof of insurance as required in the contract and certification from the Chief Financial Officer as to the availability of funds; a copy of these documents shall be kept on file in the office of the Borough Clerk.
4. That a Notice of Award shall be published in *The Herald of Cape May County* as required by law within ten (10) days of passage of this Resolution, which notice shall state that this Resolution and the contract are on file and available for public inspection in the office of the Borough Clerk.

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 22-145

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING THE CHIEF FINANCIAL OFFICER TO PAY THE PRESCRIBED FLAT RATE PER HOUR TO LAW ENFORCEMENT PURSUANT TO THE 2022 DISTRACTED DRIVING CRACKDOWN GRANT

WHEREAS, on February 16, 2022, the Borough of Wildwood Crest submitted a grant application to the New Jersey Division of Highway Traffic Safety Mobilization 2022 Distracted Driving Crackdown Grant via Resolution No. 22-100; and

WHEREAS, the 2022 Distracted Driving Crackdown Grant is a federally funded grant project that consists of an enforcement overtime campaign that runs from April 1-30, 2022; and

WHEREAS, the 2022 Distracted Driving Crackdown Grant will pay for overtime enforcement during the approved crackdown period, with a maximum rate to be reimbursed of \$70.00 per hour; and

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

WHEREAS, the Borough of Wildwood Crest received notification of award in the amount of \$7,000.00 on March 16, 2022.

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 pay flat rate of \$70.00 per hour to law enforcement pursuant to the 2022 Distracted Driving Crackdown Grant.

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 22-146

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING AWARD OF CONTRACT FOR NJDCA SMALL CITIES PROGRAM BEACH STREET END PUBLIC ACCESS IMPROVEMENTS – PHASE IB

WHEREAS, a Notice to Bidders was authorized for advertisement by Resolution No. 22-94 on February 2, 2022 for the Borough of Wildwood Crest contract for the BEACH STREET END PUBLIC ACCESS IMPROVEMENTS – PHASE IB; and

WHEREAS, Notice to Bidders was advertised in the *Press of Atlantic City* and *Herald of Cape May County* on March 9, 2022 with receipt of sealed bids on March 16, 2022 at 10:00 a.m.; and

WHEREAS, Addendum #1 was sent to all bidders that picked up bid packet with proof of receipt on February 25, 2022; and

WHEREAS, three sealed bid proposals were received, opened and reviewed on March 16, 2022 by the Bid Opening Committee who reviewed the bid proposal and determined that Fred M. Schiavone Construction Inc., PO Box 416, Malaga, NJ 08328 was the lowest responsive bidder for the Base Bid in the amount of \$1,105,814.50 for the BEACH STREET END PUBLIC ACCESS IMPROVEMENTS – PHASE IB; and

WHEREAS, Wildwood Water Utility has participating items included in the Base Bid, which tabulate in the amount of \$68,526.00 and the Borough of Wildwood Crest’s participating items tabulated in the amount of \$1,037,288.50 of the Base Bid; and

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest has reviewed the recommendations made by the Bid Opening Committee as well as the bid tabulation and recommendation, and the opinion letter of the Borough Engineer and Borough Solicitor recommending the award of the Borough’s participating items in the Base Bid in the amount of \$1,037,288.50 to Fred M. Schiavone Construction Inc., PO Box 416, Malaga, NJ 08328; 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. The above recital paragraphs are incorporated herein as if set forth at length.
2. The BEACH STREET END PUBLIC ACCESS IMPROVEMENTS – PHASE IB Borough of Wildwood Crest’s participating items tabulated in the amount of \$1,037,288.50 is hereby awarded to Fred M. Schiavone Construction Inc., PO Box 416, Malaga, NJ 08328 the lowest responsive bidder.
3. The award of this contract is contingent upon compliance with all terms, conditions and requirements set forth in the Notice to Bidders; Bid Specifications and Information Packet and other Bid Documents and certification from the Chief Financial Officer as to the availability of funds.
4. The Mayor and the Borough Clerk are hereby authorized and empowered to enter into a formal contract with Fred M. Schiavone Construction Inc., PO Box 416, Malaga, NJ 08328 in accordance with this Resolution, Notice to Bidders, Bid Specifications and Information Packet and the submitted bid proposal.
5. That a Notice of Award shall be published in The Herald of Cape May County as required by law within ten (10) days of passage of this Resolution, which notice shall state that this Resolution and the contract are on file and available for public inspection in the office of the Borough Clerk.

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 22-147

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING AMENDED PLANNING BOARD PROPOSAL FOR SOLICITOR ROBERT BELASCO FOR CY2022

WHEREAS, Robert Belasco submitted a proposal for Planning & Zoning Boards Solicitor for CY2022 dated November 18, 2021 with a monthly attendance fee of \$750.00 per meeting for each respective board; and

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest awarded a Professional Services Contract, via Resolution No. 22-47 adopted January 4, 2022, to Robert Belasco, of Stefankiewicz & Belasco, LLC for legal services for the Planning Board and Zoning Board of Adjustment for CY 2022 at the NTE sum of \$25,000.00; and

WHEREAS, on March 9, 2022, the Borough of Wildwood Crest adopted Ordinance No. 1376, which amended and supplemented Article XVI of Chapter 85 of the Code of the Borough of Wildwood Crest Land Development Ordinance Granting to the Planning Board the Authority to Exercise all Powers of the Zoning Board of Adjustment; and

WHEREAS, Robert Belasco submitted a revised proposal for Planning Board Solicitor for CY2022 dated March 10, 2022 with a per scheduled meeting fee of \$1,000.00 at the same NTE sum of \$25,000.00 for the increased work load and decrease in number of monthly meetings; and

WHEREAS, it is the desire of the Board of Commissioners of the Borough of Wildwood Crest to increase the per scheduled Planning Board meeting attendance rate to \$1,000.00 per meeting.

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 ROBERT BELASCO, authorized by Resolution No. 22-47 adopted January 4, 2022 shall remain in full force and effect, with the sole exception that the amount of the per scheduled Planning Board attendance shall be increased to \$1,000.00 per meeting.

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

Vote: Schiff - YES Franco – ABSTAIN Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 22-148

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING BOROUGH ENGINEER WORK ORDER FOR FY2022 NJDOT MUNICIPAL AID RECONSTRUCTION OF SYRACUSE AVENUE AT THE NTE SUM OF \$265,000

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 **FY2022 NJDOT MUNICIPAL AID RECONSTRUCTION OF SYRACUSE AVENUE: ENGINEERING COST (\$160,000), AND CONSTRUCTION PHASE SERVICES (\$105,000.00)** for engineering services which are more specifically set forth in the attached Proposal from Marc DeBlasio and the Firm of DeBlasio & Associates, dated **December 7, 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 **\$265,000.00**; and

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

Account Number(s): _____ Amount: \$265,000.00 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 **\$265,000.00**.

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 22-149

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING AWARD PROFESSIONAL SERVICES CONTRACT TO THE LOMAX GROUP FOR SPECIALIZED ENGINEERING AND ENVIRONMENTAL CONSULTING SERVICES IN CONJUNCTION WITH A PROPOSAL FOR JURISDICTIONAL DETERMINATION AT THE NTE SUM OF \$7,750.00

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest has determined that there exists the need for specialized engineering and environmental consultation services to be provided to the Borough of Wildwood Crest for Jurisdictional Determination; and

WHEREAS, the Borough Clerk received a proposal from The Lomax Consulting Group dated **March 18, 2022** and that proposal was forwarded to a review committee consisting of the Borough Administrator, Constance Mahon, Borough Clerk, Patricia Feketics, Chief Financial Officer, Francine Springer, and Borough Solicitor Ronald J. Gelzunas; and

WHEREAS, the Review Committee has reviewed the proposal submitted by The Lomax Consulting Group and based upon the review criteria, has recommended that the proposal of The Lomax Consulting Group best meets the Borough's needs and that The Lomax Consulting Group has the professional credentials and abilities to perform the services required of the subject contract; and

WHEREAS, under the Local Public Contracts Law, N.J.S.A. 40A:11-1, et. seq., the subject contract would be a contract for professional services because:

1. Professional services of the type herein sought are of such a nature as to require a high degree of trust and confidence in the individual providing the service and may require the creation of a confidential or fiduciary relationship between that individual and the Borough;
2. The services required are highly specialized or technical in nature;
3. The services require peculiar ability and skill, and demand a high degree of specialized knowledge or expertise;
4. The services are such that their relative worth must be judged by subjective considerations that are not susceptible of valuation by competitive bidding;
5. The individual or entity who will provide these services has demonstrated competence and particular expertise in the services required;
6. The individual or entity who will perform these services is held to and fully adheres to the strict ethical standards that govern the involved profession;
7. The services include advise to and consultation with the municipality that require both knowledge and judgment on the part of the individual or entity providing services, as well as the confidence of the municipal officials, such that competitive bidding is not feasible or practical;
8. The services to be provided are such that their nature, scope and duration are not capable of precise measurement, but rather require a flexibility and discretion that render competitive bidding impractical and inefficient; and

WHEREAS, this contract is awarded without competitive bidding in accordance with the provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-1, et. seq. as an authorized exception to the public bidding as a Professional Services Contract; and

WHEREAS, the Commissioners of the Borough of Wildwood Crest concur with the Review Committee's recommendation to award the contract to The Lomax Consulting Group; 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. That the contract for the Environmental Consulting Services – for **JURISDICTIONAL DETERMINATION** be awarded to The Lomax Consulting Group.
3. The award of this contract is contingent upon compliance with the New Jersey Pay to Play Law as set forth in N.J.S.A. 19:44A-1; production of the Business Entity Disclosure Certificate, Affirmative Action Compliance Notice, New Jersey Certificate of Employee Information Report, New Jersey Business Registration

Certificate and proof of insurance as required in the contract and certification from the Chief Financial Officer as to the availability of funds.

4. That the Mayor and Borough Clerk are hereby authorized and empowered to enter into a professional services contract effective immediately and not to extend beyond one (1) calendar year, with The Lomax Consulting Group, who shall be compensated pursuant to attached Proposal which is incorporated herein, at the billable rates set forth therein not to exceed **\$7,750.00**.

5. That a Notice of Award shall be published in *The Herald of Cape May County* as required by law within ten (10) days of passage of this Resolution, which notice shall state that this Resolution and the contract are on file and available for public inspection in the office of the Borough Clerk.

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

Vote: Schiff - Franco – Cabrera – YES

BILLS: Mr. Schiff motioned, and Mr. Franco seconded that all bills properly authorized, as submitted, be paid.

Vote: Schiff - Franco – Cabrera – YES

REPORTS: Mr. Schiff motioned and Mr. Franco seconded all reports received from the Court Administrator, Chief Financial Officer, Tax Collector, Chief of Police, Supervisor for the Recreation Department, Construction Official, Emergency Services Coordinator for the EMS and the Wildwood Crest Volunteer Fire Company Chief for the month ending February 28, 2022 be accepted as presented.

Vote: Schiff - Franco – Cabrera – YES

MINUTES: Mr. Franco motioned and Mr. Schiff seconded all minutes from the regularly scheduled Commission meetings dated February 16, 2022 and March 9, 2022 be approved as presented.

Vote: Schiff - Franco – Cabrera – YES

ADMINISTRATOR’S REPORT:

March 23, 2022

ONGOING AND UPCOMING PROJECTS

Beach End Bump Outs

I attended the County Commissioner’s public meeting on March 8th to answer any question they might have on our pending \$2.5M Open Spaces application. There were none and this began the required 45-day wait period before we hear that we are finally approved by County Board of Commissioners.

Unfortunately, we just received word that we were not successful in obtaining the second NJ DCA Small Cities grants for \$400,000. We did receive the first as well as a \$50,000 DCA recreation grant. Total grant awards for this project total \$2,950,000.

Pacific Avenue

Concrete and drainage work is expected to proceed until May 13th from Rambler to St. Louis. The second phase of the project will take place in fall of 2022 with a scheduled completion prior to Labor Day 2023. Pertinent information regarding the County’s project will be posted on the Borough’s website as we receive it.

Scoop Taylor

The shelter arrived and its installation is near completion. We have some minor housekeeping to complete on this project and should be ready to close out the 2020 Small Cities ADA grant funding.

Higbee Field

Our contractor has a few final items to complete and will wrap up the final phase of this project. Public Works is making necessary repairs and maintenance on the irrigation system and putting final touches on the fields to have them ready for opening day in April.

Herford Inlet to Cape May Inlet Beach and Dune Construction

The New Jersey DEP’s Division of Coastal Engineering is currently working with Wildwood and Lower Twp to get their state aid agreements finalized. Once that step is complete, the state will complete negotiations for all necessary easements and the Army Corps will finalize their construction plans and forward to us for review and comment. No news on an expected construction date.

New Jersey Avenue

Nothing new to report at this time as the County’s reconstruction of New Jersey Avenue has been delayed due the Pacific Avenue project.

Sunset Lake- State Channel Dredging

We are working the NJDOT and our dredging committee to have the State dredge their state channel and have requested that they realign the channel and perhaps partner with us to dredge more of the lake. I have emailed our contact at NJDOT, and Commissioner Franco and I continue to meet with local, state, and federal legislators to solicit their help and support.

CAFRA Applications

In an on-going effort to remain compliant with the state's Coastal Management Rules, the Borough has been working on 2 separate CAFRA permits. The first permit was submitted and seeks to permit beach patrol storage adjacent to the beach patrol headquarters while the second is still being worked on and would permit the following 5 items:

- Dune and Beach Maintenance Activities
- Bike Path Improvements north of Rambler
- Widening of pedestrian access through dunes north of Rambler
- Old Library site improvements including expanded parking
- Water main looping

We also have authorized Peter Lomax to obtain a Jurisdictional Determination on the Beach Patrol Building as we prepare to renovate the building.

Old Library Renovations

Renovations are well on their way. The contractor has made steady progress on the interior. Walls are up and plumbing and electrical work is ongoing. Delays in obtaining some materials has been an issue. We will keep you posted on the completion schedule giving this situation.

ENGINEER'S REPORT:

Grant Applications

1. FEMA Flood Mitigation Assistance (BRIC)
 - The Borough is proposing to construct one (1) bayside storm sewer pump station, install bay outfall SCADA control valves and associated storm sewer improvements in the north west section of the Borough.
 - Our office has met with Jim Rutala to develop the application submission, which is due November 30, 2021.
2. Fiscal Year 2022 NJDCA Small Cities Program
 - The Borough has decided to submit a grant application for ADA beach access improvements-phase 2 (Louisville Avenue to Toledo Road).
 - Our office successfully provided the supporting engineering report to Mark Blauer on September 2, 2021.
 - On Friday, March 18th, the Borough was notified that this project was not selected for funding.
3. Cape May County Open Space Board – Coastal Recreational Enhancements
 - The Borough has decided to submit a grant application for ADA beach access improvements-phase 2 (Orchid Road to Jefferson Avenue).
 - In support of the grant application, our office transmitted the grant application to Cape May County on December 15, 2020.
 - The County has indicated preliminary favorability and requested additional information.
 - The Borough provided a supplemental presentation to the CMCOSB on September 28th and a final decision is anticipated in late March, 2022.

Capital Projects

1. Pacific Avenue Storm Sewer Improvements and Borough Street Improvements
 - The bid was awarded to Asphalt Paving Systems in the amount of \$5,767,600.00.
 - The Borough has approved a Change Order for improvements on Ocean Avenue and Washington Avenue and various streets.
 - All work is complete except for final paving on Ocean Avenue and Washington Avenue. These roadways are scheduled for final surface course paving the week of March 28th.
2. Fiscal Year 2021 NJDCA Small Cities Program – Beach Street End Public Access Improvements – Phase 1B
 - The Borough was notified by the NJDCA that a \$400,000.00 grant was allocated for the project.
 - The project was advertised for public bid on February 9, 2022 and the bid opening occurred on March 16, 2022 at 10:00 a.m.
 - The apparent low bidder was Fred M. Schiavone Construction, Inc. in the amount of \$1,105,814.50.
3. Reconstruction of Beach Avenue and Stanton Road
 - The Borough was notified that a grant in the amount of \$155,000.00 was allocated for the reconstruction of Beach Avenue from Crocus Road to Forget-Me-Not Road.
 - The Borough has been notified by the NJDOT that a grant in the amount of \$185,000.00 was allocated for the reconstruction of Stanton Road from the Beach to New Jersey Avenue.

- The contractor has completed all of the improvements on Beach Avenue and Stanton Road with exception of the paving of Beach Avenue final surface course.
 - Final paving of Beach Avenue is scheduled for the week of March 28th.
4. FY2020 NJDCA Small Cities Grant Application-Scoop Taylor Park
 - The contract was awarded to Command Company, Inc. in the amount of \$257,750.00.
 - All site work has been completed.
 - The installation of the Gazebo is complete and we are working toward project closeout.
 5. Beach Street End Public Access Improvements – Phase 1
 - The contract was awarded to Fred M. Schiavone Construction, Inc. in the amount of \$1,250,022.60.
 - All work is complete and we are in the process of project closeout.
 6. Fiscal Year 2019 NJDCA Small Cities Program – Renovations to the Old Library
 - The bid opening occurred on November 24, 2021 and the apparent low bidder was Joseph Porretta Builders, Inc. in the amount of \$1,918,713.00 for the Base Bid, Alternate Bid No. 1 and Alternate Bid No. 2.
 - Bi-weekly on site project meetings are occurring with contractor and Borough representation.
 - All structural framing, rough electrical, HVAC and plumbing have been completed and finish items are now starting.
 7. Fiscal Year 2022 NJDOT Municipal Aid Program
 - The Borough was notified by the NJDOT that the \$196,025.00 was allocated for the Reconstruction of Syracuse Avenue.
 - Our office provided a proposal to the Borough on December 7, 2021 and upon authorization, we will begin work.
 - Survey is complete and base mapping is in progress.

Dave McWilliams, New Jersey Avenue, inquired about the average cost of the street ends and the Engineer indicated that during Phase I the cost was approximately \$175,000 per street end and now approximately \$200,000 per street end. Mr. McWilliams then inquired about the beach boxes and when is too many to be on the beaches. The Mayor and Asst. Recreation Supervisor added that it is well received, and they sell out every year. There were approximately 400 doors and they just added 60 more. Commissioner Schiff added that when the configuration was changed to perpendicular to the ocean, it doesn't seem overcrowded, and it is much easier to navigate. He commended the Recreation Department on their efforts. Also, the boxes are now clustered between streets. The impending dune system must also be considered in the future with beach box placement.

CORRESPONDENCE:

Dave McWilliams, New Jersey Avenue, inquired about the fireworks ordinance recently introduced and the Solicitor indicated that it is only regulated to borough properties (beach and parks) and not on personal property. The Chief of Police added that our fire department has responded to multiple fires in the dunes and this ordinance will allow for enforcement.

PUBLIC COMMENTARY: N/A

DISCUSSION:

NEW BUSINESS-

-Hot Dog Vending: The Mayor indicated there was a request for hot dog vending and that we haven't had an active one since 2013.

Things to consider per the Borough Code: Section 40-32 (Regulations)

K. No vending unit shall the exclusive right to any location, nor shall it be permitted to operate in any congested area where the operation of the same might unreasonably impede the public movement.

R. No vending unit shall be permitted on property owned by the borough, except for sidewalks and streets, in the manner as regulated above.

Section 40-33 (Rotation of vending units)

...Each vending unit shall be allowed to remain in a designated location only one (1) calendar day at a time and must move to the next succeeding numbered location the next calendar day.

Moreover, any license(s) for hotdog vending would have to be provided in an equitable manner and the borough would need Green Acres approval to approve any lease in any of the parks.

The Solicitor added that it could be bid out and that no location can be used if within 200 feet of another food establishment. It was determined much more research is needed to move forward. The mayor asked that it be moved to Old Business for next meeting.

OLD BUSINESS –

-Back Beach Excavation: The area in question is from Rambler Road to Jefferson Avenue in the low-lying areas west of the dunes. There were discussions with the State using a permit for USACE project to include moving sand to the back beaches, but the DEP has not weighed in yet. The Engineer indicated he would provide a survey and an estimate on construction. They agreed to hold off for the time being on moving forward.

-Office Moves: The Chief indicated that a report would be forthcoming.

-NJ Lots / All Borough lots – costs vision: The Tax Assessor provided a list of Borough lots that were cumulatively valued at slightly below \$3,000,000 and if the Borough wanted to sell any or keep since the market is prime. The Commissioners agreed to move forward with selling the lot at Rosemary and Seaview avenues. This sale will be in accordance with NJ Open Public Contracts Law.

-Proposed Floodplain Ordinance – April 2nd at 11:00 am at Crest Pier

-Vision for Old Library – Lease specs to be provided shortly.

-Washington Avenue Flooding Issues: No movement.

-Flood Mitigation: Ties in with Proposed Floodplain Ordinance.

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

-Park Blvd. Pumping Station- application for FEMA Pre Disaster Mitigation Pump Stations: No movement, but this will be addressed at the Proposed Bulkhead Ordinance presentation.

PUBLIC COMMENTARY:

Commissioner Comments:

Commissioner Schiff – asked his department heads to give an update on their respective departments. Chief Lloyd spoke about monthly number of calls, call types, arrests, etc as well motor vehicle thefts on the rise, Distracted Driving Grant, Community Outreach Program, Class II officers, and the reaccreditation process.

Fire Chief Ron Harwood spoke about EMS calls, Fire Department calls, Fire Prevention violations, OEM assignments completed, and State Housing.

Commissioner Schiff indicated that Chief Johnson of the beach patrol will be at the next meeting to give a run down as well. Lastly, he thanked Francine for all the hard work on the budget.

Commissioner Franco thanked Joe Bond and the department of Public Works for their hard work on the court room renovations and to Francine for her hard work on the budget.

Mayor Cabrera added that we were designate a Healthy Town again and the Mayor's wellness walk will be May 14th at 8:30 a.m. He also thanked the Chief Financial Officer and all department heads for their work on the budget. The borough is proud to have invested in the employees, infrastructure and our surplus is strong.

Hearing nothing further, THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 22-150
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 9, 2022 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 _____

 x _____ **“(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 employees of the public body.

_____ **“(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 _____.

_____ **“(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.

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

Vote: Schiff - Franco – Cabrera – YES

There was a five-minute break before going into closed session.

After the closed session ended at 7:10 pm, the Clerk went back into Open Session and hearing nothing further from the public, Mr. Schiff motioned and Mr. Franco seconded that the meeting be adjourned. All were in favor. The time was 7:10 p.m.

Dated: April 27, 2022

Patricia A. Feketics, Borough Clerk

