

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

April 26, 2023

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

The meeting of the Board of Commissioners, Borough of Wildwood Crest, Cape May County, New Jersey, was held at Borough Hall at 5:00 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 December 7, 2022.

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

The Mayor indicated that the meeting was being streamed online via the Borough’s Facebook page and youtube channel due to scheduling conflicts and if there were any questions, please call the Clerk.

THE CLERK READS THE ORDINANCE BY TITLE:

ORDINANCE NO. 1400

BOND ORDINANCE APPROPRIATING \$6,600,000, AND AUTHORIZING THE ISSUANCE OF \$6,177,415 BONDS OR NOTES OF THE BOROUGH, FOR VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE BOROUGH OF WILDWOOD CREST, IN THE COUNTY OF CAPE MAY, NEW JERSEY.

Mr. Franco motions, Mr. Schiff seconds that Ordinance No. 1400 be passed on first reading, advertised according to law, be brought up for second and final reading and public hearing on May 24, 2023 at 5:00 pm.

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 23-130

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AMENDING THE 2023 CAPITAL BUDGET

WHEREAS, the local capital budget for the year 2023 was adopted on the 5th day of April, 2023; and

WHEREAS, it is desired to amend said adopted capital budget section.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey, that the following amendments to the capital budget of 2023 be made:

RECORDED				ABSTAIN { None
VOTE	AYES	{ Schiff	NAYS	{ None
		Franco		ABSENT { None
		Cabrera		

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services.

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 23-131

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING THE APPOINTMENT OF FOUR (4) CLASS II POLICE OFFICERS

WHEREAS, the Commissioner of Public Safety desires to appoint four (4) Class II Police Officers for the Borough of Wildwood Crest; and

WHEREAS, it is the desire of the Commissioner of Public Safety to appoint **Logan Burke, Anthony Roberto, William Soma, and Ernest Troiano IV** as Class II Police Officers for the Borough of Wildwood Crest, to serve in an “at-will” capacity at the pleasure of the Commissioner of Public Safety at an annual salary as contained in the current year salary ordinance of the Borough of Wildwood Crest; and

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest has determined that it is in the best interests of the Borough of Wildwood Crest to confirm and ratify the appointment of **Logan Burke, Anthony Roberto, William Soma, and Ernest Troiano IV** as Class II Police Officers.

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

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

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 23-132

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST, COUNTY OF CAPE MAY, STATE OF NEW JERSEY AUTHORIZING THE RE-APPOINTMENT OF JASON HESLEY, TAX ASSESSOR WITH TENURE

WHEREAS, N.J.S.A. 40A:9-148 requires every municipality to provide for the appointment of a Tax Assessor; and

WHEREAS, it is the desire of the Board of Commissioners of the Borough of Wildwood Crest to re-appoint Jason Hesley for the term of office commencing July 1, 2023 and granting the Tax Assessor tenure in his/her position pursuant to N.J.S.A. 40A:9-148; and

WHEREAS, the assessor will hold public office hours on **(Mondays, Wednesdays & Thursdays)** from **(6:00 PM)** to **(9:00 PM)**;

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

1. The above recital paragraphs are incorporated herein as if fully set forth at length.
2. Jason Hesley is hereby re-appointed to the position of Tax Assessor for the term of office commencing July 1, 2023 granting the Tax Assessor tenure in his/her position pursuant to N.J.S.A. 40A:9-148.
3. Certified copies of said Resolution shall be forwarded to the following:

Director, Division of Taxation
Administrator, Board of Taxation
Administrator of the Municipality
Tax Assessor

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 23-133

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST DESIGNATING CONSTANCE MAHON AS PUBLIC AGENCY COMPLIANCE OFFICER FOR 2023

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

WHEREAS, Constance A. Mahon was designated Public Agency Compliance Officer (P.A.C.O.) for the Borough of Wildwood Crest on January 27, 2021 via Resolution No. 21-64; and

WHEREAS, it is the desire of the Board of Commissioners to once again designate Constance A. Mahon, the Borough Administrator, as the Public Agency Compliance Officer (P.A.C.O.) in 2023.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, State of New Jersey, that Constance Mahon, Borough Administrator, is hereby designated as Public Agency Compliance Officer (P.A.C.O.) for the Borough of Wildwood Crest, New Jersey.

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 23-134

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING EXPENDITURE TO PURCHASE 200 DOME TOP LITTER CONTAINERS WITH GRAVITY LATCH AND RECYCLING INSERTS FOR PUBLIC WORKS DEPARTMENT UNDER SOURCEWELL COOPERATIVE PURCHASING PROGRAM

WHEREAS, pursuant to N.J.S.A 40A:11-12A and N.J.A.C. 5:34-7.29(c), the Borough may, by resolution and without advertising for bids, purchase goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

WHEREAS, the Borough of Wildwood Crest is in need of a 200 Dome Top Litter Containers with gravity latch and Recycling Inserts for the Public Works Department; and

WHEREAS, the procurement of goods and services through a cooperative purchasing program is considered to be an open and fair process under the New Jersey Pay-To-Play Law N.J.S.A 19:44A-20.4 et seq.; and

WHEREAS, Toter LLC, (Sourcewell Contract # 041521-TOT) 841 Meacham Road, Statesville, NC 28677 has provided a quote dated March 15, 2023 for \$79,231.00; and

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

Account Number(s) _____ Amount \$ _____

Signature _____

NOW THEREFOR, 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 200 Dome Top Litter Containers with gravity latch and Recycling Inserts for Public Works Department based upon the price quote on March 15, 2023 from Toter LLC. (Sourcewell Contract # 041521-TOT) in an amount not to exceed \$79,231.00.

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 200 Dome Top Litter Containers with gravity latch and Recycling Inserts for Public Works Department based upon the price quote on March 15, 2023 from Toter LLC. (Sourcewell Contract # 041521-TOT) in an amount not to exceed \$79,231.00.

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 23-135

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR DONATIONS FOR THE CREST ARTS PAVILION FUND AS REQUIRED BY N.J.S.A. 40A:4-39 AND N.J.S.A. 40A:5-29

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by county or municipality when the revenue is not subject to reasonably accurate estimates in advance; and

WHEREAS, donations received for the specific purpose of improvements to the Crest Arts Pavilion are authorized by N.J.S.A. 40A:5-29; and

WHEREAS, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from the donations collected for the Crest Arts Pavilion by the Borough of Wildwood Crest are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement.

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 Board of Commissioners of the Borough of Wildwood Crest does hereby request permission of the Director of the Division of Local Government Services to pay expenditures related to the Crest Arts Pavilion required by N.J.S.A. 40A:5-29 and N.J.S.A. 40A:4-39.
2. The Municipal Clerk of the Borough of Wildwood Crest, County of Cape May, is hereby directed to forward two certified copies of this Resolution to the Director of Division of Local Government Services.

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 23-136

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR A DONATION FOR THE CREST ARTS PAVILION FUND RECEIVED IN MEMORY OF THOMAS RIDINGS AS REQUIRED BY N.J.S.A. 40A:4-39 AND N.J.S.A. 40A:5-29

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by county or municipality when the revenue is not subject to reasonably accurate estimates in advance; and

WHEREAS, donations received for the specific purpose of improvements to the Crest Arts Pavilion are authorized by N.J.S.A. 40A:5-29; and

WHEREAS, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from a donation collected for the Crest Arts Pavilion in memory of Thomas Ridings by the Borough of Wildwood Crest are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement:

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 Board of Commissioners of the Borough of Wildwood Crest does hereby request permission of the Director of the Division of Local Government Services to pay expenditures related to the Crest Arts Pavilion required by N.J.S.A. 40A:4-39 and N.J.S.A. 40A:5-29.
2. The Municipal Clerk of the Borough of Wildwood Crest, County of Cape May, is hereby directed to forward two certified copies of this Resolution to the Director of Division of Local Government Services.

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 23-137

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD AUTHORIZING REFUND OF PROPERTY TAXES OR UTILITIES OVERPAYMENT IN THE AMOUNT OF \$134.00 FOR PROPERTY LOCATED AT 401 EAST STANTON ROAD MADE PAYABLE TO SHARON HOGAN

WHEREAS, the Tax Collector of the Borough of Wildwood Crest collected from the property owner or it's designee an excess amount on 2023 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.

	Amount
96.02-1-C0103 Sharon Hogan	
Account 3979-0 401 East Stanton Avenue	\$134.00
2023 Sewer	Previous owner had direct debit. Account charged
	In error
	Refund overpayment to Sharon Hogan
	97 Green Knolls Drive
	Wayne, New Jersey 07470

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, State of New Jersey, that the Chief Financial Officer is hereby authorized to execute said refund as soon as practicable and the Tax Collector shall mark the records accordingly to reflect said refund as per the meeting on April 26, 2023.

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 23-138

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING ADVERTISEMENT OF NOTICE OF OPEN PUBLIC BIDDING AT AUCTION FOR A LEASE OF THE CREST ARTS PAVILION CAFÉ PURSUANT TO N.J.S.A. 40A:12-14(a) OF THE LOCAL LANDS AND BUILDING LAW

WHEREAS, the Borough of Wildwood Crest is the owner of certain property and improvements owned by the Borough known as the Crest Arts Pavilion located at 6301 Ocean Avenue, Borough of Wildwood Crest, and designated as Lots 1 through 8 in Block 42.04 on the municipal tax map which contains a Café area that is not needed for public purposes (the “Café”); and

WHEREAS, it is in the best interest of the Borough to lease the Café by public auction pursuant to N.J.S.A. 40A:12-14(a).

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, in the County of Cape May, New Jersey, that the Borough Clerk is hereby authorized to advertise this Notice to Bidders in *The Herald of Cape May County* on May 3, 2023 and May 10, 2023 subject to the following conditions:

1. The foregoing recitals are incorporated as if set forth at length.
2. There shall be a live open public bidding by auction which shall take place on Thursday, June 1, 2023 commencing at 10:00 a.m. in accordance with the rules and procedures set forth herein at Borough Hall, located at 6101 Pacific Avenue, Wildwood Crest, NJ 08260.
3. The Municipal Clerk (the “Auctioneer”) will advertise this Notice of the open public bidding by auction and the method of bidding by publication in the official newspaper by two insertions at least once a week during two consecutive weeks; the last publication to be not earlier than seven days prior to the auction.
 - a. All bidders may access the Café during normal business hours to inspect the Café. Bidders must call the Municipal Clerk at (609) 729-8040 to make an appointment to do so.
4. The bidding for the Café shall commence at the starting minimum bid of \$52,500.00 for three year lease term and minimum bid of \$5,000.00 per year for the right to sell coffee on the beach as set forth in the Specifications & General Requirements For Lease of the Crest Arts Pavilion Café which is available in the Municipal Clerk’s Office, Borough Hall, located at 6101 Pacific Avenue, Wildwood Crest, NJ 08260. All of the terms, conditions, restrictions and limitations upon the tenancy subject to the lease are set forth in the lease agreement which is part of the Specifications & General Requirements For Lease of the Crest Arts Pavilion Café, the terms and conditions of which are incorporated herein as if set forth in full.
5. The Borough shall have the right to remove the Café from the auction for any reason whatsoever until the time of the auction. Notice of such removal will be posted prior to the commencement of the auction.
6. All interested bidders are required to register for the auction with the Borough Clerk. **NO BIDDER WILL BE PERMITTED TO REGISTER LATER THAN 10:00 a.m. ON THE DAY PRIOR TO THE AUCTION.** Under no circumstances shall any individual be permitted to bid under another registered bidder’s name. Failure to comply with this prohibition may result in the disqualification of the registered bidder from the auction, and any award to such registered bidder

may be re-bid and the bid, lease agreement, award for the café may be declared null and void. Registration requires a driver's license or official government-issued photo identification. All registered bidders will be assigned a unique identification number for the auction.

- 7. Bidders have the responsibility for making distinct, clearly recognizable bids. Only bids from registered bidders shall be valid. All bidders agree that bids made during the auction are firm and irrevocable. In the event of an irregularity, misunderstanding, or other issue occurring during an auction, the auctioneer has the discretion to void all bids and restart the auction.
- 8. All bids shall be arrived at independently without collusion, consultation, communication, or agreement with any other potential bidder for the purpose of restricting competition.
- 9. The award will be made to the highest bidder. The Auctioneer's strike of the gavel shall conclude bidding, any bid made after the gavel strike shall not be a valid bid.
- 10. Immediately following the announcement of a winning bid, the successful bidder shall place a deposit by in the form of cash, money order or other certified same day funds, in the amount of ten (10%) percent of the total amount of the bid (but not in excess of \$20,000.00) per N.J.S.A. 40A:11-21 in accordance with the Specifications & General Requirements For Lease of the Crest Arts Pavilion Café.
- 11. Notwithstanding the foregoing, the Borough expressly reserves the right pursuant to N.J.S.A. 40A:12-14(a) to reject all bids where the highest bid is not accepted. Upon the completion of the bidding, the highest bid may be accepted or all of the bids may be rejected. Acceptance or rejection of the bid or bids shall be made not later than at the second regular meeting of the governing body following the completion of the bidding, and, if the governing body shall not so accept such highest bid, or reject all bids, said bids shall be deemed to have been rejected. Any such award may be adjourned at the time advertised for not more than one week without readvertising. The Borough reserves the right to accept or reject any or all bids in the best interest of the Borough, including bids under which a bidder would take unfair advantage of the Borough or other bidders, and further reserves the right to waive any technical defects in bids.
- 12. The successful bidder shall be obligated to execute the lease agreement with the Borough within TEN (10) business days after the auction, failure to execute the lease agreement the Borough may deem the award and bid null and void, and shall entitle the Borough in its sole discretion to retain the deposit.

Mr. Schiff motions, and Mr. Franco seconds that the foregoing resolution be adopted.
Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:
RESOLUTION NO. 23-139

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING AMENDMENT TO THE 2023 MUNICIPAL BUDGET TO ACCOUNT FOR ADDITIONAL FUNDING FROM THE ATLANTIC COUNTY MUNICIPAL JOINT INSURANCE FUND SAFETY INCENTIVE PROGRAM

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by any public or private funding source and the amount thereof shall not have been determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount; and

WHEREAS, the Borough of Wildwood Crest will receive \$ 2,500.00 from the Atlantic County Municipal Joint Insurance Fund for the ACMJIF Safety Incentive Program and wishes to amend its 2023 Municipal Budget to include this amount of revenue.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey, does hereby request the Director of the Division of Local Government services to approve the insertion of an item of revenue in the municipal budget of the Borough of Wildwood Crest for the year 2023 in the sum of \$ 2,500.00 which is now available as a revenue from:

Miscellaneous Revenues	
Special Items of General Revenue Anticipated with Prior Written Consent of the Director of the Division of Local Government Services - Public and Private Revenues Offset with Appropriations:	
Atlantic County Municipal JIF Safety Incentive	\$ 2,500.00

BE IT FURTHER RESOLVED that a like sum of \$.....2,500.00 be and the same is hereby appropriated under the caption of:
GENERAL APPROPRIATIONS

- (a) Operations Excluded from Caps
 - Public and Private Programs Offset by Revenues:
 - Atlantic County Municipal JIF Safety Incentive

BE IT FURTHER RESOLVED that the Borough CFO is hereby authorized and directed to electronically file this Resolution and applicable submittal form with the Director of the Division of Local Government Services for approval.

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 23-140

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING AMENDMENT TO THE 2023 MUNICIPAL BUDGET TO ACCOUNT FOR ADDITIONAL FUNDING FROM THE ATLANTIC COUNTY MUNICIPAL JOINT INSURANCE FUND WELLNESS INCENTIVE PROGRAM

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by any public or private funding source and the amount thereof shall not have been determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount; and

WHEREAS, the Borough of Wildwood Crest will receive \$ 1,000.00 from the Atlantic County Municipal Joint Insurance Fund for the ACMJIF Wellness Incentive Program and wishes to amend its 2023 Municipal Budget to include this amount of revenue.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey, does hereby request the Director of the Division of Local Government services to approve the insertion of an item of revenue in the municipal budget of the Borough of Wildwood Crest for the year 2023 in the sum of \$ 1,000.00

which is now available as a revenue from:

Miscellaneous Revenues	
Special Items of General Revenue Anticipated with Prior Written Consent of the Director of the Division of Local Government Services - Public and Private Revenues Offset with Appropriations:	
Atlantic County Municipal JIF Wellness Incentive	\$ 1,000.00

BE IT FURTHER RESOLVED that a like sum of \$.....1,000.00
be and the same is hereby appropriated under the caption of:

GENERAL APPROPRIATIONS

- (a) Operations Excluded from Caps
 - Public and Private Programs Offset by Revenues:
 - Atlantic County Municipal JIF Wellness Incentive

BE IT FURTHER RESOLVED that the Borough CFO is hereby authorized and directed to electronically file this Resolution and applicable submittal form with the Director of the Division of Local Government Services for approval.

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 23-141

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING AMENDMENT TO THE 2023 MUNICIPAL BUDGET TO ACCOUNT FOR ADDITIONAL FUNDING FROM THE CAPE MAY COUNTY MUNICIPAL UTILITIES AUTHORITY FOR 2021 RECYCLING

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by any public or private funding source and the amount thereof shall not have been determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount; and

WHEREAS, the Borough of Wildwood Crest will receive \$ 50,237.96 from the Cape May County Municipal Utilities Authority for 2021 Recycling and wishes to amend its 2023 Municipal Budget to include this amount of revenue.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey, does hereby request the Director of the Division of Local Government services to approve the insertion of an item of revenue in the municipal budget of the Borough of Wildwood Crest for the year 2023 in the sum of \$ 50,237.96

which is now available as a revenue from:

Miscellaneous Revenues
Special Items of General Revenue Anticipated with
Prior Written Consent of the Director of the Division
of Local Government Services - Public and Private
Revenues Offset with Appropriations:
Cape May County Municipal Utilities Authority
2021 Recycling \$.....50,237.96

BE IT FURTHER RESOLVED that a like sum of \$.....50,237.96
be and the same is hereby appropriated under the caption of:

GENERAL APPROPRIATIONS
(a) Operations Excluded from Caps
Public and Private Programs Offset by Revenues:
Cape May County Municipal Utilities Authority
2021 Recycling

BE IT FURTHER RESOLVED that the Borough CFO is hereby authorized and directed to electronically file this Resolution and applicable submittal form with the Director of the Division of Local Government Services for approval.

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 23-142
**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF
WILDWOOD CREST AUTHORIZING PEDDLING TRUCK LICENSE TO BIG TOP ICE
CREAM LLC FOR 2023**

WHEREAS, Section 40-16, et. seq., of the Code of the Borough of Wildwood Crest, County of Cape May, State of New Jersey, sets forth the pertinent law regarding the issuance of licenses to persons, firms or corporations desiring to engage in the peddling and soliciting of Ice Cream Products and Fruits/Vegetables within the Borough of Wildwood Crest; and

WHEREAS, BIG TOP ICE CREAM LLC applied for renewal of Ice Cream Peddling License and has fulfilled all requirements for renewal of license; and

WHEREAS, Review of the qualifications of applicant for said license has been made.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest that an Ice Cream Peddling license for the balance of calendar year 2022 is hereby authorized to be issued to Big Top Ice Cream LLC, 8338 Torresdale Ave, Philadelphia, PA 19136.

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 23-143
**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF
WILDWOOD CREST GRANTING AN ADJUSTED 2023 SEWER BILL FOR THE
PROPERTY AT 97 WEST MYRTLE ROAD**

WHEREAS, the owner of the property at 97 West Myrtle Road has applied to Wildwood Water Utility for a leak adjustment,

WHEREAS, Wildwood Water Utility has certified to the Borough of Wildwood Crest that the property owner has supplied all necessary documentation to obtain a leak adjustment,

WHEREAS, the property at 97 West Myrtle Road is new construction and has no prior year’s water reading to issue a five-year weighted average sewer bill, but does have water consumption reported for the year 2022,

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, State of New Jersey, hereby authorize the Tax Collector of the Borough of Wildwood Crest to bill the property at 97 West Myrtle Road an adjusted 2023 sewer bill in accordance with our previously established 2023 sewer rates and using the adjusted 2022 water meter readings certified to us from Wildwood Water Utility.

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

Vote: Schiff - Franco – Cabrera – YES

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

Vote: Schiff - Franco – Cabrera – YES

REPORTS: Mr. Franco motions, and Mr. Schiff seconded that 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 March 31, 2023 be accepted as presented.

Vote: Schiff - Franco – Cabrera – YES

MINUTES: Mr. Schiff motions, and Mr. Franco seconded that all minutes from the Commission meetings dated March 22, 2023 and April 5, 2023 be approved as presented.

Vote: Schiff - Franco – Cabrera – YES

First Responder Reports: Chief Robert Lloyd (PD) and Ron Harwood (other)

Chief Robert Lloyd gave a run down on recent activity from the previous month to note:

Calls for Service: 1,514

Criminal Investigations: 252

Service Calls: 286

Traffic: 291

Arrests: 9

Ron Harwood was next up and briefed all on the following:

Office of OEM: Updated the 2021 CMC Hazard Mitigation Plan filed with Tetra Tech.

Fire Prevention: Total Inspections were 458 and Smoke Detector Inspections were 6.

The Fire Inspection Bureau has a total of 3250 local Fire Inspections and 64 Life Hazard Fire Inspections required under the state of New Jersey Uniform Fire Code.

EMS: Total Calls: 61

Volunteer Fire Co: Total Incidents: 17

ENGINEER'S REPORT:

Date: April 26, 2023

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.
 - All concrete and utility work on Cardinal Avenue has been completed and the base course paving is scheduled to be completed by April 28th.
2. **FY 2023 NJDOT Municipal Aid Program – Reconstruction of Orchid Road**
 - The Borough has been allotted a \$170,085.00 grant from the NJDOT.
 - Our office submitted a proposal on December 1, 2022 to design the project. Upon authorization from the Township, we are prepared to start work immediately.
3. **NJDEP CAFRA Permit for Beachfront Improvements, Sand Back Passing and Dune Maintenance Activities**
 - The application has been submitted and deemed administratively complete.
 - The application has been deemed complete for public comment period.
 - The public comment period ended on March 16, 2023 and the NJDEP has until March 30, 2023 to deem it complete for final review.
 - The 90-day statutory decision deadline on this application is May 15, 2023.
4. **Fiscal Year 2019 NJDCA Small Cities Program – Renovations to the Crest Arts Pavilion**
 - 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.
 - The Atlantic City Electric utility pole has been installed, the electrical power to the building has been established and the project has entered the punchlist phase.

5. Fiscal Year 2022 NJDOT Municipal Aid Program – Reconstruction of Syracuse Avenue
 - The Borough was notified by the NJDOT that \$196,025.00 was allocated for the Reconstruction of Syracuse Avenue.
 - The bid opening occurred on October 19, 2022 and the apparent low bidder was Asphalt Paving Systems, Inc. in the amount of \$2,193,300.00.
 - All work on Syracuse Avenue is completed.
 - The final surface course paving is scheduled for the week of May 1st.
 - The contractor is currently installing concrete on Bayview Drive and base paving is scheduled for the week of May 7th.
6. Beach Patrol Headquarter Renovations-Readvertised
 - The project was re-advertised for public bid on March 1, 2023 and the apparent low bidder was Straga Brothers in the amount of \$2,054,334.00 for the Base Bid plus Alternate Bid 1 and Alternate Bid 2.
 - The contractor has mobilized to the site and has started demolition.
7. Beach Street End Public Access Improvements – Phase 2
 - The bid opening occurred on February 1, 2023, and the apparent low bidder was Fred M. Schiavone Construction, Inc. in the amount of \$3,228,065.20.
 - All eleven (11) street end decking and ramps have been installed.
 - The water main extensions at Orchid Road and Stockton Road have been completed.
 - The contractor is in the process of installing all of the handrails and remaining water main extensions.
8. Von Savage Pool – Pool and Roof Repairs
 - The bid opening occurred on March 9, 2023 and the apparent low bidder was Capri Construction in the amount of \$1,267,500.00.
 - A pre-construction meeting was held on March 30th and construction is scheduled to begin on August 15, 2023.
9. Public Works Roof Repairs
 - Our office has completed bid documents and are ready for public bidding when authorized by the Borough.
10. Bayside Bulkhead Replacement and Flood Mitigation Improvements
 - The Borough wants to replace or elevate the eleven (11) existing bayside street end bulkheads from Cardinal Road to Primrose Road and implement flood mitigation improvements along the bayside from Cresse Avenue to Rambler Road. It is our understanding that the Borough would like to complete the improvements in a phased manner and initiate the first phase of the bulkhead replacements in the Fall 2023 with construction completed by Spring 2024.
 - Our office has completed the survey of the bayside street ends and are currently in the base mapping and permitting phase.

Dave McWilliams, homeowner, very pleased with the beach bump outs.

ADMINISTRATOR'S REPORT:

Administrator's Report
April 26, 2023

ONGOING AND UPCOMING PROJECTS

Beach End Bump Outs

Decks are nearly complete at all 11 street ends: Toledo, St. Paul, Monterey, Miami, Louisville, Nashville, Atlanta, Farragut, Stanton, Stockton, and Orchid. The contractor is doing a great job and is working quickly to avoid unnecessary disruption to business and activity in the construction area. Amenities such as shade structures, showers and benches were ordered by the contractor and have some significant lead times. They will be installed as they arrive.

Crest Arts Pavilion

After a very successful art show hosted by the Creative Arts Council, we are now down to just a few punch list items to complete the interior of this building. We expect to open it to the public on May 1st. Our Cape May County Open Spaces application to fund the exterior site improvements is now in its final stage. We hope to make some temporary landscaping improvements in the very near future to get us through this summer and until our award is announced and we can go out to bid.

Pacific Avenue

Final striping has been completed and the road is open to travel. This county project was completed ahead of schedule and looks great.

Hereford Inlet to Cape May Inlet Beach and Dune Construction

The DEP is currently acquiring easements. We are expecting this project to be in construction in late 2024 or early 2025.

New Jersey Avenue

The County Engineer has informed us that we should start the infrastructure work in fall 2024 in advance of their plans to start the reconstruction of New Jersey Avenue in the spring of 2025. This project is expected to take two years. We have circulated a draft of the final plans from the county engineer so that we can formally approve them at our next meeting.

Sunset Lake- State Channel Dredging

We continue to work with the NJDOT's Office of Maritime Resources, the NJDEP Office of Sediment and Dredging Technology 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.

CAFRA Applications

We expect to hear back from DEP on our current CAFRA IP permit on or before May 15th.

Washington Avenue BRIC Planning Study

DeBlasio and Associates has been authorized to perform a study of the Washington Avenue flooding issues. This is being funded by a \$70,875 FEMA grant. The borough's contribution of \$70,875 is \$23,625.

EV Charging Stations

We have been given a one-year extension on our Tourism Grant and Clean Energy Grant. These two grants will provide funding toward the purchase and installation of level 2 chargers for 6301 Ocean Avenue, and DCFC (fast chargers) for 8800 New Jersey Avenue and 5800 Ocean Avenue, and \$4,000 incentive grants for 2 Chevy Bolts.

FY2023 DCA-Small Cities ADA Grant

We just received word that our FY2023 DCA Small Cities Grant application was approved in the amount of \$342,720. These funds will be used to renovate the 3 bathrooms in the municipal building and 3 bathrooms at the Crest Pier.

The mayor added that the Administrator and Public Works started to clean up New Jersey Avenue and it looks great. Brandon's Pancake House & Ice Cream Parlor recently opened up and that another new business "BeSoul Wellness Studio" will have a Grand Opening on May 12th and he encouraged the rest of the work in that area.

CORRESPONDENCE:**PUBLIC COMMENTARY:**

N/A

DISCUSSION:**NEW BUSINESS:**

N/A

OLD BUSINESS:

- Traffic Study-hold
- Code Enforcement Personnel- No movement
- Crest Arts Pavilion: Authorized Café Lease at tonight's meeting and Remove topic for next meeting.
- Back Beach Excavation: On Hold until we hear from USACE and DEP on new dune.
- Flood Mitigation Projects: We are tracking as planned. (topic can be consolidated with Bayside and outfalls) so Remove for next meeting.
- Dredging: The Administrator covered in her report.
- CAFRA Permit: The permit is in the technical review stage with the DEP and hopefully within the first two weeks of May. Then sand blowing over bulkhead and sand on fishing pier can be addressed.
- NJ Avenue infrastructure pre-county: Drawings have been submitted and comments should be directed to the Administrator. A resolution should be on the next meeting for approval.
- PW roof: Awaiting funding...hopefully by fall.
- Borough hall exterior and addition – office moves: Previously discussed.
- Bayside outfalls and capacity / bulkhead repairs / replacement: Previously discussed.
- Arts Pavilion Exterior – with CMCOS: Formal application was filed.
- Washington / Seaview – beach outfalls and capacity: Study should be complete within 3 weeks as per Engineer.
- Update Landscaping and add lighting in Business district -NJ- The mayor discussed.

PUBLIC COMMENTARY:

Joe Viscomi, homeowner, stressed the importance of zoning rules and regulations to avoid over building. He asked that they continue to stick to the rules and asked they remind the Planning board not to overuse the variance procedure and that the borough is doing quite well.

Dave McWilliams, homeowner, thanked everyone for their help with cleaning up neighbor's property. He asked the governing body to consider dogs once again on the beach during the summer season. The mayor indicated it was previously discussed and they seemed to be

fundamentally ok with the idea. He wanted to touch base with Beach Patrol, Public Works, and Police to have them weigh in. They may consider before 9 am and after the lifeguards are off duty.

Commissioner Comments

Commissioner Schiff: Congratulations to our own Code Enforcement Official, James Grauel, on his retirement from the Wildwood Fire Department.

Commissioner Franco: Great job on the budget to CFO and staff for keeping Wildwood Crest fiscally responsible with under a penny increase and Congratulations to James Grauel.

Mayor Cabrera: On April 29, 2023, the Mayor’s Wellness Walk will take place and all are encouraged to attend and to show up at 8:15 a.m. at Crest Pier. Stay tuned in case it get cancelled due to inclement weather.

May 6th will start a weight class at the Crest Arts Pavilion, and all are invited to attend free of charge.

The borough authorized two dedications by rider resolutions for the CAP (one in memory of Thomas Ridings). The borough can use \$8,000 on improvements and \$2,000 in on going fund, if anyone is interested in donating.

The mayor added that the Pickleball courts are now open even though they are under construction with a shade structure expected to be in place by June.

The mayor also added that the borough is allowing the Youth & Junior Triathlon to use the pool in collaboration with cape may county schools to learn about triathlon.

The borough was recently awarded a grant in the amount of \$342,000 for upgrading bathrooms. Lastly, the borough wide yard sale will take place May 6th.

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 23-144

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) LITIGATION UPDATE AND TWO POTENTIAL LITIGATION ISSUES

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

Vote: Schiff - Franco – Cabrera – YES

After returning from Closed session and hearing nothing further from the public, Mr. Schiff motioned and Mr. Cabrera seconded that the meeting be adjourned. All were in favor. The time was 7:20 p.m.

Dated: May 24, 2023

Patricia A. Feketics, Borough Clerk

