

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

April 30, 2025

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 of Atlantic City on October 15, 2024.

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

Mr. Franco motioned and Mr. Schiff seconded that Ordinance No. 1453 be passed on second reading and final passage by title only.

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING ORDINANCE BY TITLE:

**ORDINANCE NO. 1453  
ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 35,  
FIRE PREVENTION, ARTICLE III ADMINISTRATION, SECTION 35-  
18 ADDITIONAL REQUIRED INSPECTIONS AND FEES**

Mr. Franco motioned and Mr. Schiff seconded that a public hearing now be held on Ordinance No. 1453.

Vote: Schiff - Franco – Cabrera – YES

After hearing nothing from the public, Mr. Franco motioned and Mr. Schiff seconded that public hearing on Ordinance No. 1453 now be closed.

Vote: Schiff - Franco – Cabrera – YES

Mr. Franco motioned and Mr. Schiff seconded that Ordinance No. 1453 be passed on second and final reading and advertised according to law.

Vote: Schiff - Franco – Cabrera – YES

Mr. Franco motioned and Mr. Schiff seconded that Ordinance No. 1454 be passed on second reading and final passage by title only.

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING ORDINANCE BY TITLE:

**ORDINANCE NO. 1454  
ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 56A  
RENTAL PROPERTIES, AMENDING SECTION 56A-12.1  
OCCUPANCY LIMITATIONS FOR RENTAL UNITS**

Mr. Franco motioned and Mr. Schiff seconded that a public hearing now be held on Ordinance No. 1454.

Vote: Schiff - Franco – Cabrera – YES

Claire Vernaleken thanked the governing body for their efforts with this ordinance. She asked how the ordinance will be enforced and the Mayor indicated that he hoped this would allow us to catch it prior to problem houses and to call code, police and fire if applicable. It was made known that the ordinance would be effective on May 28<sup>th</sup>.

Donald Murphy inquired if anyone could make their property an Air BnB and wanted to know where all of the cars would go. He was told to contact code and police if there were issues.

Lisa Rippo asked if the person should call 9-1-1 and the Solicitor advised Ms. Rippo that he has advised the governing body to not answer and she is a litigant and has filed a suit against the borough and she is a defendant that has been charged criminally.

After hearing nothing from the public, Mr. Franco motioned and Mr. Schiff seconded that public hearing on Ordinance No. 1454 now be closed.

Vote: Schiff - Franco – Cabrera – YES

Mr. Franco motioned and Mr. Schiff seconded that Ordinance No. 1454 be passed on second and final reading and advertised according to law.

Vote: Schiff - Franco – Cabrera – YES

Mr. Franco motioned and Mr. Schiff seconded that Ordinance No. 1455 be passed on second reading and final passage by title only.

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING ORDINANCE BY TITLE:

**ORDINANCE NO. 1455**

**ORDINANCE OF THE BOROUGH OF WILDWOOD CREST AMENDING AND SUPPLEMENTING CHAPTER 8 BEACH AND DUNES OF THE CODE OF THE BOROUGH OF WILDWOOD CREST TO PROVIDE FOR A METHOD OF IDENTIFYING VEHICLES THAT ARE AUTHORIZED TO OPERATE ON THE BEACH**

Mr. Franco motioned and Mr. Schiff seconded that a public hearing now be held on Ordinance No. 1455.

Vote: Schiff - Franco – Cabrera – YES

After hearing nothing from the public, Mr. Franco motioned and Mr. Schiff seconded that public hearing on Ordinance No. 1455 now be closed.

Vote: Schiff - Franco – Cabrera – YES

Mr. Franco motioned and Mr. Schiff seconded that Ordinance No. 1455 be passed on second and final reading and advertised according to law.

Vote: Schiff - Franco – Cabrera – YES

Mr. Franco motioned and Mr. Schiff seconded that Ordinance No. 1456 be passed on second reading and final passage by title only.

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING ORDINANCE BY TITLE:

**ORDINANCE NO. 1456**

**ORDINANCE OF THE BOROUGH OF WILDWOOD CREST AMENDING AND SUPPLEMENTING CHAPTER 47A PARKS OF THE CODE OF THE BOROUGH OF WILDWOOD CREST TO PROVIDE FOR FURTHER RULES AND REGULATIONS AT BASKETBALL COURTS AND PICKLEBALL AND TENNIS COURTS**

Mr. Franco motioned and Mr. Schiff seconded that a public hearing now be held on Ordinance No. 1456.

Vote: Schiff - Franco – Cabrera – YES

Donald Murphy inquired if this would affect fishing permits and it was relayed that this does not interfere with fishing permits since you can use them from October through April.

After hearing nothing from the public, Mr. Franco motioned and Mr. Schiff seconded that public hearing on Ordinance No. 1456 now be closed.

Vote: Schiff - Franco – Cabrera – YES

Mr. Franco motioned and Mr. Schiff seconded that Ordinance No. 1456 be passed on second and final reading and advertised according to law.

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

**RESOLUTION NO. 25-125**

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST ACCEPTING WORK PERFORMED AND AUTHORIZING RELEASE OF PERFORMANCE BOND AND ACCEPTING MAINTENANCE BOND FOR THE BEACH PATROL HEADQUARTERS RENOVATIONS CONTRACT**

**WHEREAS**, the contract for the **BEACH PATROL HEADQUARTERS RENOVATIONS** was awarded to STRAGA BROTHERS, Inc., PO Box 216, Glassboro, New Jersey 08028 via Resolution No. 23-101 on March 8, 2023; and

**WHEREAS**, **Straga Brothers, Inc.**, posted a **Performance Bond No.: 2343452** from **SWISS RE CORPORATE SOLUTIONS AMERICA INSURANCE COMPANY** in the amount of **\$2,054,334.00** ensuring the Borough of Wildwood Crest; and

**WHEREAS**, the Borough's project engineer, Marc DeBlasio, P.E., P.P., C.M.E. of DeBlasio & Associates, P.C., by letter dated April 3, 2025 which is incorporated herein, reports to the Borough that **Straga Brothers, Inc.**, has completed the project in substantial conformance with the contract documents including all approved change orders, field modifications and accepted as-built plans; and

**WHEREAS**, the project engineer further recommends that the Borough release the performance bond and accept the submitted **Maintenance Bond No.: 2343452** from **SWISS RE CORPORATE SOLUTIONS AMERICA INSURANCE COMPANY** in the amount of \$2,211,597.39.

**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. That the plan and design as set forth in the Specifications prepared by **DeBlasio & Associates, P.C.**, as modified by approved change orders, field modifications and as depicted in the accepted as-built plans for the **BEACH PATROL HEADQUARTERS RENOVATIONS** are hereby approved and accepted.
3. That the above improvements performed by **Straga Brothers, Inc.** are hereby approved and accepted.
4. That the Clerk is hereby authorized to release the performance bond conditioned upon acceptance of the appropriate maintenance bond.

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. 25-126**

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST ACCEPTING WORK PERFORMED AND AUTHORIZING RELEASE OF PERFORMANCE BOND AND ACCEPTING MAINTENANCE BOND FOR THE FY 2023 NJDOT MUNICIPAL AID RECONSTRUCTION OF ORCHID ROAD CONTRACT**

**WHEREAS**, the contract for the **FY 2023 NJDOT MUNICIPAL AID RECONSTRUCTION OF ORCHID ROAD** was awarded to ASPHALT PAVING SYSTEMS, PO Box 530, Hammonton, New Jersey 08037 via Resolution No. 23-310 on November 1, 2023; and

**WHEREAS**, **Asphalt Paving Systems**, posted a **Performance Bond No.: 0848153** from **HARCO NATIONAL INSURANCE COMPANY** in the amount of **\$981,775.40** ensuring the Borough of Wildwood Crest; and

**WHEREAS**, the Borough's project engineer, Marc DeBlasio, P.E., P.P., C.M.E. of DeBlasio & Associates, P.C., by letter dated April 4, 2025 which is incorporated herein, reports to the Borough that **Asphalt Paving Systems** has completed the project in substantial conformance with the contract documents including all approved change orders, field modifications and accepted as-built plans; and

**WHEREAS**, the project engineer further recommends that the Borough release the performance bond and accept the submitted **Maintenance Bond No.: 0848153** from **HARCO NATIONAL INSURANCE COMPANY** in the amount of **\$1,079,714.93**.

**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. That the plan and design as set forth in the Specifications prepared by **DeBlasio & Associates, P.C.**, as modified by approved change orders, field modifications and as depicted in the accepted as-built plans for the **FY 2023 NJDOT MUNICIPAL AID RECONSTRUCTION OF ORCHID ROAD** are hereby approved and accepted.

3. That the above improvements performed by **Asphalt Paving Systems** are hereby approved and accepted.

4. That the Clerk is hereby authorized to release the performance bond conditioned upon acceptance of the appropriate maintenance bond.

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. 25-127**

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING BOROUGH ENGINEER WORK ORDER FOR FY2025 NJDOT LOCAL TRANSPORTATION PROJECT FUND GRANT APPLICATION - AT THE NTE SUM OF \$2,000**

**WHEREAS**, the Board of Commissioners of the Borough of Wildwood Crest desires to authorize issuance of a Work Order to the Borough Engineer, Marc DeBlasio and the Firm of DeBlasio & Associates for the **FY2025 NJDOT LOCAL TRANSPORTATION PROJECT FUND GRANT APPLICATION** for engineering costs which are more specifically set forth in the attached Proposal from Marc DeBlasio and the Firm of DeBlasio & Associates, dated **April 8, 2025** 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 **\$2,000.00**; and

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

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

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

1. The above recital paragraphs are incorporated herein as if set forth at length.
2. The Mayor and Borough Clerk are hereby authorized and empowered to execute the attached Work Order authorizing MARC DEBLASIO and DEBLASIO & ASSOCIATES to perform the professional engineering costs 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 **\$2,000.00**.

Prior to the vote, the Mayor asked the Engineer to confirm that this was for Denver Avenue and it was confirmed.

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. 25-128**

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING AMENDMENT TO THE 2025 MUNICIPAL BUDGET TO ACCOUNT FOR ADDITIONAL FUNDING FROM THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR THE RECYCLING TONNAGE GRANT**

**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 received \$14,067.60 from the New Jersey Department of Environmental Protection for the Recycling Tonnage Grant, and wishes to amend its 2025 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 2025 in the sum of \$14,067.60 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:

Recycling Tonnage Grant      \$      14,067.60

**BE IT FURTHER RESOLVED** that a like sum of \$ 14,067.60  
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:  
Recycling Tonnage Grant

**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. 25-129  
**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING INCREASE OF CONTRACT IN THE AMOUNT OF \$2,000.00 TO WILLIAM J. KAUFMANN FOR PLANNING BOARD SPECIAL CONFLICT SOLICITOR**

**WHEREAS**, the Board of Commissioners of the Borough of Wildwood Crest awarded a contract, via Resolution No. 24-171 adopted May 22, 2024, to William J. Kaufmann as Special Conflict Solicitor for the Planning Board at the NTE sum of \$17,000.00; and

**WHEREAS**, it is the desire of the Board of Commissioners of the Borough of Wildwood Crest to increase the amount of the contract by \$2,000.00; and

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

Account Number(s)	Amount	Signature
_____	\$ _____	_____

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

1. That the recital paragraphs set forth above are incorporated herein as if set forth at length.
2. That the terms and conditions of the contract between the Borough of Wildwood Crest and William J. Kaufmann, authorized by Resolution No. 24-171 adopted May 22, 2024 shall remain in full force and effect, with the sole exception that the amount of the contract shall be increased to a total sum not to excess \$19,000.00 all of which is contingent upon certification from the Chief Financial Officer as to the availability of funds.
3. That a copy of the specific items appertaining to the award of this contract shall be published in a Notice of Award in *The Herald of Cape May County* as required by law within ten (10) days of passage of the Resolution authorizing same.

Mr. Schiff motions, and 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. 25-130  
**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING THE MAYOR TO SIGN THE CERTIFICATION OF THE UPDATED EMERGENCY OPERATION PLAN FOR THE BOROUGH OF WILDWOOD CREST**

**WHEREAS**, in 2025, the Borough of Wildwood Crest submitted the Emergency Operations Plan to the Cape May County Office of Emergency Management and the State of New Jersey Office of Emergency Management; and

**WHEREAS**, it is necessary to update the Emergency Operations Plan to include current personnel.

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

1. The above recital paragraphs are incorporated herein by this reference.
2. The Mayor, the Emergency Management Coordinator, and other Borough officers are authorized to execute the updated Emergency Operations Plan.
3. The Mayor’s signature shall constitute acceptance and adoption of the revised Emergency Operations Plan on behalf of the Borough of Wildwood Crest.

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

## RESOLUTION NO. 25-131

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF  
WILDWOOD CREST AUTHORIZING INCREASE OF CONTRACT IN THE AMOUNT OF  
\$110,000.00 TO MARK HEINZELMANN AND THE LAW FIRM OF LOWENSTEIN  
SANDLER FOR SPECIAL LEGALIZED SERVICES**

**WHEREAS**, the Board of Commissioners of the Borough of Wildwood Crest awarded a contract, via Resolution No. 25-106 adopted March 12, 2025, to Mark Heinzelmann and the Law Firm of Lowenstein Sandler for Specialized Legal Services associated with Dune Litigation at the NTE sum of \$25,000.00; and

**WHEREAS**, it is the desire of the Board of Commissioners of the Borough of Wildwood Crest to increase the amount of the contract by \$110,000.00; and

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

Account Number(s)

Amount

Signature

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

1. That the recital paragraphs set forth above are incorporated herein as if set forth at length.
2. That the terms and conditions of the contract between the Borough of Wildwood Crest and Mark Heinzelmann and the Law Firm of Lowenstein Sandler authorized by Resolution No. 25-106 adopted March 12, 2025 shall remain in full force and effect, with the sole exception that the amount of the contract shall be increased to a total sum not to exceed \$135,000.00 all of which is contingent upon certification from the Chief Financial Officer as to the availability of funds.
3. That a copy of the specific items appertaining to the award of this contract shall be published in a Notice of Award in *The Herald of Cape May County* as required by law within ten (10) days of passage of the Resolution authorizing same.

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. 25-132

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF  
WILDWOOD CREST AUTHORIZING AWARD OF PROFESSIONAL SERVICES  
CONTRACT TO CONCORD ENGINEERING FOR CONSTRUCTION MANAGEMENT  
AND PROFESSIONAL ENGINEERING SERVICES FOR JOSEPH VON SAVAGE POOL  
AT THE NTE SUM OF \$7,750**

**WHEREAS**, the Board of Commissioners of the Borough of Wildwood Crest has determined that there exists the need for construction management and engineering services to be provided to the Borough of Wildwood Crest for Joseph Von Savage Pool at the NTE sum of \$7,750; and

**WHEREAS**, the Borough Clerk received a proposal from Concord Engineering dated April 11, 2025 and that proposal was forwarded to a review committee consisting of the 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 Concord Engineering and based upon the review criteria, has recommended that the proposal of Concord Engineering best meets the Borough's needs and that Concord Engineering has the professional credentials and abilities to perform the services required to provide mechanical and electrical construction management services for the project at the Joseph Von Savage Pool; 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 Concord Engineering; and

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

Account Number(s)\_\_\_\_\_ Amount \$7,750.00 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 contract for the specified Services for work in the **PROPOSAL dated April 11, 2025 for Joseph Von Savage pool** in Wildwood Crest be awarded to Concord Engineering.

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 Concord Engineering, 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, 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. 25-133

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING BOROUGH ENGINEER WORK ORDER FOR EMERGENCY BEACH FILL BACK PASSING (FILE# WWC-SE-2025[02]) - AT THE NTE SUM OF \$15,000**

**WHEREAS**, the Board of Commissioners of the Borough of Wildwood Crest desires to authorize issuance of a Work Order to the Borough Engineer, Marc DeBlasio and the Firm of DeBlasio & Associates for the **EMERGENCY BEACH FILL BACK PASSING (FILE# WWC-SE-2025[02])** for engineering costs which are more specifically set forth in the attached Proposal from Marc DeBlasio and the Firm of DeBlasio & Associates, dated **April 17, 2025** 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 **\$15,000.00**; and

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

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

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

1. The above recital paragraphs are incorporated herein as if set forth at length.
2. The Mayor and Borough Clerk are hereby authorized and empowered to execute the attached Work Order authorizing MARC DEBLASIO and DEBLASIO & ASSOCIATES to perform the professional engineering costs 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 **\$15,000.00**.

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

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

**RESOLUTION NO. 25-134**  
**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING AWARD OF EMERGENCY CONTRACT TO ASPHALT PAVING SYSTEMS FOR EMERGENCY BEACH FILL BACK PASSING IN ACCORDANCE WITH N.J.S.A. 40A:11-6**

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

**WHEREAS**, a ponding has occurred and beach fill back passing is required between Farragut Road and Orchid Road; and

**WHEREAS**, the Borough Engineer does herewith declare that an emergency exists affecting the safety, health and welfare of the public, and recommend that the Borough engage a Contractor to be mobilized to effectuate the repair.

**NOW THEREFORE BE IT RESOLVED**, by the Borough Commissioners of the Borough Crest, Couty of Cape May, New Jersey, that it is herewith declared that an emergency exists with the regard to beach fill back passing between Farragut and Orchid Road which affects the public health, safety and welfare necessitating immediate repairs and that the Borough Engineer be directed to coordinate all necessary repairs.

**BE IT FURTHER RESOLVED** by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey, that in accordance with the provisions of N.J.S.A. 40A:11-6, an emergency contract be awarded to Asphalt Paving Systems, the estimated construction costs for said emergency is more specifically set forth in the attached detailed breakdown of costs as supplied by the Borough Engineer which are made a part hereof by reference as if fully set forth. This emergency is subject to certification of availability of funds by the CFO as evidenced below by her signature:

Account Number(s) C-04-55-141-1B2 Amount \$149,537.50 Signature\_\_\_\_\_

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. 25-135**  
**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING A LICENSING AGREEMENT BETWEEN BOROUGH OF WILDWOOD CREST AND WILD HARBOR TRI CLUB FOR USE OF KAYAK LAUNCH FOR OPEN WATER SWIM SEASON 2025**

**WHEREAS**, Wild Harbor Tri Club has requested to use the kayak launch located at Miami Avenue and Bayview Drive for open water swims for 2025 for the dates and flat rate as detailed in contract; and

**WHEREAS**, Wild Harbor Tri Club would like to enter into a license agreement for the following payment terms:

**\$150.00 FLAT FEE FOR KAYAK LAUNCH USE FOR OPEN WATER SWIM SEASON 2025**

**WHEREAS**, the Board of Commissioners does herewith agree to enter into a licensing agreement with Wild Harbor Tri Club for a license for the non-exclusive right to use the Licensed Property known as the Kayak Launch at Miami Avenue and Bayview Drive for the above referenced fees and swim sessions.

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

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



2. That a license for the non-exclusive right to use the Licensed Property known as Kayak Launch at Miami Avenue and Bayview Drive in the Borough of Wildwood Crest is hereby granted to **WILD HARBOR TRI CLUB** for the period listed above. The foregoing payment schedule, the days and hours of permitted use, and all other conditions, which shall affect, change or modify this license shall be contained in said license agreement as Schedule “A”, a copy of which is attached hereto and made a part hereof.

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

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. 25-136**

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST DESIGNATING MAY 4-10, 2025 AS THE 56<sup>TH</sup> ANNUAL PROFESSIONAL MUNICIPAL CLERKS WEEK IN THE BOROUGH OF WILDWOOD CREST**

**WHEREAS**, The Office of the Professional Municipal Clerk, a time honored and vital part of local government exists throughout the world; and

**WHEREAS**, The Office of the Professional Municipal Clerk is the oldest among public servants; and

**WHEREAS**, The Office of the Professional Municipal Clerk provides the professional link between the citizens, the local governing bodies and agencies of government at other levels; and

**WHEREAS**, Professional Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all; and

**WHEREAS**, The Professional Municipal Clerk serves as the information center on functions of local government and community; and

**WHEREAS**, Professional Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Professional Municipal Clerk through participation in education programs, seminars, workshops and the annual meetings of their state, provincial, county and international professional organizations; and

**WHEREAS**, It is most appropriate that we recognize the accomplishments of the Office of the Professional Municipal Clerk.

**NOW, THEREFORE, I**, Don Cabrera, Mayor of the Borough of Wildwood Crest, do hereby recognize the week of May 4 through 10, 2025, as Professional Municipal Clerks Week, and further extend appreciation to our Professional Municipal Clerk, Patricia A. Feketics, and to all Professional Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

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. 25-137**

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING THE PREPARATION OF ESTIMATED TAX BILLS**

**WHEREAS**, at this time it is unknown if the Borough of Wildwood Crest will receive its certified tax rate from the County by June 14, 2025, which would delay the processing and delivery of tax bills; and

**WHEREAS**, the Governing Body has determined that there will be insufficient cash flow to support operations in late July 2025 unless third quarter revenue is received on time; and

**WHEREAS**, under these circumstances it may become necessary to issue estimated tax bills for the third quarter of 2025; and

**WHEREAS**, the Tax Collector and the Chief Financial Officer have reviewed and computed an estimated tax levy in accordance with N.J.S.A. 54:4-66.3.

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

1. The Tax Collector is directed to prepare, and issue estimated tax bills for the Municipality of Wildwood Crest for the third quarter 2025, in accordance with the provisions of N.J.S.A. 54:4-66.2 et seq.

2. The entire estimated tax levy for 2025 is hereby set at \$34,805,159.27
3. The Tax Collector takes any additional steps necessary to immediately implement this resolution.

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. 25-138**

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF  
WILDWOOD CREST WAIVING SPECIAL EVENTS APPLICATION ADDITIONAL FEES  
TO GREATER WILDWOOD YACHT CLUB**

**WHEREAS**, Greater Wildwood Yacht Club applied for a Special Events permit to hold a Youth Regatta on June 26 from 7:00 am to 4:00 pm at 6510 Park Boulevard with request for street closing; and

**WHEREAS**, in the spirit of supporting tourism for the Wildwoods and the Wildwood Crest Community, the Commissioners have agreed to waive special event additional fees.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey, that Special Events application additional fees be waived to Greater Wildwood Yacht Club.

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. 25-139**

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF  
WILDWOOD CREST AFFIRMING THE BOROUGH OF WILDWOOD CREST’S CIVIL  
RIGHTS POLICY WITH RESPECT TO ALL OFFICIALS, APPOINTEES, EMPLOYEES,  
PROSPECTIVE EMPLOYEES, VOLUNTEERS, INDEPENDENT CONTRACTORS, AND  
MEMBERS OF THE PUBLIC THAT COME INTO CONTACT WITH MUNICIPAL  
EMPLOYEES, OFFICIALS AND VOLUNTEERS**

**WHEREAS**, it is the policy of the Borough of Wildwood Crest to treat the public, employees, prospective employees, appointees, volunteers and contractors in a manner consistent with all applicable civil rights laws and regulations including, but not limited to the Federal Civil Rights Act of 1964 as subsequently amended, the New Jersey Law against Discrimination, the Americans with Disabilities Act and the Conscientious Employee Protection Act, and

**WHEREAS**, the governing body of the Borough of Wildwood Crest has determined that certain procedures need to be established to accomplish this policy.

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

**Section 1:** No official, employee, appointee or volunteer of the Borough of Wildwood Crest by whatever title known, or any entity that is in any way a part of the Borough of Wildwood Crest shall engage, either directly or indirectly in any act including the failure to act that constitutes discrimination, harassment or a violation of any person’s constitutional rights while such official, employee, appointee volunteer, or entity is engaged in or acting on behalf of the Borough of Wildwood Crest’s business or using the facilities or property of the Borough of Wildwood Crest.

**Section 2:** The prohibitions and requirements of this resolution shall extend to any person or entity, including but not limited to any volunteer organization or inter-local organization, whether structured as a governmental entity or a private entity, that receives authorization or support in any way from the Borough of Wildwood Crest to provide services that otherwise could be performed by the Borough of Wildwood Crest.

**Section 3:** Discrimination, harassment and civil rights shall be defined for purposes of this resolution using the latest definitions contained in the applicable Federal and State laws concerning discrimination, harassment and civil rights.

**Section 4:** The Borough Administrator shall establish written procedures for any person to report alleged discrimination, harassment and violations of civil rights prohibited by this resolution. Such procedures shall include alternate ways to report a complaint so that the person making the complaint need not communicate with the alleged violator in the event the alleged violator would be the normal contact for such complaints.

**Section 5:** No person shall retaliate against any person who reports any alleged discrimination, harassment or violation of civil rights, provided however, that any person who reports alleged violations in bad faith shall be subject to appropriate discipline.

**Section 6:** The Borough Administrator shall establish written procedures that require all officials, employees, appointees and volunteers of the Borough of Wildwood Crest as well as all other entities subject to this resolution to periodically complete training concerning their duties, responsibilities and rights pursuant to this resolution.

**Section 7:** The Borough Administrator shall establish a system to monitor compliance and shall report at least annually to the governing body the results of the monitoring.

**Section 8:** At least annually, the Borough Administrator shall cause a summary of this resolution and the procedures established pursuant to this resolution to be communicated within the Borough of Wildwood Crest. This communication shall include a statement from the governing body expressing its unequivocal commitment to enforce this resolution. This summary shall also be posted on the Borough of Wildwood Crest’s web site.

**Section 9:** This resolution shall take effect immediately.

**Section 10:** A copy of this resolution shall be published in the official newspaper of the Borough of Wildwood Crest in order for the public to be made aware of this policy and the Borough of Wildwood Crest’s commitment to the implementation and enforcement of this policy.

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. 25-140  
**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING BOROUGH ENGINEER WORK ORDER FOR EMERGENCY ROAD REPAIR – EAST STOCKTON ROAD - AT THE NTE SUM OF \$3,000**

**WHEREAS**, the Board of Commissioners of the Borough of Wildwood Crest desires to authorize issuance of a Work Order to the Borough Engineer, Marc DeBlasio and the Firm of DeBlasio & Associates for the **EMERGENCY ROAD REPAIR – EAST STOCKTON ROAD** for engineering costs which are more specifically set forth in the attached Proposal from Marc DeBlasio and the Firm of DeBlasio & Associates, dated **April 16, 2025** 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 **\$3,000.00**; and

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

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

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

1. The above recital paragraphs are incorporated herein as if set forth at length.
2. The Mayor and Borough Clerk are hereby authorized and empowered to execute the attached Work Order authorizing MARC DEBLASIO and DEBLASIO & ASSOCIATES to perform the professional engineering costs 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 **\$3,000.00**.

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

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:  
RESOLUTION NO. 25-141  
**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING AWARD OF EMERGENCY CONTRACT TO ASPHALT PAVING SYSTEMS FOR EMERGENCY ROAD REPAIRS ON EAST STOCKTON ROAD IN ACCORDANCE WITH N.J.S.A. 40A:11-6**

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

**WHEREAS**, a road repair has occurred on East Stockton Road; and

**WHEREAS**, the Borough Engineer does herewith declare that an emergency exists affecting the safety, health and welfare of the public, and recommend that the Borough engage a Contractor to be mobilized to effectuate the repair.

**NOW THEREFORE BE IT RESOLVED**, by the Borough Commissioners of the Borough Crest, Couty of Cape May, New Jersey, that it is herewith declared that an emergency exists with the regard to the road repair on East Stockton Road which affects the public health, safety and welfare necessitating immediate repairs and that the Borough Engineer be directed to coordinate all necessary repairs.

**BE IT FURTHER RESOLVED** by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey, that in accordance with the provisions of N.J.S.A. 40A:11-6, an emergency contract be awarded to Asphalt Paving Systems, the estimated construction costs for said emergency is more specifically set forth in the attached detailed breakdown of costs as supplied by the Borough Engineer which are made a part hereof by reference as if fully set forth. This emergency is subject to certification of availability of funds by the CFO as evidenced below by her signature:

Account Number(s) C-04-55-143-0A2 Amount \$9,375.00 Signature \_\_\_\_\_

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. 25-142**

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING AWARD OF CONTRACT FOR 2025 ROAD RESURFACING PROGRAM**

**WHEREAS**, a Notice to Bidders was authorized for advertisement by Resolution No. 25-110 on March 26, 2025 for the Borough of Wildwood Crest contract for the 2025 ROAD RESURFACING PROGRAM; and

**WHEREAS**, Notice to Bidders was advertised in the *Herald of Cape May County* on April 2, 2025 with receipt of sealed bids on April 23, 2025 at 10:00 a.m.; and

**WHEREAS**, four sealed bid proposals were received, opened and reviewed on April 23, 2025 by the Bid Opening Committee who reviewed the bid proposal and determined that SOUTH STATE, INC., PO BOX 68, BRIDGETON, NJ 08302 was the lowest responsive bidder in the amount of \$154,202.40 for the 2025 ROAD RESURFACING PROGRAM; 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 Borough Solicitor recommending the award in a letter dated April 23, 2025 to SOUTH STATE, INC., PO BOX 68, BRIDGETON, NJ 08302; and

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

Account Number(s) \_\_\_\_\_ Amount \$154,202.40 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 2025 ROAD RESURFACING PROGRAM is hereby awarded to SOUTH STATE, INC., PO BOX 68, BRIDGETON, NJ 08302, 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 SOUTH STATE, INC., PO BOX 68, BRIDGETON, NJ 08302 in accordance with this Resolution, Notice to Bidders, Bid Specifications and Information Packet and the submitted bid proposal.
5. That a Notice of Award shall be published in The Herald of Cape May County as required by law within ten (10) days of passage of this Resolution, which notice shall state that this Resolution and the contract are on file and available for public inspection in the office of the Borough Clerk.

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

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

**RESOLUTION NO. 25-143**

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST OPPOSING NEW JERSEY PROTECTING AGAINST CLIMATE THREATS / RESILIENT ENVIRONMENTS AND LANDSCAPE RULES (NJPACT)**

**WHEREAS**, the Board of Commissioners of the Borough of Wildwood Crest opposes the New Jersey Department of Environmental Protection's (NJDEP) 1,057-page NJPACT rules due to their significant adverse impacts, the Board of Commissioners of the Borough of Wildwood Crest sets forth the following objections:

**A. NJPACT'S CREATION, IMPACT, AND CONSEQUENCES**

1. NJPACT, stemming from Governor Murphy’s Executive Order 100, imposes excessive building regulations, including raising homes and roads 5 feet above base flood elevation, far exceeding federal and local standards, effective around August 2026.
2. NJPACT rules will devastate coastal economies, reducing property values, tourism, and housing affordability, impacting the entire state’s economic vitality and exacerbating housing shortages.
3. NJPACT relies on a sea level rise study with only 17% likelihood 75 years from now.
4. Homes along the Jersey Shore, typically replaced every 25-30 years, would be overbuilt under NJPACT, imposing unnecessary costs when risks could be reassessed in 2050 or 2075.
5. NJPACT’s costs make compliance unaffordable for current and future homeowners, forcing middle-class retreat and favoring the ultra-wealthy.
6. NJPACT aligns with National Flood Insurance Program (NFIP) minimum standards, but offers no premium discounts for exceeding them, creating financial burdens without benefits.
7. Without funding, NJPACT’s enforcement strains municipalities, risking economic disaster for tourism-dependent seasonal economies.
8. Unfunded mandates may lead to inconsistent regional protection, disproportionately harming smaller communities.

## **B. REALITIES AND PRUDENT COURSE**

9. With an 83% probability that NJPACT’s mandates will be unnecessary in 76 years, a more gradual, legislatively supported approach is warranted.
10. Coastal communities contribute \$16 billion annually to New Jersey’s economy, and beach replenishment is not a burden but a driver of tourism and jobs.
11. The Borough of Wildwood Crest proactively addresses climate risks through resilient action plans [or similar], meeting stringent FEMA standards and designing infrastructure for 500-year floods.
12. NJPACT’s extreme approach, based on unlikely scenarios, defies science and burdens residents and municipalities unnecessarily.
13. The Borough of Wildwood Crest supports reasonable climate policies but requests NJPACT’s withdrawal or amendment to a fact-based, gradual approach.

**NOW, THEREFORE, BE IT RESOLVED**, the Board of Commissioners of the Borough of Wildwood Crest vigorously opposes NJPACT due to its threat to public health, welfare, and economic stability.

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. 25-144

### **RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING RE-ADVERTISEMENT OF NOTICE TO BIDDERS FOR LANDSCAPING SERVICES FOR HIGBEE AND MOREY FIELDS**

**WHEREAS**, On April 2, 2025, Notice to Bidders was published in *The Herald of Cape May County* for receipt of Sealed bids for **Landscaping Services for Higbee and Morey Fields** on Wednesday April 23, 2025 at 10:30 a.m. in the Commissioners Meeting Room at Borough Hall, 6101 Pacific Avenue, Wildwood Crest, New Jersey; and

**WHEREAS**, four bid packages were sent out but no bids were received or presented at that time; and

**WHEREAS**, it is the desire of the Board of Commissioners of the Borough of Wildwood Crest to re-advertise Notice to Bidders for said project.

**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 preamble hereto is repeated herein as if fully set forth.
2. The Borough Clerk is hereby authorized, instructed and empowered to publish Advertisement for Bidders in The Cape May County Herald issue of May 7, 2025.
3. Sealed bids will be received by the Purchasing Committee in the Commissioners Meeting Room, Wildwood Crest Borough Hall, 6101 Pacific Avenue, Wildwood Crest, New Jersey, **Wednesday**,

**May 21, 2025 at 10:00 a.m. prevailing time, for LANDSCAPING SERVICES FOR HIGBEE AND MOREY FIELDS 2025.**

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. 25-145  
RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF  
WILDWOOD CREST AUTHORIZING ADVERTISEMENT OF A NOTICE TO BIDDERS  
FOR PLUMBING AND ELECTRIC SERVICE AT NESBITT CENTER**

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Borough of Wildwood Crest, in the County of Cape May, New Jersey, that the Borough Clerk is hereby authorized to advertise a Notice to Bidders in *The Herald of Cape May County* on May 7, 2025.

**BE IT FURTHER RESOLVED** that the plan and design as set forth in the Specifications on file in the Borough for **PLUMBING AND ELECTRIC SERVICE AT NESBITT CENTER** is hereby approved.

**BE IT FURTHER RESOLVED** Sealed bids will be received by the Bid Opening Committee in the Commissioner’s Meeting Room, Wildwood Crest Borough Hall, on **Wednesday, May 21<sup>st</sup>, 2025 at 10:30 a.m.**, prevailing time, for furnishing the items hereinafter set forth in accordance with the Specifications on file in the Borough Hall. Said items are as follows:

**PLUMBING AND ELECTRIC SERVICE AT NESBITT CENTER**

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

**Report from Capt. D’Amico:**

**Calls for Service: 1,442  
Criminal Investigations: 47  
Service Calls: 237  
Traffic: 323  
Arrests: 11**

**Report from William Cripps (EMS Supervisor and OEM):**

**EMS: Total Calls: 57  
Patients transported to hospital: 25  
Patients refused treatment: 8  
Mutual Aid Given: 11; Mutual Aid Received: 1**

**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 of the Recreation Department, Construction Official, Fire Prevention, Emergency Services Coordinator for the EMS and the Wildwood Crest Volunteer Fire Company for the month ending March 31, 2025 be accepted as presented.  
Vote: Schiff - Franco – Cabrera – YES

**MINUTES:** Mr. Franco motions, and Mr. Schiff seconded that all minutes from the regularly scheduled meetings dated March 26, 2025 and April 9, 2025 be approved as presented.  
Vote: Schiff - Franco – Cabrera – YES

**ENGINEER’S REPORT:**

**Capital Projects**

1. **Bayside Bulkhead Replacement and Flood Mitigation Improvements**
  - The contractor has completed all of the underground storm sewer system piping and has started on the replacement of the bulkheads starting at Primrose Road and working north. The contractor has completed the bulkhead installation at Primrose, Myrtle, Lotus, Fern, Forget me Not, Columbine, and Sweetbriar Road. Cardinal Road bulkhead is scheduled to be installed next.
  - Concrete work has commenced and street end paving will follow.

It was noted that Palm / Wisteria should be completed by Memorial Day Weekend.

2. FY2023 NJDCA Small Cities Program-Municipal Building Bathroom Improvements
  - The bid opening occurred on October 30, 2024, and the lowest responsible bidder was Capri Construction Company in the amount of \$270,549.00.
  - All work is complete and it is in the closeout phase.
3. FY 2024 NJDOT Municipal Aid Program-Reconstruction of Toledo Avenue
  - The bid opening occurred on October 30, 2024, and the apparent low bidder was Asphalt Paving Systems, Inc in the amount of \$2,174,400.00.
  - A preconstruction meeting was held on December 11, 2024 and the contractor has started work. The contractor has completed the installation of the sanitary sewer system and water services. The contractor is currently working on the replacement of the concrete. Base paving has been completed on three blocks.
4. 2025 Road Resurfacing Program
  - The bid opening occurred on April 23, 2025 and the apparent low bidder was South State, Inc. in the amount of \$154,202.40.  
It was noted this should be done by Memorial Day weekend.
5. NJ IBank (NJIB) – Sanitary Sewer and Roadway Improvements
  - The NJIB advised the Borough that approximately \$3,000,000.00 in grant forgiveness is available along with grant funding for engineering services.
  - The application is currently in progress and Steps 1, 2 and 3 have been completed. We are currently working on completing Step 4.
  - Design plans and specifications have been completed and uploaded to the NJIB portal on March 21, 2025.

#### **Grant Applications**

1. FEMA Flood Mitigation Assistance (BRIC) & (HMA)
  - The Borough is proposing to submit to FEMA BRIC for two (2) bayside storm sewer pump stations and associated storm sewer improvements in the northwest section of the Borough.
  - The Borough is proposing to submit to FEMA HMA for the Washington Avenue storm sewer improvements as outlined in the recently completed study.
  - Both grant applications have secured initial selection from FEMA.
  - Additional information was provided to NJOEM on November 14<sup>th</sup>.
2. FY 2024 NJDCA Boardwalk Preservation Fund
  - The Borough has selected to submit the Reconstruction of the Heather Road fishing pier.
  - The grant application requests \$3,600,000.00 for the replacement and extension of the fishing pier including ADA accessible walkways, fishing nodes and pavilion.
  - The Borough was notified by NJDCA that a \$1,087,425.00 grant was allocated for the project.
3. Federal Funding Grant Opportunity-Congressman Van Drew – FY2024
  - Our office has been in contact with Congressman Jeff Van Drew’s office to discuss federal funding opportunities for Borough capital projects.
  - On December 28, 2023, our office submitted a funding request for bayside flood mitigation improvements.
  - On March 12<sup>th</sup>, our office and the Borough met with representatives of Congressman Van Drew’s office and were informed that the project was selected for special funding consideration.
4. FY2025 NJDOT Municipal Aid Program
  - The NJDOT is accepting grant applications for Bikeway, Pedestrian and Roadway Improvement Projects. The application deadline is July 1, 2024.
  - Our office has been authorized by the Borough to submit the Reconstruction of Stockton Road as the grant application.
  - The grant application was submitted on May 28, 2024.
  - The Borough was notified that a \$158,190.00 grant was allocated for this project.
5. FY2024 NJDCA Small Cities Program – Crest Pier Bathroom Improvements
  - The Borough was notified that a \$400,000.00 grant was allocated by the New Jersey Department of Community Affairs for Crest Pier ADA Bathroom Improvements.
6. Cape May County Open Space Board (CMCOSB) Application – Crest Fishing Pier
  - Our office submitted a proposal to prepare and submit a grant application to the CMCOSB on April 28, 2025.
  - Upon authorization, we are prepared to begin work immediately.
7. Federal Funding Grant Opportunity – Congressman Van Drew – FY2025
  - Our office has been in contact with Congressman Jeff Van Drew’s office to discuss federal funding opportunities for Borough capital projects.
  - On March 13, 2025, our office submitted a funding request for Crest Fishing Pier Reconstruction.

Commissioner Schiff thanked the Engineer and said the bulkheads look great.  
The Mayor thanked the public for their understanding for this project.

Claire Vernaleken inquired about the street ends that were getting the bulkheads replaced and them being tied into Park Blvd. The Engineer added that when the project on Park Blvd and street ends are designed, it will bring inlets up even 6 inches. The borough is also putting in more reliable valves and each one is approximately \$50,000 and they are manually opened and closed.

Dave McWilliams touched on the fishing pier and the Mayor indicated the borough received a \$1,087,000 boardwalk preservation grant to replace the fishing pier and we were also trying to get 2.5 million from Cape May County Open Space money to demolish, widen, elongate add a shade structure and bathroom...he also noted that we need to renew the permit.

### **CORRESPONDENCE:**

### **DISCUSSION:**

**NEW BUSINESS:** N/A

### **OLD BUSINESS:**

**-250<sup>th</sup> birthday committee-** Volunteers are still being solicited.

**-WC Municipal App-** On hold.

**-Historical museum - 2025 –** On hold.

**-Concession agreement hotel zone / beach chairs –** On hold.

**-Traffic Calming –** A contract for line striping was awarded for Atlantic and Ocean Avenues. Park Blvd will be in the next I Bank application. Commissioner Schiff indicated they would look into striping and walkways for Park Blvd.

**-Back Beach Excavation:** A contract was awarded to APS for the easterly side of the dunes.

**-Dredging:** There was a subcommittee meeting recently and they are still waiting on the DOT and the next phase.

**-NJ Avenue infrastructure pre-county:** Borough can begin the 6 blocks of infrastructure work before the County commences their Road diet.

**-Washington / Seaview – beach outfalls and capacity:** The borough received a positive correspondence from FEMA for pumps

**-US ACE / NJ DEP Dune:** Not much movement...the borough requested to meet with the DEP and all municipalities (Wildwood, North Wildwood and Wildwood Crest) but it appears the DEP is not interested in a group meeting and wants one on one meetings; the borough will continue to request a group meeting.

**-Borough Hall Renovations-** We are looking to award a contract at the next meeting for the police side.

### **PUBLIC COMMENTS: (Five minutes maximum)**

Commissioner Franco: N/A

Mayor Cabrera: N/A

### **Commissioner Schiff:**

“I would like to address the allegations made against the Chief of Police and members of the Wildwood Crest Police Department. While I will not get into specifics, I cannot allow some of the public comments to go unanswered.

I have full confidence in our Chief and the members of our police department and my understanding of this matter is that a proper investigation was conducted and reviewed by both the Wildwood Crest Police Department and the Cape May County Prosecutor’s Office. I understand that there may be times when someone does not agree with the outcome of an investigation and there are proper ways to address those concerns; however, the allegations levied against the Chief and the Police Department are, in my opinion, baseless and without merit.

I would never allow anything to undermine the integrity of Public Safety and I want the public to know that they are served by some of the finest officers in the State of New Jersey who are led by an exceptional command staff and Chief of Police. I have full faith in the Wildwood Crest Police Department, and I know that they have and will continue to operate with professionalism and integrity for this Borough, its residents, and its visitors.”

Public Commentary:



Lisa Rippo spoke for five minutes about cyberbullying and mentioned she was arrested on April 12<sup>th</sup>. The Solicitor cautioned Ms. Rippo for her comments. She also cited that she believes county dispatch is a failure.

Mike Marino added that the work on the streets was going well. He noted the lines on the Wildwood side of Cresse had been removed and how they will need to now funnel into one lane. The Engineer added with the Park Blvd (I Bank) application, there will be Sanitary Sewer replacement, and it can partially pay for reconstruction of the roadway, raise roads, repave, recurb, etc.

Dave McWilliams inquired about the scope of the back beach work and why the three street ends were chosen. The Engineer indicated that with our DEP permit, we are allowed to move 12” sand to level the beach and to fill to elevation 7. He said the low area they will be working on is Farragut – Stanton – Stockton Avenues between the dune and bulkhead. The Mayor added that the worst areas were prioritized and that there are additional areas to finish up with coordinated efforts and that we have the permit for the entire beach and he mentioned sand fencing to retain sand.

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 25-146

**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 two (2) 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, April 30, 2025 at 5:00 P.M.**; and

**WHEREAS**, the nine (9) exceptions to public meetings set forth in N.J.S.A. 10:4-12(b) are listed below, and next to each exception is a box within which the number of issues to be privately discussed that fall within that exception shall be written, and after each exception is a space where additional information that will disclose as much information about the discussion as possible without undermining the purpose of the exception shall be written:

\_\_\_\_\_ **“(1) Any matter which, by express provision of Federal law, State statute or rule of court shall be rendered confidential or excluded from public discussion.”** The legal citation to the provision(s) at issue is: \_\_\_\_\_ and the nature of the matter, described as specifically as possible without undermining the need for confidentiality is \_\_\_\_\_

\_\_\_\_\_ **“(2) Any matter in which the release of information would impair a right to receive funds from the state or federal government.”** The nature of the matter, described as specifically as possible without undermining the need for confidentiality is \_\_\_\_\_

\_\_\_\_\_ **“(3) Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information relative to the individual’s personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly.”** The nature of the matter, described as specifically as possible without undermining the need for confidentiality is \_\_\_\_\_

\_\_\_\_\_ **“(4) Any collective bargaining agreement, or the terms and conditions of which are proposed for inclusion in any collective bargaining agreement, including the negotiation of terms and conditions with employees or representatives of employees of the public body.”** The collective bargaining contract(s) discussed are between the Borough and \_\_\_\_\_

- \_\_\_\_\_

“(5) Any matter involving the purchase, lease or acquisition of real property with public funds, the setting of bank rates or investment of public funds where it could adversely affect the public interest if discussion of such matters were disclosed.” The nature of the matter, described as specifically as possible without undermining the need for confidentiality is \_\_\_\_\_
- \_\_\_\_\_

“(6) Any tactics and techniques utilized in protecting the safety and property of the public provided that their disclosure could impair such protection. Any investigations of violations or possible violations of the law.” The nature of the matter, described as specifically as possible without undermining the need for confidentiality is \_\_\_\_\_.
- \_\_\_\_\_

“(7) Any pending or anticipated litigation or contract negotiation in which the public body is or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer.” The parties to and docket numbers of each item of litigation and/or the parties to each contract discussed and the nature of the discussion, described as specifically as possible without undermining the need for confidentiality is potential contract negotiations and more specifically is potential litigation for dune project.
- \_\_\_\_\_ x \_\_\_\_\_

“(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 is: Employment -Summer hours; Employment - Compensation (27 pays)
- \_\_\_\_\_

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

The time was 6:08 p.m. and the meeting adjourned for a few minutes to go into Closed Session.

After returning to Open Session and there being no one present, Mr. Schiff motioned and Mr. Franco seconded that the meeting be adjourned. The time was 6:43 p.m.

Dated: April 30, 2025

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Patricia A. Feketics, Borough Clerk

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