

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

April 5, 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 9:30 a.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 FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 23-116

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING SELF EXAM BY THE BOROUGH OF THE 2023 MUNICIPAL BUDGET PURSUANT TO THE PROVISIONS OF NJAC 5:30-7.2 THROUGH 7.5

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 thru 7.5, the Borough of Wildwood Crest has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the Borough of Wildwood Crest meets the necessary conditions to participate in the program for the 2023 budget year.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, that in accordance with N.J.A.C. 5:30-7.6a & b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at 40A:4-45.3, et. seq., are fully met (Complies with the "CAP" law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate, and correctly stated,
 - b. Items of appropriation are properly set forth,
 - c. In itemization, form, arrangement, and content the budget will permit the exercise of the comptroller function within the municipality.

5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of NJ.S.A. 40A:4-5 shall not prevent such certification.

6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the Director of the 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. 23-117

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING THE CY 2023 MUNICIPAL BUDGET BE READ BY TITLE ONLY AND THAT A PUBLIC HEARING BE HELD ON THE CY 2023 MUNICIPAL BUDGET

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

WHEREAS, these required conditions have been satisfied.

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

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

Vote: Schiff - Franco – Cabrera – YES

PUBLIC COMMENT ON RESOLUTION NO. 23-117

Mike Garcia, Auditor from Ford Scott & Associates told the governing body that Wildwood Crest will have a slight increase of about one penny which means \$10.00 per year for every \$100,000 assessed. There were two main reasons: Health insurance increased \$451,000 and Pension increased \$176,000 for 2023. The borough was \$734,000 below the 3.5% spending cap and \$1.3 million below the tax levy cap.

Kathryn Hughes asked where she could find the information. It was relayed that the budget has been on the borough website since introduction on March 8, 2023.

Hearing nothing further, Mr. Schiff motions, and Mr. Franco seconds that the public hearing on the CY MUNICIPAL BUDGET now be closed.

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 23-118

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING ADOPTION OF THE CY2023 MUNICIPAL BUDGET, INCLUSIVE OF \$16,535,447.78 FOR MUNICIPAL PURPOSES, BE ADOPTED

BE IT RESOLVED, by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey, that the budget herein set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorizations of the below amount of \$16,535,447.78 for municipal purposes.

BE IT FURTHER RESOLVED that the summary of revenues for inclusion in the 2023 MUNICIPAL BUDGET are as follows:

GENERAL REVENUES	
Surplus Anticipated	\$ 3,700,000.00
Miscellaneous Revenues Anticipated	6,959,941.37
Receipts from Delinquent Taxes	345,000.00
AMOUNT TO BE RAISED BY TAXATION FOR MUNICIPAL PURPOSES	<u>16,535,447.78</u>

TOTAL REVENUES \$ 27,540,389.15

BE IT FURTHER RESOLVED that the summary of appropriations for inclusion in the 2023 MUNICIPAL BUDGET be and the same are as follows:

GENERAL APPROPRIATIONS	
Within "CAPS"	
(a&b) Operations including Contingent	\$ 15,617,208.00
(e) Deferred Charges and Statutory Expenditure – Municipal	1,563,395.00
(f) Judgments	150,000.00
Excluded from "CAPS"	
(a) Operations - Total Operations Excluded from "CAPS"	4,352,335.57
(c) Capital Improvements	944,700.00
(d) Municipal Debt Service	4,096,000.00
(m) Reserved for Uncollected Taxes	<u>816,750.58</u>
TOTAL APPROPRIATIONS \$ <u>27,540,389.15</u>	

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. 23-119

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING BOROUGH ENGINEER WORK ORDER FOR BAYSIDE BULKHEAD REPLACEMENT AND FLOOD MITIGATION IMPROVEMENTS – SURVEY, ENGINEERING DESIGN AND REGULATORY PERMITTING SERVICES – AT THE NTE SUM OF \$295,000

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 **BAYSIDE BULKHEAD REPLACEMENT AND FLOOD MITIGATION IMPROVEMENTS – SURVEY, ENGINEERING DESIGN AND REGULATORY PERMITTING SERVICES**, for engineering services which are more specifically set forth in the attached Proposal from Marc DeBlasio and the Firm of DeBlasio & Associates, dated **March 2, 2023** 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 **\$295,000.00**; and

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

Account Number(s) _____ Amount _____
Signature _____

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

1. The above recital paragraphs are incorporated herein as if set forth at length.
2. The Mayor and Borough Clerk are hereby authorized and empowered to execute the attached Work Order authorizing MARC DEBLASIO and DEBLASIO & ASSOCIATES to perform the professional engineering services as described in the Proposal which is hereby approved, at the billable rates set forth in the professional services agreement between Marc DeBlasio and Borough not to exceed **\$295,000.00**.

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. 23-120

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING A SHARED SERVICES AGREEMENT WITH THE CITY OF NORTH WILDWOOD, CITY OF WILDWOOD AND BOROUGH OF WEST WILDWOOD FOR THE OVERSIGHT, ADMINISTRATION, AND COORDINATION OF THE ENTERPRISE ZONE DEVELOPMENT CORPORATION OF THE WILDWOODS

WHEREAS, the "Uniform Shared Services and Consolidation Act", N.J.S.A. 40A:65-1, *et seq.* (the "Act"), authorizes counties and municipalities to enter into an agreement for the exchange of shared services pursuant to the provisions of that statute; and

WHEREAS, New Jersey's Urban Enterprise ("UEZ") Program, enacted in 1983, is in the Department of Community Affairs; and

WHEREAS, the UEZ Program exists to foster an economic climate that revitalizes designated urban communities and stimulates their growth by encouraging businesses to develop and create private sector jobs through public and private investment; and

WHEREAS, Wildwood, North Wildwood, Wildwood Crest and West Wildwood are members of the Enterprise Zone Development Corporation of the Wildwoods; and

WHEREAS, the City of Wildwood, through the Enterprise Zone Coordinator, seeks to oversee, administer, and coordinate the UEZ Program related activities of the four municipalities comprising the Enterprise Zone Development Corporation of the Wildwoods; and

WHEREAS, Wildwood, North Wildwood, Wildwood Crest and West Wildwood have determined that the exchange of services related to the operation of the Enterprise Zone Development Corporation is fair and equitable, and is in the best interests of the project, the taxpayers, and the Parties; and

WHEREAS, the Parties desire to outline their respective rights and responsibilities and formalize this relationship by entering into a Shared Services Agreement pursuant to the Uniform Shared Services and Consolidation Act of the State of New Jersey.

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

1. All of the statements of the preamble are repeated and incorporated herein by this reference thereto as though the same were set forth at length.
2. A shared services agreement is hereby authorized by and between the City of North Wildwood, the City of Wildwood, the Borough of West Wildwood and the Borough of Wildwood Crest for the Enterprise Zone Development Corporation of the Wildwoods, under terms that are set forth in said Shared Services Agreement.
3. The Shared Services Agreement shall be annexed to and made part of this Resolution.
4. The Borough Clerk shall provide true copies of this Resolution to the Municipal Clerks of the City of North Wildwood, the City of Wildwood and the Borough of West Wildwood.
5. On behalf of the Borough of Wildwood Crest, the Mayor and Borough Clerk be and hereby are authorized to execute all documents necessary to effectuate the purpose and intent of 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. 23-121

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING RELEASE OF ESCROW FUNDS FOR PERMIT #SO22-0107 IN THE AMOUNT OF \$457.50

WHEREAS, the Wildwood Crest Construction Official has received written approval from the Borough Engineer, DeBlasio & Associates, on February 9, 2023 to refund escrow to Garden State General Construction, Inc. for Street Opening Permit #SO22-0107, Block 123/Lot 10 & 11; and

WHEREAS, the Wildwood Crest Construction Official has confirmed that all Borough Engineer billings related to Street Opening Application #SO22-0107 are complete; and

WHEREAS, Garden State General Construction, Inc., 8 Clermont Drive, Clermont, New Jersey 08210 made an escrow payment to the Borough of Wildwood Crest of \$1,000.00 on January 12, 2022 for Street Opening Permit for location 109 - 111 E. St. Paul Avenue, Block 123/ Lot 10 & 11 and has requested return of the unused escrow balance; and

WHEREAS, the escrow used totaled \$542.50 and the Borough of Wildwood Crest Construction Official is recommending the return of the unused escrow fee of **\$457.50**.

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 return of the balance of the unused escrow account in the amount of \$457.50 to Garden State General Construction, Inc., 8 Clermont Drive, Clermont, New Jersey 08210 be and hereby is approved.

BE IT FURTHER RESOLVED that the Chief Financial Officer is hereby authorized to return the balance of the unused escrow account in the amount of \$457.50 to Garden State General Construction, Inc., 8 Clermont Drive, Clermont, New Jersey 08210.

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. 23-122

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING AWARD OF EUS CONTRACT WITH ROBINDALE MEDIA FOR MARKETING PLAN SPECIALIST AT NTE SUM OF \$19,500.00 FOR CY 2023

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

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

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

WHEREAS, Robindale Media has completed and submitted a Business Entity Disclosure Certification which certifies that he will not make any reportable contributions pursuant to N.J.S.A. 19:44A-1 commencing January 1, 2023 to any political committee or candidate through the term of this contract; 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. That the allegations of the preamble hereto are incorporated herein as if fully set forth.
2. That the Mayor and Borough Clerk are hereby authorized and empowered to execute the attached contract with **Robindale Media**, who shall be compensated by voucher at the agreed upon rate of \$19,500.00, contingent upon certification from the Chief Financial Officer as to the availability of funds, and whose rate/fee structure are contained in the aforesaid Contract and said “Independent Contractor” shall be required to comply with this Resolution, and the attached Contract. Said Marketing Plan Specialist is further required to comply with all other conditions/provisions of law or regulation applicable to a “Extraordinary Unspecified Contractor,” including but not limited to procuring/maintaining sufficient insurance coverages necessary to fully protect the interests of the Borough in each and every instance relative to performance under this contract. This contract is awarded pursuant to N.J.S.A. 40A:11-5(dd) which states “The provision or performance of goods or services for the support or maintenance of proprietary marketing planning, videos and website coordinator.
3. The award of this contract is contingent upon compliance with the New Jersey Pay to Play Law as set forth in N.J.S.A. 19:44A-1; production of the Business Entity Disclosure Certificate, Affirmative Action Compliance Notice, New Jersey Certificate of Employee Information Report, New Jersey Business Registration Certificate and proof of insurance as required in the contract and certification from the Chief Financial Officer as to the availability of funds; a copy of these documents shall be kept on file in the office of the Borough Clerk.
4. That a copy of the specific items appertaining to the award of this contract shall be published in a Notice of Award in *The Herald of Cape May County* as required by law within ten (10) days of passage of the Resolution authorizing same.

Mr. Schiff motions, 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. 23-123

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING THE BOROUGH’S PARTICIPATION IN OMNIA PARTNERS-PUBLIC SECTOR CONTRACT, US. COMMUNITIES, CONTRACT #R-TC-17006, ONLINE MARKET FOR THE PURCHASE OF PRODUCTS & SERVICES ON AN AS NEEDED BASIS FOR THE BOROUGH OF WILDWOOD CREST, NJ

WHEREAS, pursuant to N.J.S.A. 52:34-6.2 (b) P.L. 2011, c.139 which was enacted into law permitting agencies to utilize national cooperatives; and

WHEREAS, the Omnia Partners-Public Sector, U.S. Communities & the Prince William County Public

Schools, VA has acted as lead agency RFP #R-TC-17600, Online Market for the Purchase of Products & Services on an as needed basis; and

WHEREAS, The Borough of Wildwood Crest, utilizes various items and equipment on an as needed basis for various Department and Division throughout the Borough; and

WHEREAS, Robert Osborn, Principal Purchasing Assistant and Francine Springer, CFO have reviewed the contract from Omnia Partners-Public Sector, U.S. Communities #R-TC-17600, Online Market for the Purchase of Products & Services on an as needed basis and have determined that utilizing this contract for various as need items & equipment for the Borough's Departments and Divisions is an economic solution; and

WHEREAS, it is recommended that the Borough Commissioners approve the use of an Online Market for the Purchase of Products and Services on an as Needed Basis from Omnia Partners-Public Sector, U.S. Communities Contract RFP #R-TC-17600, with Amazon Business; and

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, Cape May County, New Jersey, that various as needed items & equipment services utilized by the Borough be procured as needed from Amazon Business, Amazon Corporate, LLC, 207 Boren Avenue N, Seattle, WA 98109 in accordance with Omnia Partners-Public Sector, U.S. Communities Contract RFP #R-TC-17600; and

BE IT FURTHER RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, New Jersey authorizes the Borough Purchasing Manager to issue purchase orders (PO) on an as needed basis for items & equipment services for use throughout the Borough from Amazon Business, Amazon Corporate, LLC, 207 Boren Avenue N, Seattle, WA 98109 in accordance with the terms of the Omnia Partners-Public Sector, U.S. Communities Contract RFP #R-TC-17600, Online Market for the Purchase of Products & Services on an as needed basis.

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. 23-124

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST CONFIRMING THE APPOINTMENT OF THE APPOINTING AUTHORITY FOR THE BOROUGH OF WILDWOOD CREST AND AUTHORIZED SIGNORS

WHEREAS, the Borough of Wildwood Crest adheres to the rules and regulations set forth by the Civil Service Commission of the State of New Jersey; and

WHEREAS, the Borough of Wildwood Crest is required to appoint an appointing authority on behalf of the Borough; and

WHEREAS, the Appointing Authority is responsible for the management of all labor agreements the resolution of all personnel issues, and the appointment of all municipal employees and all other Civil Service requirements; and

WHEREAS, the Borough of Wildwood Crest wishes to appoint Constance Mahon as the Appointing Authority for the Borough of Wildwood Crest; and

WHEREAS, the Borough wishes to assign Tara Rosenberg, Human Resource Specialist, and Patricia A. Feketics, Borough Clerk, as authorized signors for Civil Service matters.

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 Constance Mahon is hereby appointed as the Appointing Authority for the Borough of Wildwood Crest.
3. That Tara Rosenberg, Human Resource Specialist, and Patricia A. Feketics, Borough Clerk, are hereby designated and authorized as signors for Civil Service matters.

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. 23-125

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING A LICENSING AGREEMENT BETWEEN BOROUGH OF WILDWOOD CREST AND AME COACHING FOR THE JERSEY

SHORE YOUTH AND JUNIOR TRIATHLON TEAM FOR THE USE OF THE JOSEPH VON SAVAGE POOL

WHEREAS, the JERSEY SHORE YOUTH AND JUNIOR TRIATHLON TEAM under AME COACHING has requested to use the Joseph Von Savage Pool located at 8800 New Jersey Avenue for a period defined below; and

WHEREAS, the JERSEY SHORE YOUTH AND JUNIOR TRIATHLON TEAM under AME COACHING would like to enter into an agreement for the following payment terms included in Schedule A; and

WHEREAS, the Board of Commissioners hereby authorize a licensing agreement with JERSEY SHORE YOUTH AND JUNIOR TRIATHLON TEAM under AME COACHING for a license for the non-exclusive right to use the Licensed Property known as the Joseph Von Savage Pool for the referenced fees and swim seasons is Schedule 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, as follows:

1. That the recital paragraphs set forth above are incorporated herein as if set forth at length.
2. That a license for the non-exclusive right to use the Licensed Property known as Joseph Von Savage Pool in the Borough of Wildwood Crest is hereby granted to JERSEY SHORE YOUTH AND JUNIOR TRIATHLON TEAM under AME COACHING for the period LISTED IN "SCHEDULE A". 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.

SCHEDULE "A"

Date	Day	Time
July 1, 2023	9:00 – 11:00 am	Saturday
July 2, 2023	9:00 – 11:00 am	Sunday
July 8, 2023	9:00 – 11:00 am	Saturday
July 9, 2023	9:00 – 11:00 am	Sunday
July 15, 2023	9:00 – 11:00 am	Saturday
July 16, 2023	9:00 – 11:00 am	Sunday
July 22, 2023	9:00 – 11:00 am	Saturday
July 29, 2023	9:00 – 11:00 am	Saturday
August 5, 2023	9:00 – 11:00 am	Saturday
August 12, 2023	9:00 – 11:00 am	Saturday
August 19, 2023	9:00 – 11:00 am	Saturday

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. 23-126

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING A MEMORANDUM OF AGREEMENT BETWEEN THE BOROUGH OF WILDWOOD CREST AND CITY OF NORTH WILDWOOD, CITY OF WILDWOOD AND THE GREATER WILDWOODS TOURISM IMPROVEMENT AND DEVELOPMENT AUTHORITY FOR JITNEY TRANSPORTATION SERVICES

WHEREAS, on March 23, 2023, the City of Wildwood opened a bid proposal for transportation services for the Wildwoods for 2023; and

WHEREAS, Atlantic City Jitney Association submitted the only bid in the amount of \$64,400.00; and

WHEREAS, the four Parties: GWTIDA, City of Wildwood, City of North Wildwood and the Borough of Wildwood Crest agree to share the cost of the jitney contract equally with each party being responsible for \$16,100.00; and

WHEREAS, GWTIDA agrees to pay the costs of marketing the service via advertising, social media marketing, rack card brochures, etc.; and

WHEREAS, all three municipalities agree that the responsibility for signage along the jitney route would belong to each municipality; and

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

1. That the above recital paragraphs are incorporated herein as if set forth as length.
2. The Mayor and Borough Clerk are hereby authorized, instructed, and empowered to execute the Memorandum of Agreement on behalf of the Borough of Wildwood Crest for the period May 26, 2023 through September 17, 2023, said agreement embodies all of the mutual terms, understandings and conditions.
3. This Resolution shall take effect as provided by law.

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. 23-127

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING BOROUGH ENGINEER WORK ORDER FOR 2017-2023 GIS UTILITY AS-BUILT MAPPING SERVICES – AT THE NTE SUM OF \$18,000

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 **2017-2023 GIS UTILITY AS-BUILT MAPPING SERVICES**, for engineering services which are more specifically set forth in the attached Proposal from Marc DeBlasio and the Firm of DeBlasio & Associates, dated **February 23, 2023** 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 **\$18,000.00**; and

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

Account Number(s) _____ Amount _____ Signature _____

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

1. The above recital paragraphs are incorporated herein as if set forth at length.
2. The Mayor and Borough Clerk are hereby authorized and empowered to execute the attached Work Order authorizing MARC DEBLASIO and DEBLASIO & ASSOCIATES to perform the professional engineering services as described in the Proposal which is hereby approved, at the billable rates set forth in the professional services agreement between Marc DeBlasio and Borough not to exceed **\$18,000.00**.

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. 23-128

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AMENDING PORTIONS OF RESOLUTION NO. 22-06 ADOPTED JANUARY 4, 2022, RESOLUTION NO. 22-113 ADOPTED ON FEBRUARY 16, 2022 AND RESOLUTION NO. 23-45 ADOPTED ON JANUARY 4, 2023 WHICH DESIGNATES THE POWERS AND DUTIES OF THE VARIOUS BOROUGH DEPARTMENTS AND ASSIGNING THE POWERS AND DUTIES OF EACH DEPARTMENT AND RESTATING ALL POWERS AND DUTIES IN ENTIRETY

WHEREAS, on January 4, 2022, the Board of Commissioners of the Borough of Wildwood Crest authorized Resolution 22-06 designated Borough Commissioners as Directors of the Various Borough Departments and Assigning the Power and Duties of each Department; and

WHEREAS, on February 16, 2022, the Board of Commissioners of the Borough of Wildwood Crest authorized Resolution No. 22-113 designated Borough Commissioners as Directors of the Various Borough Departments and Assigning the Power and Duties of each Department; and

WHEREAS, on January 4, 2023, the Board of Commissioners of the Borough of Wildwood Crest

authorized Resolution 23-45 which amended Resolution No. 22-113 which designated Borough Commissioners as Directors of the Various Borough Departments and Assigning the Power and Duties of each Department; and

WHEREAS, the Board of Commissioners desires to amend certain provisions of Resolution No. 22-06, Resolution No. 22-113 and Resolution No. 23-45 and Restate Powers and Duties in entirety as set forth herein (added language is underlined, deleted language is ~~stricken~~).

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

BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, in the County of Cape May, State of New Jersey, that:

SECTION 1. In accordance with the provisions of N.J.S.A. 40:70-76 "Commission Form of Government Law", the executive, administrative, judicial and legislative powers and duties are to be exercised by the Board of Commissioners who shall have complete control over the affairs of this municipality.

SECTION 2. BOARD OF COMMISSIONERS; GENERAL POWERS. In accordance with N.J.S.A. 40:72-3, et seq., through N.J.S.A. 40:75-1, et seq., the Board of Commissioners shall have all the powers conveyed therein necessary for the operation of municipal government. Consistent with the powers conferred by statute, the Board of Commissioners may make, amend, repeal and enforce ordinances for the following purposes:

- A. The protection of life, health and property;
- B. The declaration, prevention and summary abatement of nuisances;
- C. The preservation and enforcement of good government and the general welfare, order and security of the municipality.

In addition thereto, the Board of Commissioners shall:

1. Levy taxes;
2. Apportion funds;
3. Audit and appropriate funds;
4. Make or authorize contracts;
5. Execute resolutions;
6. Authorize assessments, including emergency and/or special assessments.

SECTION 3. JURISDICTION OF COMMISSION OVER DEPARTMENTS AND OFFICERS THEREOF. The Board of Commissioners shall determine the powers and duties to be performed by each department and shall assign such powers and duties to each department as it may deem appropriate. The Board shall prescribe the powers and duties of all officers and employees and may assign, by resolution, particular officers and employees to one or more departments and may require any officer or employee to perform duties in two (2) or more departments if the work required of such officer or employee in such different departments is similar in character, and shall make such other rules and regulations as may be necessary or proper for the efficient and economical conduct of the business of the municipality.

All directors of departments and officers are the agents of the Commission and all their acts shall be subject to the review and approval or revocation by the Commission subject to law. Every director or officer shall, from time to time, as required by law or ordinance or when requested by the Commission or whenever he shall deem it necessary for the good of the public service, report to the Commission, in writing, respecting the business of his department or office on matters concerned therewith.

SECTION 4. ADMINISTRATIVE AND PROFESSIONAL POSITIONS. The Board of Commissioners recognize the Borough Clerk, Chief Financial Officer, Tax Assessor, Tax Collector, Municipal Administrator, Engineers and Solicitor as specific administrative and professional personnel who are assigned to a specific department for administration and budget, but report to all Commissioners and the governing body as a whole. For the purposes of Capital Expenditures, engineers answer to the Governing Body as a whole; however, general engineering rests in the Department of Public Works.

~~The department of Construction, Construction Official and Zoning Official, similarly shall report directly to the Municipal Administrator who shall have direction and control over the day-to-day operations and to the Governing Body as a whole.~~

The Green Team and the Creative Arts Council shall report directly to the Municipal Administrator who shall serve as Representative on both bodies and the Administrator shall report to the Governing Body as a whole.

SECTION 5. DEPARTMENT OF PUBLIC AFFAIRS AND PUBLIC SAFETY. The Commissioner of Public Affairs and Public Safety shall have charge of supervision and direction over all officers and employees assigned to said department, and the purchase of all vehicles, apparatus and supplies for said department or the officers and departments assigned thereto. He shall have supervision of negotiations of contracts relative to his departments as well as:

- ~~• Ambulance Corps~~
- Animal Control
- Beach Patrol and lifeguards
- Chief of Police and Police Department

- Chief of the Fire Department and all non-volunteer Fire Department Operations
- Code Enforcement
- Public Safety Telecommunications
- Department of Health
- Emergency Management Services
- Emergency Medical Services
- Fire Official
- Municipal Court
- Municipal Prosecutor
- Public Defender
- Public Safety Maintenance
- State Aid Housing Inspections
- Technology /IT for all Public Safety Departments

~~He shall serve as Class III member of the Wildwood Crest Planning Board, and~~ He shall be the management representative of the Commission for the negotiation of, and if so authorized, execution of all employee contracts, as well as all departmental budgeting.

SECTION 6. DEPARTMENT OF REVENUE AND FINANCE. The Commissioner of the Department of Revenue and Finance shall have charge of and supervision and direction over all officers and employees assigned to said department, shall have charge of and cause to be prepared and published all statements and reports required by law or ordinance or by resolution of the Commission. He shall be Vice President (Deputy Mayor) of the Board of Commissioners, and in the case of vacancy in the Office of the Mayor, shall perform the duties of that office. He shall sign all contracts, excluding employment agreements, on behalf of the Borough specific to Revenue and Finance. He shall sign all checks of the Borough. The Commissioner of the Department of Revenue and Finance shall have charge of and supervision over all accounts and records of the Borough and all officers, boards or departments required to keep or make accounts and records or reports. He shall inspect or cause to be inspected all records or accounts required to be kept in any of the offices or departments of the Borough and shall cause proper accounts and records to be made. He shall audit or cause to be audited, at frequent intervals, the accounts of every or employee who does or may receive or disperse money. He shall have charge of the purchases care and distribution of all supplies or other articles not otherwise provided by law. He shall examine or cause to be examined and report to the Commission upon all bills, accounts, payrolls and claims before they are acted upon or allowed, unless otherwise provided by law. He shall cause to be collected all taxes, assessments, franchise taxes, license fees or other monies which may become due to the Borough. He shall report to the Commission any failure to make reports or to pay monies due to the Borough, with such recommendation in relation thereto as he may deem proper. He shall have supervision of negotiations of contracts relative to his departments as well as:

- Insurance Matters
- Chief Financial Officer / Treasurer
- Codification and Revision of ordinances
- Grants Administration
- Green Team / Creative Arts Council
- Lakefront Dredging
- Municipal Administrator (Reports to all three Commissioners)
- Municipal Budget
- Municipal Clerk
- Municipal or State Uniform Construction Office and Construction Official ~~is applicable~~
- Tax Assessor
- Tax Collector
- Water/Utility Billings
- Weddings
- Zoning Official

He shall serve as Class III member of the Wildwood Crest Planning Board.

SECTION 7. DEPARTMENT OF PUBLIC WORKS AND PARKS AND PUBLIC PROPERTY. The Mayor shall be the Commissioner of Public Works and Parks and Public Property and, as such, shall be the President of the Board of Commissioners and shall preside at its meetings, supervise all departments and report to the board for its action all matters requiring the attention of the Board or any department. He shall have the exercise of all powers and perform all the duties provided or prescribed by law or the ordinances of the Borough not in conflict with the provisions of this resolution. He shall, in the absence of the Commissioner of Revenue and Finance, sign all checks and contracts, excluding employment agreements, on behalf of the Borough. He shall have supervision and direction over the negotiation and execution of all employee contracts, purchase of all vehicles, apparatus and supplies for said department and shall have supervision and responsibility for maintenance of:

- Beach Maintenance
- Beach Pier
- Beautification of Public Property
- Borough Calendar
- Borough Engineer
- Clean Communities Program
- ~~Lakefront Dredging~~

- Legal Matters (Initial Point of Contact)
- Municipal Vehicle Maintenance
- Parks and Grounds
- Playgrounds
- Public Buildings
- Public Property
- Public Relations
- Public Works
- Recreation Commission
- Recreation Department
- Recycling
- Sanitation
- Special Events
- Technology / IT for all NON Public Safety Departments
- Tourism (Inclusive of TDC, GWTIDA, all Borough-sponsored events and all tourism activities, inclusive of entertainment as well as Tourism Information Operations)
- Urban Enterprise Zone
- Veterans Programs
- Weddings
- Wellness Programs

He shall serve as Class I member of the Planning Board and have charge of all utilities; sewer sanitation system and all public buildings shall be assigned to the Department of Public Works and Parks and Public Property.

BE IT FURTHER RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey, that the following amendments shall take effect upon passage of this resolution.

Joseph M. Schiff (Commissioner)

Joseph Franco, Jr. (Commissioner)

Don Cabrera (Mayor / Commissioner)

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

Vote: Schiff - Franco – Cabrera – YES

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

Vote: Schiff - Franco – Cabrera – YES

CORRESPONDENCE:

“Safety on the Agenda”- Report from Safety Coordinator Steve Shearer

SAFETY REPORT:

APRIL 5TH

General Liability, and Worker’s Compensation Report :
December 14, 2022 - March 9th 2023

A. Incidents 2:

DPW: DOI : January 23’ : Back strain - Accumulation of work load condition.

PD : DOI : February 23’ : Training Accident – Left thumb injury.

SAFETY INCENTIVE PROGRAMS :

JIF Safety Incentive Program – Program for 2023

- Enhanced Award achievable amount –of \$2,500.00
- We’re on track to receive the maximum incentive for the 6th consecutive year

RECOGNITION OF SAFE ACTIONS FOR ALL (DEPTS) BOROUGH EMPLOYEES

This award is usually celebrated with a luncheon in the fall :0)

2023 Quarterly Safety Meetings :

- June 8th 10:00am(Thur)
- September 7th 10:00am(Thur)
- December 13th 10:00am (Wed)

Mayor Cabrera asked if there was any opposition to continuing the Holiday Luncheon and using the funds from the Safety Incentive Program. All agreed.

PUBLIC COMMENTARY:

Katherine Hughes inquired about Resolution #5 and if it was referring to the UEZ and it was confirmed and that the UEZ has been reinstated. She then asked what the Escrow refund was about, and the Clerk read in part who was getting the refund and the location of the street opening. Lastly, she inquired about the jitney for transport services and asked about a local discount and she was informed that the fare is \$3.00 for everyone.

DISCUSSION:

NEW BUSINESS:

-Traffic Safety- Commissioner Schiff indicated that Wildwood will be doing a Traffic Study on Park Boulevard and Atlantic Avenue and that it costs approximately \$30,000 per street. He also indicated that we seem to need some help at Cresse Avenue and Park Boulevard. He doesn't want a traffic study because there are a low number of accidents there.

The mayor indicated that under old business was the north / south line striping and they were able to identify high pedestrian areas that need crosswalks, and he referenced the following: Ocean Avenue, Atlantic Avenue, and Park Boulevard.

Also mentioned was the Bulkhead proposal which was just authorized and there may be some raising of streets and maybe Park Boulevard and maybe close the gaps at intersections. The mayor asked the engineer to gather a proposal.

OLD BUSINESS:

-**Code Enforcement Personnel**- Commissioner Schiff indicated that he spoke with Code enforcement and although it is not currently budgeted for, he thought Rick Allen should be the point of contact. The Mayor suggested that since code enforcement touches so many departments from zoning, fire, property maintenance and mercantile that the Administrator should be the point person.

-**Crest Arts Pavilion**: On Hold.

-**Back Beach Excavation**: On Hold until we hear from USACE and DEP on new dune.

-**Flood Mitigation Projects**: Authorized Engineer's proposal earlier.

-**Dredging**: On hold.

-**CAFRA Permit**: The permit is in the technical review stage with the DEP and hopefully within the first two weeks of May.

-**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.

-**Borough hall exterior and addition – office moves**: On hold.

-**Bayside outfalls and capacity / bulkhead repairs / replacement**: Authorized earlier today.

-**Arts Pavilion Exterior – with CMCOS**: Still waiting and Great job on the soft opening and with the Creative Arts Council and the art contest.

-**Washington / Seaview – beach outfalls and capacity**: In the design stage.

-**Update Landscaping and add lighting in Business district -NJ-** Will be meeting with administrator and Asst. Superintendent of Public Works.

PUBLIC COMMENTARY:

Kathrine Hughes thanked the police for covering dumpsters. Commissioner Schiff indicated that 7 Notices of Violation were issued and given an order to correct. He further indicated that Code Enforcement officer tried to contact her regarding this issue.

Commissioner Comments

Commissioner Franco: Great job on the budget to CFO and staff. He further thanked the department heads for keeping spending in check. Lastly, he congratulated Patrick Feketics, a senior at Wildwood Catholic Academy, for his college choice to attend West Chester University in the fall.

Commissioner Schiff: Great job on the budget and Happy Easter!

Mayor Cabrera: Thanks to CFO, all department heads and governing body and Wildwood Crest has fared well with the budget. He congratulated everyone on the Crest Arts Pavilion, to include Recreation Department and the Green Team. There was an excellent turnout. Happy Easter!

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 23-129

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)

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. Franco seconded that the meeting be adjourned. All were in favor. The time was 11:15 a.m.

Dated: April 26, 2023

Patricia A. Feketics, Borough Clerk

