

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

May 11, 2022

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

The meeting of the Board of Commissioners, Borough of Wildwood Crest, Cape May County, New Jersey, was held at Crest Pier 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 October 13, 2021.

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

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

Mr. Franco motioned, Mr. Schiff seconded that Ordinance No. 1382 be placed on second and final reading by title only.

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE INTRODUCED ORDINANCE BY TITLE:

**ORDINANCE NO. 1382**

**ORDINANCE OF THE BOROUGH OF WILDWOOD CREST AMENDING AND SUPPLEMENTING CHAPTER 40 LICENSES OF THE CODE OF THE BOROUGH OF WILDWOOD CREST REGULATING SPECIAL EVENTS AND USE OF MUNICIPAL FACILITIES AND GROUNDS TO PERMIT TEMPORARY SIGNS TO PROMOTE EVENTS**

Mr. Franco motioned, Mr. Schiff seconded that a hearing now be held on Ordinance No. 1382.

Vote: Schiff - Franco – Cabrera – YES

Hearing nothing from the public, Mr. Franco motioned, Mr. Schiff seconded that the hearing on Ordinance No. 1382 now be closed.

Vote: Schiff - Franco – Cabrera – YES

Mr. Franco motioned, Mr. Schiff seconded that Ordinance No. 1382 be passed on second and final reading and advertised according to law.

Vote: Schiff - Franco – Cabrera – YES

Mr. Franco motioned, Mr. Schiff seconded that Ordinance No. 1383 be placed on second and final reading by title only.

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE INTRODUCED ORDINANCE BY TITLE:

**ORDINANCE NO. 1383**

**ORDINANCE AMENDING CHAPTER 53 – POLICE DEPARTMENT – SECTION 53-4 – COMPOSITION – OF THE CODE OF THE BOROUGH OF WILDWOOD CREST**

Mr. Franco motioned, Mr. Schiff seconded that a hearing now be held on Ordinance No. 1383.

Vote: Schiff - Franco – Cabrera – YES

Hearing nothing from the public, Mr. Franco motioned, Mr. Schiff seconded that the hearing on Ordinance No. 1383 now be closed.

Vote: Schiff - Franco – Cabrera – YES

Mr. Franco motioned, Mr. Schiff seconded that Ordinance No. 1383 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. 22-182

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING AMENDMENT TO THE 2022 MUNICIPAL BUDGET TO ACCOUNT FOR ADDITIONAL FUNDING FROM THE COUNTY OF CAPE MAY OPEN SPACE AND FARMLAND PRESERVATION PROGRAM FOR PUBLIC BEACH ACCESS IMPROVEMENTS**

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

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

**WHEREAS**, the Borough of Wildwood Crest will receive \$2,500,000.00 from the County of Cape May Open Space and Farmland Preservation Program for Public Beach Access Improvements, and wishes to amend its 2022 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 2022 in the sum of \$2,500,000.00 which is now available as a revenue from:

Miscellaneous Revenues

Special Items of General Revenue Anticipated with  
Prior Written Consent of the Director of the Division  
of Local Government Services - Public and Private  
Revenues Offset with Appropriations:

County of Cape May Open Space and Farmland Preservation Program – Public Beach  
Access Improvements \$2,500,000.00

**BE IT FURTHER RESOLVED** that a like sum of \$2,500,000.00  
be and the same is hereby appropriated under the caption of:

GENERAL APPROPRIATIONS

(a) Operations Excluded from Caps

Public and Private Programs Offset by Revenues:

County of Cape May Open Space and Farmland Preservation Program – Public  
Beach Access Improvements

**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, Mr. Franco seconds that the foregoing resolution be adopted.

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 22-183

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST ACKNOWLEDGING THE ACQUISITION OF CAPE PROFESSIONAL BILLING, dba CAPE MEDICAL BILLING BY ADMINISTRATIVE ADVANTAGE, LLC FOR THIRD PARTY BILLING SERVICES FOR MUNICIPAL BASIC LIFE SUPPORT (BLS) AMBULANCE SERVICES**

**WHEREAS**, the Borough of Wildwood Crest (the “Borough”) previously procured Third Party Billing Services for Municipal Basic Life Support (BLS) Ambulance Services from Cape Professional Billing, d/b/a Cape Medical Billing (Cape Professional Billing), pursuant to competitive contracting provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-4.1 et seq; and

**WHEREAS**, the Borough recently received notification that Cape Professional Billing was being acquired by Administrative Advantage, LLC based in Savannah, Georgia; and

**WHEREAS**, it has been represented to the Borough that Administrative Advantage, LLC will perform services for the Borough using the same management staff, personnel and physical location as Cape Professional Billing, and that Administrative Advantage, LLC will comply with all the contractual requirements and obligations set forth in the existing Cape Professional Billing contract.

**NOW, THEREFORE BE IT RESOLVED** by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, State of New Jersey that based on the representations made by both Cape Professional Billing and Administrative Advantage, LLC that Administrative Advantage, LLC will perform the services in strict accord with the contract terms contained in the Cape Professional Billing contract for Third Party Billing Services for Municipal Basic Life Support (BLS) Ambulance Services, the Borough hereby consents to assignment of the Cape Professional Billing contract to Administrative Advantage, LLC and all terms, conditions and representations therein remain unchanged.

**BE IT FURTHER RESOLVED**, that a certified copy of this resolution shall be forwarded to the Chief Financial Officer, Municipal Auditor and Administrative Advantage, LLC located at 5 Locust Lane, PO Box 670, Cape May Court House New Jersey 08210 and Administrative Advantage, LLC located at PO Box 13846, Savannah, Georgia 31416.

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

**RESOLUTION NO. 22-184**

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING THE APPOINTMENT OF THREE PARKING ENFORCEMENT / SLEO I OFFICERS**

**WHEREAS**, the Commissioner of Public Safety desires to appoint Three (3) Parking Enforcement / SLEO I Officers for the Borough of Wildwood Crest; and

**WHEREAS**, it is the desire of the Commissioner of Public Safety to appoint Joseph Antonelli, Tyler Abruscato, Brendan Fenton, as Parking Enforcement / SLEO I Officers for the Borough of Wildwood Crest, to serve in an “at-will” capacity at the pleasure of the Commissioner of Public Safety at an annual salary as contained in the current year salary ordinance of the Borough of Wildwood Crest; and

**WHEREAS**, the Board of Commissioners of the Borough of Wildwood Crest has determined that it is in the best interests of the Borough of Wildwood Crest to confirm and ratify the appointment of Joseph Antonelli, Tyler Abruscato, Brendan Fenton, as Parking Enforcement / SLEO I Officers.

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

1. The above recital paragraphs are incorporated herein as if fully set forth at length.
2. The appointment of Joseph Antonelli, Tyler Abruscato, Brendan Fenton, as Parking Enforcement / SLEO I Officers effective the date of passage of this resolution, at an annual salary as permitted within the parameters of the range established in the current year “Salary Ordinance” of the Borough of Wildwood Crest, be and the same is hereby confirmed and ratified.
3. Such unclassified appointment shall be “at-will,” at the pleasure of the Commissioner of Public Safety and shall remain in full force and effect until further notice.

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

**RESOLUTION NO. 22-185**

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING BOROUGH ENGINEER WORK ORDER FOR BEACH STREET END PUBLIC ACCESS IMPROVEMENTS – PHASE 2 –AT THE NTE SUM OF \$235,000**

**WHEREAS**, the Board of Commissioners of the Borough of Wildwood Crest desires to authorize issuance of a Work Order to the Borough Engineer, Marc DeBlasio and the Firm of DeBlasio & Associates for BEACH STREET END PUBLIC ACCESS IMPROVEMENTS- PHASE 2- AT THE NTE SUM (\$235,000.00) for engineering services which are more specifically set forth in the attached Proposal from Marc DeBlasio and the Firm of DeBlasio & Associates, dated April 6, 2022 which is made a part hereof by reference as if fully set forth at the billable rates set forth in the professional services agreement between Marc DeBlasio and Borough not to exceed \$235,000.00; and

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

Account Number(s): \_\_\_\_\_ Amount: \$235,000.00 Signature \_\_\_\_\_

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

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

2. The Mayor and Borough Clerk are hereby authorized and empowered to execute the attached Work Order authorizing MARC DEBLASIO and DEBLASIO & ASSOCIATES to perform the professional engineering services as described in the Proposal, which is hereby approved, at the billable rates set forth in the professional services agreement between Marc DeBlasio and Borough not to exceed \$235,000.00.

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 22-186

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING APPROVAL OF CHANGE ORDER NUMBER 1 – FY2019 NJDCA SMALL CITIES PROGRAM – RENOVATIONS TO THE OLD LIBRARY TO REFLECT ADDED ARMSTRONG WOOD CEILING SYSTEM IN THE AMOUNT \$3,662.37**

**WHEREAS**, Joseph Porretta Builders, Inc., 551 Anderson Avenue, Hammonton, New Jersey 08037 was awarded the contract known as FY 2019 NJDCA SMALL CITIES PROGRAM – RENOVATIONS TO THE OLD LIBRARY via Resolution No. 21-317 on December 8, 2021 for \$1,918,713.00; and

**WHEREAS**, on March 17, 2022, Borough Engineer Marc DeBlasio of DeBlasio & Associates has reviewed and recommended the removal of interior door #114 from the current contract, which decreases the contract amount by \$25,200; and

**WHEREAS**, on April 13, 2022, Borough Engineer Marc DeBlasio of DeBlasio & Associates has reviewed and recommended a reduction of tile pattern from the current contract, which decreases the contract amount by another \$1,491.40; and

**WHEREAS**, Borough Engineer Marc DeBlasio of DeBlasio & Associates has reviewed the quantity additions for various items and approves Change Order No 1 – FY2019 NJDCA SMALL CITIES PROGRAM– RENOVATIONS TO THE OLD LIBRARY to reflect added Armstrong Wood Ceiling System with an increased amount of \$30,353.77 all of which is detailed in the attachment to the Change Order and revising the Contract Price to \$1,922,375.37.

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

Account Number(s) C-04-55-129-9C1 Amount \$3,662.37 Signature \_\_\_\_\_

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

1. That the above recital paragraphs are incorporated herein by reference as if set forth at length.
2. That said Change Order Number 1- FY2019 NJDCA SMALL CITIES PROGRAM– RENOVATIONS TO THE OLD LIBRARY increasing the total contract amount by \$3,662.37 (with additional credits in the amount of \$26,691.40) and revising the contract price to \$1,922,375.37 is hereby approved.
3. That the Mayor and Borough Clerk of the Borough of Wildwood Crest are hereby authorized and directed to execute, and attest said Change Order documents on behalf of the Borough of Wildwood Crest.

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 22-187

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING AN ADDENDUM TO THE MEMORANDUM OF AGREEMENT AND CONTRACT BETWEEN THE BOROUGH OF WILDWOOD CREST AND WILDWOOD CREST UNITED INDEPENDENT UNION, LOCAL 1 FROM JANUARY 1, 2022 THROUGH DECEMBER 31, 2025**

**WHEREAS**, the United Independent Union, Local 1, hereinafter known as Union, has been certified as the representative of “sanitation workers” of the Borough of Wildwood Crest so designated and specifically included in the appropriate certificate of representation, under Docket No. RO-87-36; and

**WHEREAS**, this Addendum to the Memorandum of Agreement (MOA) is made between the captioned parties pursuant to collective bargaining negotiations for the purpose of amending the previously negotiated MOA and Collective Bargaining Agreement (CBA) the language incorporated herein shall supplement the current contract that expires on December 31, 2025; and

**WHEREAS**, the parties agreed to the successor terms and conditions of employment on December 22, 2021. The respective negotiating teams for the parties agree to present a tentative agreement to their respective constituents for ratification. This document confirms the tentative terms and conditions for an addendum to the

original MOA and successor contract and is subject to the approval and ratification of both parties; and

**WHEREAS**, the Borough and UIU agree that the following changes shall be made to the MOA dated December 22, 2022 and to in the existing contract and unless otherwise set forth herein, the parties assert that all other terms and provisions in the expired collective bargaining agreement shall remain in full force and effect.

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

1. The above recital paragraphs are incorporated herein as if set forth in full.
2. The Mayor / Commissioner of Public Works and Borough Clerk are hereby authorized, instructed, and empowered to execute the Addendum to the MOA and Collective Bargaining Agreement on behalf of the Borough of Wildwood Crest for the period January 1, 2022 through December 31, 2025, embodying all of the mutual terms, understandings and conditions involving the employment of all sanitation workers so included in the Union within the meaning of the act as more fully described in the certification of representation under Docket No.RO-87-36; a copy of said agreement shall be placed on file in the office of the Borough Clerk and is incorporated herein by reference as if fully set forth.
3. This Resolution shall take effect as provided by law.

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

**RESOLUTION NO. 22-188  
RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF  
WILDWOOD CREST ESTABLISHING DATES AND HOURS OF OPERATION FOR  
WILDWOOD CREST SPRAY GROUND FOR SUMMER 2022 SEASON**

**WHEREAS**, Spray Grounds are interactive water features that are ideal for children of all ages; and

**WHEREAS**, the Borough of Wildwood Crest established the Spray Ground located at Sunrise Park in 2021; and

**WHEREAS**, a feature of the Spray Ground is that a button must be used to activate the water so that water does not run continuously; and

**WHEREAS**, the Borough of Wildwood Crest wishes to authorize the following hours of operation, that are subject to change without notice:

May 27<sup>th</sup> to June 12<sup>th</sup>: 10:00 am – 6:00 pm

June 13<sup>th</sup> to September 11<sup>th</sup>: 10:00 am – 7:00 pm

September 12<sup>th</sup> to October 10<sup>th</sup>: 10:00 am – 6:00 pm

**NOW, THEREFORE BE IT RESOLVED** by the Board of Commissioners of the Borough of Wildwood Crest, that the above dates and hours of operation for the Wildwood Crest Spray Ground are hereby approved.

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

**RESOLUTION NO. 22-189  
RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF  
WILDWOOD CREST AMENDING THE POLICIES AND PROCEDURES MANUAL OF  
THE BOROUGH OF WILDWOOD CREST**

**WHEREAS**, the Atlantic County Municipal Joint Insurance Fund requires the Policies and Procedures Manual to be updated and distributed to managerial / supervisory employees every two years; and

**WHEREAS**, the Board of Commissioners desires to amend certain provisions of the Policies and Procedures Manual adopted on October 6, 2021 via Resolution No. 21-285 as set forth herein (added language is underlined, deleted language is ~~stricken~~).

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Commissioners of the Borough of Wildwood Crest, in the County of Cape May, New Jersey, that the Policies and Procedures Manual of the Borough of Wildwood Crest be amended as follows:

POLICIES AND PROCEDURES MANUAL CHANGES 2022

1) **CALL IN OR CALL BACK PAY**

Section Call Back Pay: change to Pg 23:

“If a non- exempt unrepresented full-time employee is recalled to duty (or called in to work on an unscheduled workday,) the employee must be compensated at time and one-half his rate of pay for all hours worked, with a guaranteed minimum time of two (2) hours. The 2-hour guarantee shall only be granted ~~once~~ twice in a 24-hour period.

2) **EDUCATIONAL ASSISTANCE AND TRAINING POLICY**

Replace fourth paragraph on Pg 29 with the following paragraph:

~~Certification of completion of the course or training must be submitted to Department Head and Human Resources or Board Designee for inclusion in the employee’s personnel file. Cost reimbursement to employee will be made after successful completion of the course, with proof of satisfactory completion provide to the CFO.~~

The borough will pay for the cost of the course that has been approved in advance, in writing by the commissioner in charge of the department. Upon completion of the course, employee must provide proof of satisfactory completion of course to the Human Resources Department for inclusion in personnel file.

3) **PAID HOLIDAY POLICY:**

Paid Holiday Policy: change to Paid Holiday eligibility section item 1 pg. 35 as follows in red:

Exempt Employees: Management level employees who are required to work on a scheduled holiday shall be permitted to take another day off in lieu thereof with advance written approval of the commissioner in charge only. Said day must be taken in the year in which it is earned unless the holiday falls in October, November, December in which case the day must be taken before March 31<sup>st</sup> of the following year.

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 22-190

**RESOLUTION OF THE BOARD OF COMMISSIONERS APPROVING UPDATED FLOOD INSURANCE PROMOTION ACTIVITY WITH THE ATLANTIC-CAPE MULTI-JURISDICTIONAL PROGRAM FOR PUBLIC INFORMATION**

**WHEREAS**, as an active participant in FEMA’s Community Rating System (CRS) program, the Borough of Wildwood Crest has determined that it is necessary to participate in the New Jersey Coastal Coalition’s Atlantic-Cape Multi-Jurisdictional Public Information (MJPI), consisting of municipal officials and community stakeholders, to assist in evaluating existing public information disseminated by the Township, other Municipalities and regional stakeholders regarding floodplain management, and to develop new public information needs; and

**WHEREAS**, the MJPI will coordinate all of the flood-related public information in the community and the surrounding areas, both public and private; and

**WHEREAS**, the MJPI was being expanded to include the Flood Insurance Promotion CRS activity in 2020 and needs to be updated based on FEMA’s 2021 update; and

**WHEREAS**, the Borough of Wildwood Crest will distribute a letter from the governing body to the residents in the Special Flood Hazard Zone which will include an Insurance Brochure, participate in a community outreach meeting to help promote flood insurance, distribute Insurance Brochure with all construction permits in the Special Flood Hazard Zone and work with our Insurance Stakeholders to provide technical assistance to our residents.

**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. The allegations of the preamble are incorporated herein by this reference.
2. The Borough of Wildwood Crest hereby formally supports participation in the updated Flood Insurance Promotion CRS activity as proposed by the updated MJPI.
3. All Borough officials, officers and employees are empowered to take such action as may be necessary or advisable in order to carry out the intent and purpose of this Resolution.

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 22-191

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING REFUND OF THE HOMESTEAD BENEFIT CREDIT IN THE AMOUNT OF \$464.84 FOR PROPERTY LOCATED AT 307 EAST SAINT PAUL AVENUE MADE PAYABLE TO MICHAEL REGOSCH**

**WHEREAS**, the State of New Jersey through the Homestead Benefit program issued a 2022 third quarter tax credit to the property located at 307 East Saint Paul Avenue for the 2018 Homestead Benefit and;

**WHEREAS**, on August 6, 2021, the property located at 307 East Saint Paul Avenue was granted a Totally Disabled Veteran Tax Exemption and

**WHEREAS**, the Tax Collector of the Borough of Wildwood Crest has determined the Homestead Benefit should be refunded to the homeowner as indicated below.

125.01-8	Regosch, Michael	<b>Amount</b>
2018 Homestead Benefit	307 East Saint Paul Avenue Wildwood Crest, NJ 08260	\$464.84

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Commissioners of the Borough of Wildwood Crest, County of Cape May, State of New Jersey, the Chief Financial Officer is hereby authorized to execute said refund as soon as practicable and the Tax Collector should mark the records accordingly to reflect said refund as per the meeting on May 11, 2022.

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 22-192

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING REFUND OF THE HOMESTEAD BENEFIT CREDIT IN THE AMOUNT OF \$483.98 FOR PROPERTY LOCATED AT 6701 PARK BOULEVARD MADE PAYABLE TO FRANK AND DIANE LUPO**

**WHEREAS**, the State of New Jersey through the Homestead Benefit program issued a 2022 third quarter tax credit to the property located at 6701 Park Boulevard for the 2018 Homestead Benefit and;

**WHEREAS**, on June 16, 2021, the property located at 6701 Park Boulevard was granted a Totally Disabled Veteran Tax Exemption and

**WHEREAS**, the Tax Collector of the Borough of Wildwood Crest has determined the Homestead Benefit should be refunded to the homeowner as indicated below.

58-17.02	Lupo, Frank and Diane	<b>Amount</b>
2018 Homestead Benefit	6701 Park Boulevard Wildwood Crest, NJ 08260	\$483.98

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Commissioners of the Borough of Wildwood Crest, County of Cape May, State of New Jersey, the Chief Financial Officer is hereby authorized to execute said refund as soon as practicable and the Tax Collector should mark the records accordingly to reflect said refund as per the meeting on May 11, 2022.

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 22-193

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING AWARD PROFESSIONAL SERVICES CONTRACT TO THE LOMAX GROUP FOR SPECIALIZED ENGINEERING AND ENVIRONMENTAL CONSULTING SERVICES FOR VARIOUS BLOCKS AND LOTS IN WILDWOOD CREST**

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

**WHEREAS**, the Borough Clerk received a proposal from The Lomax Consulting Group dated July 31, 2021 and that proposal was forwarded to a review committee consisting of the Borough Administrator, Constance Mahon, Borough Clerk, Patricia Feketics, Chief Financial Officer, Francine Springer, and Borough Solicitor Ronald J. Gelzun; and

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

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

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

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

**WHEREAS**, the Commissioners of the Borough of Wildwood Crest concur with the Review Committee's recommendation to award the contract to The Lomax Consulting Group; and

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

Account Number(s)C-04-55-137-0B2 Amount \$13,910.00 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 Environmental Consulting Services for various blocks and lots in Wildwood Crest be awarded to The Lomax Consulting Group.
3. The award of this contract is contingent upon compliance with the New Jersey Pay to Play Law as set forth in N.J.S.A. 19:44A-1; production of the Business Entity Disclosure Certificate, Affirmative Action Compliance Notice, New Jersey Certificate of Employee Information Report, New Jersey Business Registration Certificate and proof of insurance as required in the contract and certification from the Chief Financial Officer as to the availability of funds.
4. That the Mayor and Borough Clerk are hereby authorized and empowered to enter into a professional services contract effective immediately and not to extend beyond one (1) calendar year, with The Lomax Consulting Group, who shall be compensated pursuant to attached Proposal which is incorporated herein, at the billable rates set forth therein not to exceed \$13,910.00.
5. That a Notice of Award shall be published in *The Herald of Cape May County* as required by law within ten (10) days of passage of this Resolution, which notice shall state that this Resolution and the contract are on file and available for public inspection in the office of the Borough Clerk.



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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 22-194

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING ADVERTISEMENT OF A NOTICE TO BIDDERS FOR LEASE OF THE CREST ARTS PAVILION CAFE**

**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 18, 2022.

**BE IT FURTHER RESOLVED** Sealed bids will be received by the Bid Opening Committee in the Municipal Court Room, Wildwood Crest Borough Hall, on **Wednesday, June 15, 2022 at 10:00 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:

**SPECIFICATIONS & GENERAL REQUIREMENTS**

**FOR LEASE OF THE CREST ART PAVILION CAFÉ  
BOROUGH LEASE AGREEMENT #2022-002**

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 22-195

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING ADVERTISEMENT OF A NOTICE TO BIDDERS FOR LEASE OF THE CREST ARTS PAVILION RETAIL MERCHANDISE STORE**

**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 18, 2022.

**BE IT FURTHER RESOLVED** Sealed bids will be received by the Bid Opening Committee in the Municipal Court Room, Wildwood Crest Borough Hall, on **Wednesday, June 15, 2022 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:

**SPECIFICATIONS & GENERAL REQUIREMENTS**

**FOR LEASE OF THE CREST ART PAVILION RETAIL MERCHANDISE STORE  
BOROUGH LEASE AGREEMENT #2022-001**

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

Vote: Schiff - Franco – Cabrera – YES

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

Vote: Schiff - Franco – Cabrera – YES

**CORRESPONDENCE: N/A**

**PUBLIC COMMENTARY: N/A**

**DISCUSSION:**

**NEW BUSINESS-**

-Beach Patrol Bldg.

Bill McLees, architect, for the project was present for the meeting. He indicated that he was tasked with preserving, renovating, and modernizing the facility. He added there is a portion on the northwest corner of the building that is a single story, and they would like to demo that and reconstruct to two stories. Secondly, the current flat roof is in need of repair. He went on to describe the proposed pitched roof and the height of the roof would trigger more review from the state. The Engineer indicated that the governing body must agree on a rendering so that it can be included in the Jurisdictional Determination to the state.

**OLD BUSINESS –**

**-Back Beach Excavation: No movement**

**-Office Moves: No movement**

**-NJ Lots / All Borough lots – costs vision: No movement**

**-Vision for Old Library : No movement**

**-Flood Mitigation Projects:** Working on ordinance and will re-notice attendees with the changes on the water front.

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

**PUBLIC COMMENTARY:** Nothing from the public.

Commissioner Comments:

Commissioner Schiff – Condolences to Chief Lloyd on his uncle’s passing and he reminded all about the Police Unity Tour, he mentioned that staff is doing a great job. He added that the WCBP needs more people to apply for the position of lifeguard.

Commissioner Franco – He commended Sgt. Mulholland on his actions to help several students that were swimming on April 28, 2022

Mayor Cabrera – He echoed the sentiments regarding Chief Lloyd and Sergeant Mulholland and the Police Unity Tour. He reminded all of the re-scheduled yard sale will take place on May 21, 2022 and there will be a paper shredder for residents. He added that the Mayor’s Wellness walk will take place on Saturday, May 14, 2022 at 9:30 a.m. Lastly, CMS will be having a bike ride on Friday, May 20, 2022 starting at Rambler Road. More details will be provided.

Hearing nothing further from the public,

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

**RESOLUTION NO. 22-196**

**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, May 11, 2022 at 9:30 A.M.**; and

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

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

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

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

\_\_\_\_\_  
“(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 \_\_\_\_\_

  x  x  

\_\_\_\_\_  
“(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  
1. Possible land acquisition and 2. The sale of a borough owned property.

\_\_\_\_\_  
“(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 \_\_\_\_\_

\_\_\_\_\_  
“(8) Any matter involving the employment, appointment, termination of employment, terms and conditions or employment, evaluation of the performance, promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all individual employees or appointees whose rights could be adversely affected request, in writing, that such matter or matters be discussed at a public meeting.” Subject to the balancing of the public’s interest and the employee’s privacy rights under *South Jersey Publishing Co. v. New Jersey Expressway Authority*, 124 N.J. 478, the employee(s) and nature of the discussion, described as specifically as possible without undermining the need for confidentiality are \_\_\_\_\_.

\_\_\_\_\_  
“(9) Any deliberation of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party as a result of an act or omission for which the responding party bears responsibility.” The nature of the matter, described as specifically as possible without undermining the need for confidentiality is \_\_\_\_\_

**WHEREAS**, the Board of Commissioners shall reconvene the public meeting at the conclusion of the authorized closed or executive session, which may or may not include formal action as a result of the discussion(s) held.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Borough of Wildwood Crest, assembled in public session on the date of the meeting of the governing body set forth herein above, that a closed session shall be held for the discussion of matters relating to the specific items designated above involving the Borough of Wildwood Crest. The governing body shall convene a closed session discussion immediately upon passage of this resolution and it is anticipated that the deliberations conducted in closed session shall be disclosed to the public upon conclusion of the matter and/or after determination of the Board of Commissioners that the public interest will no longer be served by such confidentiality and that the meeting will return to open session at the conclusion of the discussion and formal action may be taken if/as authorized.

**BE IT FURTHER RESOLVED** that the Municipal Clerk, at the present public meeting, shall read aloud enough of this resolution so that members of the public in attendance can understand, as precisely as possible, the nature of the matters that will be privately discussed.

**BE IT FURTHER RESOLVED** that the Municipal Clerk, on the next business day following this meeting, shall furnish a copy of this resolution to any member of the public who requests one at the fees authorized by N.J.S.A. 47:1A-1, et. seq.

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

Vote: Schiff - Franco – Cabrera – YES

After returning to Open Session and hearing nothing from the public, Mr. Schiff motioned and Mr. Franco seconded that the meeting be adjourned. All were in favor. The time was 11:02 a.m.

Dated: May 25, 2022

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

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