

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

May 22, 2024

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 on October 4, 2023 and The Press on December 13, 2023.

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. 1432 be passed on second reading and final passage by title only.

Vote: Schiff - Franco – Cabrera – YES

The Mayor requested the **BULKHEAD PROJECT PRESENTATION- Engineer Marc DeBlasio** be moved to the beginning of the meeting.

The presentation was placed immediately on the borough's website.

After the presentation, there were several comments:

-Carmen Alamenno, cited two elevations that reached over 6 feet (Sandy and Jonas) and inquired if there supplemental funding for homeowners. It was noted that the borough needed to raise bulkheads to be compliant with FEMA. The Mayor added that the current ordinance does not have a mandate for compliance unless a substantial improvement is being done on the home.

-Collen Brady, inquired about how tall the bulkhead would be and how it will affect their view of the water.

The Mayor added the current bulkheads throughout the borough are three layers and FEMA cites a requirement of 8' NADV and the borough is trying to get caught up to that height. He also noted that some bulkheads are not watertight and they must be replaced.

-Gary Agnes, asked the Engineer if Cresse Avenue and Lake Road was the lowest elevation in the Crest and he was told that it is. He noted it is a common occurrence for general tides to back up from the outflow pipes. He believes that dredging is needed and that floating docks are in the mud. The Engineer added that flooding at the above-mentioned intersection occurs approximately 57 times a year over a 20 year period and as far as dredging is concerned, there is a free flow condition (open atmosphere) and it would not affect the flooding. He also noted that the valve will play a crucial role in and that some private bulkheads need to be raised. This project will help to some extent and the success will increase when more people do it.

-Nancy Agnes, inquired who will maintain the valves and the Mayor indicated that Public Works will be responsible. The Engineer added that the Borough will have to adopt a policy on how to maintain the valves in the most efficient manner.

-Jim Jones, asked about the manual valves and where they will be located. The Engineer indicated they will be buried similar to cast iron box with pop lid. Mr. Jones asked if it would affect parking spots and how to maintain access. Secondly, he indicated that on Park Boulevard by the water tower rarely floods and when it does, it comes up through the drains.

-Tom Alvarado asked what the valves were made from and he was told cast iron and stainless steel so the longevity is approximately 50-60 years.

-Paul Ware had questions regarding the valves and how good they are and that Wildwood Water valves are always open.

-Joanne Donehower, asked about the one of the slides with flooding and the date it occurred was February 12, 2024 and she had questions with raising the street ends and how it will affect the property and the sidewalk. The engineer indicated there would be a transition. The engineer also indicated that there are identified property owner with pictures and they will need access to the property and there will be an agreement forthcoming.

- Nancy Agnes, inquired about where the project would start and the engineer indicated that the bid specs are not ready yet, but suspected it would start at the southern end.
- Carmen Alamenno, asked about compliance and tying in new bulkhead with the borough bulkhead and the engineer indicated it has to integrate and a permit would be needed.
- Joanne Donehower, inquired about the impact on private property owners and what it may do to their yards and eliminations of views and it was noted that views would be impacted.
- Tom Alvarado, inquired about the substantial improvements and the Engineer added that if substantial improvements are not done, there is no immediate date for compliance. If the substantial improvements are done, then their bulkhead must be raised to the 8' NADV.
- Carmen Alamenno, added that if you raise the bulkhead and are in compliance that it extends to the house as the new starting point.
- Gary Agnes, stated that at Heather Road and Lake Road, the new bulkhead looks to meet compliance.
- Joanne Donehower, inquired if you raise the bulkhead, what about boat lifts, will steps be needed and the Engineer indicated you will need to hire an Engineer to deal with the transition.
- Kevin Maloy, inquired about piers to floating docks and how they are built on pilings to current bulkheads and added what would be needed: new pier, new pilings, decking, etc. The Engineer added that steps can be installed or you can replace the pier and suggested ground base decking.

The Mayor added that the packet/slideshow will be available on the borough's website. Furthermore, individual property owner will be contacted with rights of way issues via certified mail. There will be a more specific letter in the future. There are areas of the borough's bulkhead that are three layers and the infrastructure is old and needs to be replaced. If the borough touches it, it must go to 8' and flood insurance and ratings are affected. The borough will address its own first before mandating private property owners to do the same.

The presentation ended at 5:52 p.m. and there was a small break to clear courtroom if there were any people that wanted to leave.

THE CLERK READS THE FOLLOWING ORDINANCE BY TITLE:

**ORDINANCE NO. 1432**  
**ORDINANCE ADOPTING A REDEVELOPMENT PLAN FOR CERTAIN**  
**PROPERTY IN THE BOROUGH OF WILDWOOD CREST, COUNTY OF**  
**CAPE MAY, STATE OF NEW JERSEY**

Mr. Franco motioned and Mr. Schiff seconded that a public hearing be held on Ordinance No. 1432.

Vote: Schiff - Franco – Cabrera – YES

After hearing nothing from the public, Mr. Franco motioned and Mr. Schiff seconded that the public hearing be held on Ordinance No. 1432 now be closed.

Vote: Schiff - Franco – Cabrera – YES

Mr. Franco motioned and Mr. Schiff seconded that Ordinance No. 1432 be passed on second reading and advertised according to law.

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

**RESOLUTION NO. 24-159**  
**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 4, 2023 via Resolution No. 23-275 as set forth herein.

**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 2024

Add new Section – Joint Insurance Fund requirements.

The Borough of Wildwood Crest is a member of the Atlantic County Municipal Joint Insurance Fund (ACMJIF). Under the ACMJIF policy provisions and in accordance with the ACMJIF recommended procedures, all departments, employees, and management staff shall report incidents, accidents, and employee injuries (see Workers' Compensation Section) to the Borough's Claim's Coordinator in a timely manner for submission to the ACMJIF for a coverage determination and for direction regarding the handling of the claim. It is the responsibility of the Department Head or Supervisor to complete the First Report of Injury, which is included in this policy, and forward the Report directly to the Claim's Coordinator as soon after the incident as possible; however, in no event shall it be later than 48 hours after the incident occurred. Incidents, accidents and employee injuries that occur outside of regular working hours shall be reported directly to Qual-Lynx using the emergency reporting procedures prescribed by the ACMJIF. Additionally, the Supervisor's Incident Report must be completed and forwarded as directed by the procedures prescribed by the ACMJIF. An Incident Checklist shall be provided to each Department to assist in tracking the completion of each task in the process. All staff shall be required to participate and attend any and all required and/or recommended in person training, webinars, and online classes and to familiarize themselves with all of the ACMJIF resources.

- 1) In an effort to streamline the claims reporting process, the ACMJIF has designed Claims **Roadmaps** for each line of coverage (General Liability, Property, Workers' Compensation and Employment Practices Liability and Public Officials Liability). Supervisors and Department Heads shall follow the simple step by step process contained in the Roadmaps, and they shall access contact information with links to important forms, all in one document. The Roadmaps have been provided with this policy. In the event an Employee, Supervisor or Department Head does not report and incident in a timely manner and document any incident, accident, or employee injury as required and recommended the individual may be determined by the Borough to have violated these policies and procedures. These procedures have been adopted to permit the Borough to continue to obtain insurance coverage at the most reasonable cost, and to effectively control any claims.
- 2) NOTE: All claims reporting (including emergency reporting) can be found in the CLAIMS tab at ACMJIF.org.

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. 24-160

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING AWARD OF EMERGENCY CONTRACT TO ASPHALT PAVING SYSTEMS FOR EMERGENCY SEWER REPAIRS ON PARK BOULEVARD FROM COLUMBINE ROAD TO SWEETBRIAR 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 sewer repair has occurred on Park Boulevard; 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.

**THEREFORE BE IT RESOLVED**, the Mayor and the Borough Commissioners do herewith declare that an emergency exists with the regard to the sewer repair on Park Boulevard which affects the public health, safety and welfare necessitating immediate repairs and that the Borough Engineer be directed to coordinate all necessary repairs.

**NOW THEREFORE BE IT 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 to be all of which 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-04-55-141-1A1 Amount \$435,309.83

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. 24-161

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST CALLING FOR THE MODERNIZATION OF THE OPEN PUBLIC RECORDS ACT (OPRA) AND THE SWIFT PASSAGE OF S-2930 / A-4045**

**WHEREAS**, in the 2002 “lame duck” session the Open Public Records Act (OPRA) was approved to make government records, “readily accessible for inspection, copying, or examination by the citizens of this State, with certain exceptions, for the protection of the public interest” while protecting “a citizen’s right to a reasonable expectation of privacy”; and

**WHEREAS**, as local leaders we reaffirm our support and commitment to open and transparent government and public access to records, at the same time, we strongly support necessary reforms; and

**WHEREAS**, in the twenty years since the enactment of OPRA and with the advent of new technologies, we have witnessed unintended consequences and, in some cases, abuses of OPRA that place an unfair burden on local governments and taxpayers; and

**WHEREAS**, municipal staff and budgets are increasingly utilized to accommodate the requestors and commercial entities who inundate municipalities with public records requests to the extent that in some instances, additional personnel are hired primarily to handle such requests; and

**WHEREAS**, OPRA has become broadly construed in favor of access and the requestor who prevails in any proceeding in appealing a denial of access of records is permitted to collect exorbitant attorney’s fees, which impacts the taxpayers and municipalities who must pay these fees; and

**WHEREAS**, municipalities have seen outside businesses and interests who abuse OPRA for marketing and commercial gains while utilizing municipal employees paid by the taxpayers for this benefit; and

**WHEREAS**, due to court decisions over the years, reasonable expectations of privacy have been diminished when it comes to the balance of transparency and OPRA perpetuates for-profit data-mining, unsolicited marketing, and uncontrolled publications of records on internet search engines specifically designed to circumvent and bypass what few protective measures currently exist under OPRA, all while allowing the requestor to remain cloaked in anonymity, should they choose to exercise that option; and

**WHEREAS**, when commercial entities are constantly emailing OPRA requests looking for the latest lists of dogs licensed that month, inground pool permits issued, solar roof permits issued, etc., it causes our residents to not want to license their dogs, comply with permits, or interact with the municipality because they don’t want to lose their privacy and/or have their information tracked and monetized for commercial purposes; and

**WHEREAS**, reforms to modernize OPRA are long overdue, among them: the need to address requests by commercial entities that utilize public records and the services of local government employees to generate profits, mandatory prevailing attorney fees, which created a cottage industry, and to add language so that such fees are based on facts and circumstances and not an automatic granting; and

**WHEREAS**, Senators Sarlo and Bucco and Assemblyman Danielsen and Assemblywoman Flynn have introduced S-2930/A-4045, which makes commonsense reforms that do not hinder residents or journalists from using OPRA to access public records, but will protect citizens’ personal information from disclosure, addresses the burdensome commercial requests and provide discretion when awarding prevailing attorney fees;

**NOW, THEREFORE, BE IT RESOLVED**, the Board of Commissioners of the Borough of Wildwood Crest in the County of Cape May respectfully request the adoption of much-needed reforms to modernize and strengthen the legislative intent of the Open Public Records Act (OPRA) and urges the swift passage of S-2930/A-4045; and

**BE IT FURTHER RESOLVED**, as local leaders, we reaffirm our support and commitment to open and transparent government and public access to records but at the same time, we strongly support necessary reforms; and

**BE IT FURTHER RESOLVED** that a copy of this resolution be forwarded to Senate President Scutari, Assembly Speaker Coughlin, Senator Michael Testa, Assemblyman Antwan L. McClellan and Assemblyman Erik K. Simonsen, Governor Murphy, and the New Jersey League of Municipalities.

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. 24-162**

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING THE APPOINTMENT OF ROBERT OSBORN AS QUALIFIED PURCHASING AGENT PURSUANT TO N.J.S.A. 40A:11-9**

**WHEREAS**, N.J.A.C. 5:32-4.1 et seq. establishes the criteria for a Qualified Purchasing Agent; and

**WHEREAS**, the current Qualified Purchasing Agent, James Craft, will be retiring on May 31, 2024,

**WHEREAS**, Robert Osborn possess the designation of Qualified Purchasing Agent as issued by the Director of the Division of Local Government Services in accordance with N.J.A.C. 5:32-4.1 et seq.; and

**WHEREAS**, the Board of Commissioners of the Borough of Wildwood Crest desires to establish the bid and quotation as approved by the NJ Department of Treasury.

**NOW THEREFORE, BE IT RESOLVED**, that the Commissioners of the Borough of Wildwood Crest, New Jersey hereby appoints Robert Osborn as the Qualified Purchasing Agent to exercise the duties of a Purchasing Agent pursuant to N.J.S.A. 40A:11-2(30), with specific relevance to the authority, responsibility, and accountability of the purchasing activity of the contracting unit. This appointment shall commence on June 1, 2024; and

**BE IT FURTHER RESOLVED**, the Borough Clerk of the Borough of Wildwood Crest is hereby authorized and directed to forward a certified copy of the Resolution and a copy of Robert Osborn's certification to the Borough Auditor and the Director of Local Government Services.

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

**RESOLUTION NO. 24-163**

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING PEDDLING TRUCK LICENSE TO BIG TOP ICE CREAM, LLC**

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

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

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

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Borough of Wildwood Crest that an Ice Cream Peddling license for the balance of calendar year 2024 is hereby authorized to be issued to BIG TOP ICE CREAM, LLC, 8338 TORRESDALE AVE, PHILADELPHIA PA 19136

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

**RESOLUTION NO. 24-164**

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING PEDDLING TRUCK LICENSE TO AUBREY'S ICE CREAM**

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

**WHEREAS**, AUBREY'S ICE CREAM, applied for renewal of Ice Cream Peddling License and has fulfilled all requirements for renewal of license; and

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

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Borough of Wildwood Crest that an Ice Cream Peddling license for the balance of calendar year 2024 is hereby authorized to be issued to AUBREY'S ICE CREAM, 129 E DAVIS AVE, WILDWOOD, NJ 08260

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. 24-165**

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING PEDDLING TRUCK LICENSE TO MONSTER CONE, LLC**

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

**WHEREAS**, MONSTER CONE, LLC, applied for renewal of Ice Cream Peddling License and has fulfilled all requirements for renewal of license; and

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

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Borough of Wildwood Crest that an Ice Cream Peddling license for the balance of calendar year 2024 is hereby authorized to be issued to MONSTER CONE, LLC, 33 CHURCH RD, RIO GRANDE, NJ 08242

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. 24-166**

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING PEDDLING TRUCK LICENSE TO ISLAND PRODUCE INC.**

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

**WHEREAS**, ISLAND PRODUCE INC. applied for renewal of Ice Cream Peddling License and has fulfilled all requirements for renewal of license; and

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

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Borough of Wildwood Crest that an Ice Cream Peddling license for the balance of calendar year 2024 is hereby authorized to be issued to ISLAND PRODUCE INC., 509 DELVIEW RD, VILLAS, NJ 08251

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. 24-167**

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST CANCELING ERRONEOUS 2024 SEWER RENTS IN THE AMOUNT OF \$124.00 FOR PROPERTY LOCATED AT 204-06 EAST FORGET-ME-NOT ROAD**

**WHEREAS**, it has been determined by the Tax Collector of the Borough of Wildwood Crest, that a sewer account has been billed erroneous sewer rents for 2024.

**WHEREAS**, sewer account 1056-0, at 204-06 East Forget-Me-Not Road had no water meter installed for the year 2023, the sewer rents levied in 2024 should be canceled.

**WHEREAS**, the Tax Collector of the Borough of Wildwood Crest has determined the said erroneous sewer rents should be canceled accordingly as indicated below.

<b>Block / Lot Sewer ID#</b>	<b>Name</b>	<b>Amount</b>
53.01-17 1056-0	210 F M N Rd LLC	\$124.00
	204-06 E Forget-Me-Not Rd	
	2024 Sewer Rents	

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, State of New Jersey, hereby authorize the Tax Collector of the Borough of Wildwood Crest to cancel said sewer amounts for 2024.

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. 24-168

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING AWARD OF EUS CONTRACT WITH THE SEWARD JOHNSON ATELIER, INC. FOR LOANED SCULPTURES AT NTE SUM OF \$5,000.00 FOR CY 2024**

**WHEREAS**, there exists the need for the “Extraordinary Unspecifiable Services” of a PUBLIC EXHIBITION AND DISPLAY OF SCULPTURES, to be retained by the Borough for 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 provides 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, THE SEWARD JOHNSON ATELIER, INC.** 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 May 22, 2024 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 **THE SEWARD JOHNSON ATELIER, INC.**, who shall be compensated by voucher at the agreed upon rate of \$5,000.00, 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 contractor 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(1)(a)(ii) “Extraordinary unspecifiable services”.
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, as may be required by law, 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. 24-169

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE RECONSTRUCTION OF STOCKTON ROAD**

**WHEREAS**, the Board of Commissioners desires to authorize, approve and submit a grant application and enter a grant contract with the New Jersey Department of Transportation for the reconstruction of Stockton Road; and

**WHEREAS**, the Board of Commissioners determines that it is in the best interests of the health, welfare and safety of the residents and visitors of the Borough to reconstruct Stockton Road and apply and approve said grant and contract.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May and State of New Jersey, formally approves the grant application for the above stated project.

**BE IT FURTHER RESOLVED** that the Mayor and Borough Clerk are hereby authorized to submit an electronic grant application identified as No. MA-2025-Reconstruction of Stockton Road-00015 to the New Jersey Department of Transportation on behalf of the Borough of Wildwood Crest.

**BE IT FURTHER RESOLVED** that the Mayor and Borough Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Wildwood Crest and that their signatures constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the above resolution.

ATTEST and AFFIX SEAL

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

\_\_\_\_\_  
Don Cabrera, Mayor

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. 24-170**

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING THE APPOINTMENT OF ONE (1) CLASS I POLICE OFFICER**

**WHEREAS**, the Commissioner of Public Safety desires to appoint One (1) Class I Police Officer for the Borough of Wildwood Crest; and

**WHEREAS**, it is the desire of the Commissioner of Public Safety to appoint Brian Spencer as Class I Police Officer 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 Brian Spencer as Class I Police Officer.

**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 Brian Spencer as Class I Police Officer 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, is hereby confirmed and ratified.
3. That said unclassified appointment shall be "at-will," at the pleasure of the Commissioner of Public Safety and shall remain in full force and effect until further notice.

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

**RESOLUTION NO. 24-171**

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING AWARD OF PROFESSIONAL SERVICE CONTRACT TO WILLIAM J. KAUFMANN AS SPECIAL CONFLICT SOLICITOR FOR THE BOROUGH OF WILDWOOD CREST PLANNING BOARD AT NTE SUM \$17,000**

**WHEREAS**, the Board of Commissioners of the Borough of Wildwood Crest has determined that there exists the need for a “Professional Services” Conflict Solicitor for the Borough of Wildwood Crest Planning Board, and

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

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

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

**WHEREAS**, the Commissioners of the Borough of Wildwood Crest desire to appoint William J. Kaufmann to serve as the Conflict Counsel for the Planning Board to handle all legal work necessary and as may be assigned by the Planning Board or Board of Commissioners to represent the interests of the Borough of Wildwood Crest; and

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

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

Signature \_\_\_\_\_

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

1. The above recital paragraphs are incorporated herein as if set forth at length.
2. That a contract for conflict Planning Board is awarded to William J. Kaufmann, Esquire.
3. The award of this contract is contingent upon compliance with the New Jersey Pay to Play Law as set forth in N.J.S.A. 19:44A-1; production of the Business Entity Disclosure Certificate, Affirmative Action Compliance Notice, New Jersey Certificate of Employee Information Report, New Jersey Business Registration Certificate and proof of insurance as required in the contract and certification from the Chief Financial Officer as to the availability of funds; a copy of these documents shall be kept on file in the office of the Borough Clerk.
4. That the Mayor and Borough Clerk are hereby authorized and empowered to enter into a contract effective immediately through May 21, 2025, William J. Kaufmann, who shall be compensated pursuant to attached agreement, at the billable rate of \$250.00 per hour not to exceed \$17,000.00.
5. That a Notice of Award shall be published in *The Herald of Cape May County* as required by law within ten (10) days of passage of this Resolution, which notice shall state that this Resolution and the contract are on file and available for public inspection in the office of the Borough Clerk.

Mr. Schiff motions, 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. 24-172

**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 VON SAVAGE POOL – POOL AND ROOF IMPROVEMENTS**

**WHEREAS**, Capri Construction Company, 4266 Post Road, Vineland, New Jersey 08360 was awarded the contract known as JOSEPH VON SAVAGE MEMORIAL POOL – POOL AND ROOF IMPROVEMENTS- via Resolution No. 23-108 on March 22, 2023 for \$1,267,500.00; and

**WHEREAS**, the Board of Commissioners authorized Borough Change Order No 1 – JOSEPH VON SAVAGE MEMORIAL POOL – POOL AND ROOF IMPROVEMENTS - TO REFLECT ADDITIONAL CONCRETE DEMOLITION AND REINFORCEMENT AT VARIOUS LOCATIONS with an increase amount of \$49,879.47 all of which is detailed in the attachment to the Change Order and revising the Contract Price to \$1,317,379.47 via Resolution No. 23-277 on October 4, 2023; and

**WHEREAS**, the Board of Commissioners authorized Borough Change Order No 2 – JOSEPH VON SAVAGE MEMORIAL POOL – POOL AND ROOF IMPROVEMENTS - TO REFLECT ADDITIONAL WORK TO REMOVE AND REPLACE EXISTING POOL GRATING AND INSTALLATION OF TRELLIS AND FLAG POLE AT PRESTON PARK with an increase amount of \$75,863.67 all of which is detailed in the attachment to the Change Order and revising the Contract Price to \$1,393,243.14 via Resolution No. 23-300 on November 1, 2023; and

**WHEREAS**, the Board of Commissioners authorized Borough Change Order No 3 – JOSEPH VON SAVAGE MEMORIAL POOL – POOL AND ROOF IMPROVEMENTS - TO REFLECT ADDITIONAL WORK TO FURNISH AND INSTALL DEPTH MARKERS with an increase amount of \$4,430.65 of which is detailed in the attachment to the Change Order and revising the Amended Contract Price to \$1,397,673.79 via Resolution No. 24-45 on January 2, 2024; and

**WHEREAS**, Capri Construction Company, posted a **Performance Bond No.: 7437327** from OLD REPUBLIC INSURANCE COMPANY in the amount of **\$1,267,500.00** 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 May 16, 2024 which is incorporated herein, reports to the Borough that **Capri Construction Company** 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 from **OLD REPUBLIC INSURANCE COMPANY - Bond PCN7462770**.

**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 **VON SAVAGE POOL – POOL AND ROOF IMPROVEMENTS** are hereby approved and accepted.
3. That the above improvements performed by **Capri Construction Company** 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. 24-173

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING ESTABLISHMENT OF FEES FOR USAGE OF BOROUGH ELECTRIC VEHICLE CHARGING STATIONS**

**WHEREAS**, the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May and State of New Jersey desires to establish fees for the usages of Brough of Wildwood Crest electric vehicle charging stations pursuant to and as authorized by Ordinance 1425, adopted March 6, 2024 and codified in the Code of the Borough of Wildwood Crest as Chapter 79, Article XI, Section 79-29 et seq.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey, that the following fees for use of Borough of Wildwood Crest Electric Vehicle Supply/Service Equipment “EVSE” (electric vehicle charging stations) are hereby adopted and approved:

1. EVSE fee: For publicly accessible municipal EVSE, in addition to any applicable parking meter fees, the fee to use parking spaces within the municipality identified as EVSE spaces shall be for each hour that the electric vehicle is connected to the EVSE.

Level 2	Level 2 + increment
\$1.75/hr first 4 hours	\$3.50/hr thereafter

2. Parking meter fees: In addition to the EVSE fee, paid parking fees (meter fees) established pursuant to Borough ordinances in the paid parking zone in which the EVSE parking space is located shall be applicable.

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. 24-174**

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING BOROUGH ENGINEER WORK ORDER FOR WILDWOOD CREST EASEMENT ACQUISITION- PROFESSIONAL LAND SURVEYING - AT THE NTE SUM OF \$47,000**

**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 **EASEMENT ACQUISITION- PROFESSIONAL LAND SURVEYING** for engineering services which are more specifically set forth in the attached Proposal from Marc DeBlasio and the Firm of DeBlasio & Associates, dated **May 17, 2024** 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 **\$47,000.00**; 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 **\$47,000.00**.

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. 24-175**

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING A SERVICE AGREEMENT WITH CHARGEPOINT FOR ELECTRIC VEHICLE CHARGING STATIONS AND AUTHORIZING THE MAYOR TO SIGN THE AGREEMENT**

**WHEREAS**, the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey, that an agreement with CHARGEPOINT be and the same is hereby authorized and approved effective the date of the attached Service Agreement, for the express purpose of enabling said CHARGEPOINT to provide electric vehicle charging stations.

**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 the Municipal Clerk are hereby authorized and empowered to execute and attest any and all documents, including the “Master Services and Subscription Agreement,” necessary to effectuate the award of this agreement; all of which is fully approved subject to the certification of availability of funds below from the CFO.

3. 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. 24-176

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING INCREASE OF CONTRACT IN THE AMOUNT OF \$6,496.01 TO WEATHPROOFING TECHNOLOGIES, INC. FOR WORK RELATED TO HVAC UNIT 3**

**WHEREAS**, the Board of Commissioners of the Borough of Wildwood Crest awarded a contract, via Resolution No. 24-80 adopted February 21, 2024, to WEATHERPROOFING TECHNOLOGIES INC., for installation of roofs to borough buildings at the NTE sum of \$1,059,748.95; 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 \$6,496.01; and

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

Account Number(s)	Amount	Signature
<u>C-04-55-140-0C2</u>	<u>\$6,496.01</u>	_____

**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 WEATHERPROOFING TECHNOLOGIES INC., authorized by Resolution No. 24-80 adopted February 21, 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 exceed \$1,066,244.96 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. 24-177

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING AMENDMENT TO THE 2024 MUNICIPAL BUDGET TO ACCOUNT FOR ADDITIONAL FUNDING FROM THE STATE OF NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR THE CDBG-DR 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 \$ 47,000.00 from the State of New Jersey Department of Environmental Protection for the CDBG-DR Grant, and wishes to amend its 2024 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 2024 in the sum of .....\$ 47,000.00 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:  
 NJDEP – CDBG-DR Grant \$.....47,000.00

**BE IT FURTHER RESOLVED** that a like sum of \$.....47,000.00 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:  
 NJDEP – CDBG-DR 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

**BILLS:** Mr. Franco motions, and Mr. Schiff seconded that all bills properly authorized, as submitted, be paid.  
 Vote: Schiff - Franco – Cabrera – YES

**REPORTS:** Mr. Franco motions, and Mr. Schiff seconded that all reports received from the Court Administrator, Chief Financial Officer, Tax Collector, Chief of Police, Supervisor of the Recreation Department, Construction Official, Emergency Services Coordinator for the EMS and the Wildwood Crest Volunteer Fire Company for the month ending April 30, 2024 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 April 24, 2024 and May 8, 2024 be approved as presented.  
 Vote: Schiff - Franco – Cabrera – YES

**CORRESPONDENCE:** N/A

**Report from Chief Bob Lloyd:**

**Calls for Service: 1,425**  
**Criminal Investigations: 90**  
**Service Calls: 277**  
**Traffic: 397**  
**Arrests: 11**

**Report from William Cripps:**

**EMS: Total Calls: 66**  
**Patients transported to hospital: 26**  
**Patients refused treatment: 7**  
**Mutual Aid Given: 10; Mutual Aid Received: 1**

**WC Volunteer Fire Company rundown given by William Cripps:**

<b>Fires</b> (Including building fires, cooking fires, rubbish/Mulch, vehicles fires)	<b>2</b>
<b>Over Pressure Rapture, Explosion, Overheated</b> (No fire)	<b>0</b>
<b>Rescue/EMS</b> (MVA's, medical assists, elevator entrapments, water rescues)	<b>0</b>
<b>Hazardous Conditions</b> (gas leaks, electrical hazards, aircraft stand-by (No Fire)	<b>5</b>
<b>Service Calls</b> (animal rescues, assist police department, public assists)	<b>0</b>

<b>Good Intent Calls</b> (smoke scares, odor of smoke, investigations with no incident)	<b>1</b>
<b>False Alarm &amp; False Calls</b> (malfunctioning alarm systems, malicious alarms, unintentional)	<b>15</b>
<b>Severe Weather, Natural Disaster, Lightning Strike</b> (No Fire)	<b>0</b>
<b>Total Runs</b>	<b>23</b>

**Report from WCBP (Lt. Ferraro):**

WCBP REPORT 5/22/2024 (COMMISSIONER MONTHLY MEETING)

- PRE-SEASON MAINTENANCE STAFF IS BUSY PREPARING FOR THE OFFICIAL FIRST GUARDING DAY OF THE 2024 SUMMER SEASON THIS WEEK-END.
- 2024 WCBP LIFEGUARD COVERAGE BEGINS: MDWE MAY 25-27  
JUNE 1-2, JUNE 8-SEPT 8 (SUNDAY AFTER LDWE)  
10AM-5:30PM (WEATHER PERMITTING)
- HANDICAP TRANSPORT SERVICE 11AM-4PM WHENEVER LIFEGUARDS ARE ON DUTY.
- SURF CHAIRS (BEACH WHEEL CHAIRS) 10AM-5PM PICK-UP AND RETURN AT BEACH PATROL HQ (RAMBLER ROAD AND BEACH)
- 2024 SURFING BEACHES: RAMBLER-PRIMROSE, ASTER-CARDINAL, HOLLYWOOD-TOPEKA (10AM-12 NOON ONLY)
- NEW CANDIDATE TRYOUTS: MAY25, JUNE 1 AND JUNE 8 AT JOSEPH VON SAVAGE MEMORIAL POOL. REPORT TIME 8AM. STILL TAKING APPLICATIONS AT BEACH PATROL WEBSITE: [www.wcbp.org](http://www.wcbp.org) MUST BE 16 YEARS OLD TO APPLY.
- WCBP WILL AGAIN BE HOSTING THE 40<sup>TH</sup> ANNUAL CAPE MAY COUNTY LIFEGUARD CHAMPIONSHIPS ON MONDAY, JULY 8<sup>TH</sup>, STARTING AT 6:15 PM AT RAMBLER ROAD AND THE BEACH IN WILDWOOD CREST.
- CALL BEACH PATROL HQ AT 609-522-3825 FOR INFORMATION, QUESTIONS OR CONCERNS.

**Report from Public Works (Superintendent Steve Shearer)**

**National Public Works Week 2024**

Good Evening- I am here to reintroduce National Public Works Week back to our beautiful town for the first time in 22 years. The purpose of this week is to recognize all staff in Public Works and their hard work.

First up is our Carpenters: It is all hands-on deck in preparation for Memorial Day weekend. They have been building and moving the Beach Walkways, Ramps, Beach Boxes and 15 Port-O-Potty enclosures. They also finished the new Pickleball Court Bathrooms as well, which are now open for public use. The refurbished vestibule here at borough hall was coordinated by public works including the painting and professional cleaning of the steps and floors.

All seasonal staff are geared up for the Season. We hired 17 seasonal workers for the season. Our beach rakers and sanitizers will be working 7 days a week to keep our beautiful beaches clean. Our Beach sweeper is back in full effect keeping our streets clean and safe.

Our Sewer Department was just inspected by the DEP a few days ago and continues to maintain an impeccable record with the storm water management in a recent infrastructure record evaluation. They continue to maintain our storm drains, beach outfall lines, sewer systems, pump stations, and street repairs.

Our Landscapers have been maintaining all public grounds including mulching, planting flowers and mowing. They have also been upgrading the planters throughout the borough.

Our Mechanics maintain and service all vehicles in the entire borough.

Our Maintenance department- maintains the maintenance of all parks, playgrounds and all borough owned properties.

Last but not least-Our Sanitation Crew. They will be working 7 days a week starting June 1<sup>st</sup> which starts the second trash pick-up day for residents. They have been distributing city cans throughout the borough to ensure our street ends and beaches have the proper amount of disposal for trash and recycling.

All trash and recycling information can be found at [wildwoodcrest.org](http://wildwoodcrest.org) under public works. Our office is open year-round Monday through Friday 7am to 2pm. Our Trash and recycling center summer hours are

Monday through Thursday 7 am to 2pm, Friday-Sunday 7am-7pm. If anyone has any questions, please feel free to contact us!

A big thank you to our crew at Public Works for all your hard work year-round!

## **ADMINISTRATOR'S REPORT:**

**May 22, 2024**

### **Beach End Bump Outs- Rambler and North**

South State is nearing completion of all work with the exception of the additional location at Heather which was added by change order.

### **Crest Arts Pavilion**

Fred Schiavone's crew has completed all work, but the installation of the picnic tables which are expected to arrive and be installed this week. The fence surrounding the perimeter has been removed. The 2 Level II EVE charging stations are also expected to be installed tomorrow or Friday just in time for the Memorial Day weekend.

### **Hereford Inlet to Cape May Inlet Beach and Dune Construction**

DeBlasio and Associates provided the requested proposal to survey the beach parcels included in the beach project on behalf of the borough. That proposal was awarded this evening. We will be reimbursed for this work through the DCA and HUD for this work.

### **New Jersey Avenue**

Marc DeBlasio, the Taylor Design Group, County Engineer Bob Church and Paul Cinko from T & M Associates will be meeting again tomorrow to plan for infrastructure improvements in advance of the county's roadway project. This project will be bid as one project with the Crest being responsible for lighting, parking lots, landscaping, and beautification upgrades. The project is expected to commence with sewer infrastructure improvements in early 2025.

### **Sunset Lake- State Channel Dredging**

I met with Scott Douglas and Genevieve Clifton of the NJDOT's Maritime Division last week. They both assured me that while they will be shifting their focus to North Wildwood to assist them with an emergency dredge- beach fill, they are committed to staying on track with phase 2 of the Wildwood's State Channel project and are proceeding as planned.

### **CAFRA Applications**

Nothing to report.

### **Bayside Pump Station Flood Mitigation Project**

We have made an application for \$12M to FEMA's BRIC program and also have requested Congressman Van Drew's office's assistance in securing FY2025 congressional priority funding for just over \$1M for this project. Just last week Congressman Van Drew's office reached out and they seem very optimistic that we will receive some federal funding and that it could be significantly more than we originally thought. Senator Booker's office also reached out and is working alongside Congress to ensure that our project is given priority funding. This project (if fully funded) would include 2 pump stations and all necessary piping improvements.

### **Washington Avenue Flood Mitigation Project**

We applied to FEMA for a Flood Mitigation (FMA) grant for this area. This area was previously studied and the recommendations from that study made for the basis of mitigation efforts incorporated into this application. We are also expecting word on an award in June.

### **FY2023 DCA-Small Cities ADA Grant**

Project is design with McLees and targeted for Fall 2024 construction. As previously reported, our FY2023 DCA Small Cities Grant application was approved in the amount of \$342,720. Bill McLees and our engineer did a walkthrough last week and will have draft plans for review shortly.

We also just received word that we have received the FY2024 grant in the maximum amount \$400,000 to renovate the bathrooms at the Crest Pier and make them ADA compliant.

### **CMC Local Road Safety Plan (LSRP)**

In cooperation with the South Jersey Transportation Planning Organization (SJTPO) the County is coordinating with local municipalities to identify and prioritize strategies and actions to reduce fatal and serious injury crashes on county and local roadways. I attended the 6th steering committee meeting on Friday, May 17th. We have completed Cape May County's LSRP draft plan which is now posted on their website at [saferoadssouthjersey.com](http://saferoadssouthjersey.com). It was also sent to the Commissioners for review. This draft will continue to be updated as we progress to the final version. The next workshop meeting will be held at the Cape May County Technical School on Tuesday, June 4<sup>th</sup> from 5-7 pm and open to all stakeholders.

As a side note, the borough is also working with Collier's Engineering on our own pedestrian safety improvement project. I sent correspondence requesting consideration of a proposal by Collier's for the completion of a Safe Streets for All Grant to fund the planning of safety enhancements in areas of concern here in the borough. Cape May City received a grant in the amount of \$200K last year and the Cape Island group will once again be applying again this year. Collier's Engineering completed Cape May's successful application.

## ENGINEER'S REPORT:

May 22, 2024

### Capital Projects

1. FY 2023 NJDOT Municipal Aid Program – Reconstruction of Orchid Road
  - The Borough has been allotted a \$170,085.00 grant from the NJDOT.
  - The bid opening occurred on October 26, 2023, and the apparent low bidder was Asphalt Paving Systems, Inc. in the amount of \$1,117,700.00.
  - The contractor has completed the installation of the water main, sanitary sewer improvements, concrete work and paving. The project is in the closeout phase.
2. Beach Patrol Headquarter Renovations-Readvertised
  - The project was re-advertised for public bid on March 1, 2023 and the apparent low bidder was Straga Brothers in the amount of \$2,054,334.00 for the Base Bid plus Alternate Bid 1 and Alternate Bid 2.
  - The contractor has remobilized to the site and completed demolition. The foundation work is complete and the concrete planking, doors, windows, metal roof system and siding are done. The contractor is working on completing the interior finishes.
3. Park Boulevard Emergency Sanitary Sewer Replacement
  - Upon inspection of localized sewer manholes, excavation and further investigation, it was observed that the sanitary sewer pipe is clogged with debris and is backpitched causing stagnant sewage flow. As such, a sanitary sewer emergency was declared.
  - Asphalt Paving System, Inc. has submitted a proposal to complete this work in the amount of \$3,228,065.20.
  - The contractor began work on March 27<sup>th</sup> and has completed the sewer main and services. The project is in the closeout phase.
4. Public Works Roof Repairs
  - Our office has completed the design of the Public Works Roof. The project is going to be combined with the Crest Pier Roof Replacement which is being designed by another Engineer. The project will be completed via the State Co-operative Program.
5. Bayside Bulkhead Replacement and Flood Mitigation Improvements
  - At the October 25<sup>th</sup> Commissioner meeting, the Board of Commissioners unanimously directed our office to modify the project scope of work. The following minutes were codified at the meeting and summarized by the clerk:

***Bayside outfalls and capacity / bulkhead repairs / replacement:** The Engineer was waiting for direction for this proposal. There were two options available. Option A- 5 street ends raising to 8 feet at approximately \$1,750,000. Option B- redo the façade for all 10 street ends at approximately 2 million with funding currently in place and the introduced bond ordinance adding a million. After lengthy discussion, all were on board with Option B. The Engineer discussed a pilot project in Stone Harbor with a more reliable valve (manual) that is doing the job and they have had good success. He added there are limitations: if tide comes over the bulkhead or from a neighbor's lower bulkhead, all bets are off. The administrator added that she could obtain another proposal for a grant for FEMA. In the end, the Engineer will provide a proposal: not replace bulkheads, put a façade wrapping on existing bulkheads and not elevate the bulkheads. On the 10 street ends in original authorization, reconstruct roadways as high as possible without detriment to adjacent property and put valves in. An analysis would require cooperation with property owners with access to property owners' removal of items, etc. Go outside of 10 bulkheads north and valve off the rest of the street ends. There may have to be box on top of a valve for protection on select street ends. Bidding to take place in January 2024 and be finished by year's end.*

- At the November 21<sup>st</sup> Commissioner meeting, the Board of Commissioners unanimously directed our office to modify the project scope of work. The following minutes were codified at the meeting and summarized by the clerk:

***Bayside outfalls and capacity / bulkhead repairs / replacement:** The Mayor indicated that he asked the Engineer to do more detailed review of the 11 bulkheads from Cardinal Rd. south to Rambler along the bay before the specifications are completed. Specifically, he was looking to make sure there were no structural issues before with new wood façade was placed on them. He was contacted to review Cardinal Road. Water was seeping through the bulkhead (squirting). He noticed there are three layers of bulkheads at these street ends One wooden (original), one concrete(not sure when) , one vinyl (that was done in early 2000's in house). While water may not breach the top it is likely that the condition of the bulkhead structure could be a concern especially with the layers (water trapped in between) Any waterproofing or dress up work would be a waste of money. Furthermore, the mayor indicated that it looks clear that the idea of keeping the existing and dressing up will not work as they need to be water tight. And because they are so old with various layers, I think they should be replaced with new concrete and remove all of the old. Details are needed on costs to determine if additional funding (preliminary 1M) is needed and where to cut costs. However it seems all of the bulkheads will need be raised to the 8 feet (or least to 6 with adding 2feet later to match the others north). The valves are still top priority. With this information, the governing body determined that they should revert to the*

original replacement with modifying the plan. The Engineer indicated that they were trying to find a better way to water proof with being cost effective. It was recommended that street raising take place with coordination from property owners. They decided to pick 5 street ends and go to 8 feet. All were in agreement. The Engineer noted that valves can be done in a vacuum and they should begin laying out phase plan for funding.

- At the December 6<sup>th</sup> Commissioner meeting, the Board of Commissioners unanimously directed our office to modify the project scope of work. The following minutes were codified at the meeting and summarized by the clerk:

***Bayside outfalls and capacity / bulkhead repairs / replacement:*** Since the project has pivoted and expanded, bid specifications are still being formulated. It was noted that there are many moving parts: private property owners must be made aware of the impending changes and how it will individually affect them (one on one meetings were suggested), need to coordinate with Lomax Engineering for necessary permits and using a phase type approach. The overall cost must be addressed as well as current funding. The Engineer indicated that 7 street ends out of the original plan were getting valves only and no permits were required and hopefully done by May. Lead time was another factor from vendors that must be taken into consideration. It was agreed to do specification that addressed all phases so there was one contractor. Since private property owners will be affected, it was suggested that they be put on notice and made aware of all aspects. Bid specifications should be complete by the end of January /beginning of February and getting a timeline from Lomax for permitting was a crucial piece. The bottom line was: notify the property owners, have one bid specification so there was one contractor, see the costs of the project with current funding and phase it all in.

- The NJDEP permits for the bulkhead replacements have been obtained.
- A project presentation is scheduled for the May 22, 2024 Commissioner's Meeting.

#### 6. Crest Arts Pavilion Site Improvements

- The bid opening occurred on December 28, 2023, and the apparent low bidder was Fred M. Schiavone Construction, Inc. in the amount of \$1,288,750.00.
- The contractor has completed the site demolition, site grading, pavers, planting installation and pergola. The project is in the closeout phase.

#### 7. Beach Street End Public Access Improvements – Phase 3

- The bid opening occurred on January 31, 2024, and the project was awarded to South State, Inc. in the amount of \$1,771,250.00.
- The contractor has completed the substructure and decking on approximately 75% of the beach access points. Work is scheduled to be completed by May 24<sup>th</sup>.

#### 8. 2024 Road Resurfacing Program

- The bid opening occurred on April 3, 2024, and the apparent low bidder was South State, Inc. in the amount of \$179,836.00.
- The paving work is scheduled for May 21<sup>st</sup> and 22<sup>nd</sup> with the road striping to follow.

#### 9. FY2023 NJDCA Small Cities Program-Municipal Building Bathroom Improvements

- The project is in the design phase and construction is scheduled for Fall, 2024.

#### 10. FY 2024 NJDOT Municipal Aid Program-Reconstruction of Toledo Avenue

- The survey and base mapping are complete, and the project is in the design phase.

### **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.
- Grant applications are due by February 2024.

#### 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

- 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. NJDOT Local Transportation Project Fund

- On a rolling basis, the NJDOT is accepting grant applications for bikeway, pedestrian and roadway improvement projects.
- 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 April 2, 2024.

5. 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 is scheduled to be submitted the week of May 20, 2024.

**PUBLIC COMMENTS:** N/A

Mike Gericke, inquired about two resolutions. The first was #13 and he was told that it was an award of professional services contract for the planning board since there was a conflict of interest and the second was #16 and the engineer work order for land survey and he was told it was in relation to the USACE and we would be reimbursed for the money.

**NEW BUSINESS:**

**OLD BUSINESS:**

**-Proposed Amendment to Ord. 1432 – Ch. 79 – Time Limit Parking** – The Mayor indicated there were other Time limit parking areas that needed to be addressed and asked the Chief and Recreation Supervisor to meet regarding the parking at the Crest Arts Pavilion.

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

**-Traffic Calming** – The Administrator discussed in her report and it was noted that they can apply for flashing beacons and the county can supply and we reimburse after and this can be used to pay for future studies.

**-Back Beach Excavation:** On hold. Back beaches began being raked on May 1<sup>st</sup>.

**-Dredging:** The Administrator discussed in her report.

**-NJ Avenue infrastructure pre-county:** In the works.

**-PW roof:** Should be awarding at next meeting under state coop.

**-Bayside outfalls and capacity / bulkhead repairs / replacement:** Covered in the presentation.

**-Washington / Seaview – beach outfalls and capacity:** The Administrator discussed.

**PUBLIC COMMENTS:**

Joe Viscomi echoed the good deeds of the Public Works department and requested the borough to never outsource.

Commissioner Comments:

Mr. Franco – Congratulations to Steve Shearer on promotion and congratulations to Joe Bond on his retirement. Proud of Finance Department and the Clerk’s Office.

Mr. Schiff – Happy EMS week. Gave gratitude to all departments.

Mayor Cabrera – Happy EMS week and Happy Memorial Day weekend. Proud of Public Works and all departments.

Dated: June 19, 2024

---

Patricia A. Feketics, Borough Clerk

---



---



---