

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

May 24, 2023

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

Mayor Cabrera remembered Wildwood Crest's own, Amanda Holland, after her passing yesterday. Amanda was a lifelong resident and worked for the Recreation Department in the summers. The mayor and commissioners reflected on the loss and asked for a moment of silence.

The meeting of the Board of Commissioners, Borough of Wildwood Crest, Cape May County, New Jersey, was held at Borough Hall at 5:00 p.m. On roll call the following answered to their names:

Schiff - Franco – Cabrera - YES

Mr. Cabrera read the following statement: In compliance with the Open Public Meeting Act, Chapter 231, P.L. 1975, the notice requirements have been satisfied as to the time, place and date of holding said meeting by posting notice on the bulletin board in the Borough Hall and by e-mailing and same to the Herald of Cape May County and The Press on December 7, 2022.

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

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

Mr. Schiff motions, Mr. Franco seconds that Ordinance No. 1400 be placed on second reading and final passage by title only.

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE ORDINANCE BY TITLE:

**ORDINANCE NO. 1400
BOND ORDINANCE APPROPRIATING \$6,600,000, AND
AUTHORIZING THE ISSUANCE OF \$6,177,415 BONDS OR
NOTES OF THE BOROUGH, FOR VARIOUS
IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE
UNDERTAKEN BY THE BOROUGH OF WILDWOOD
CREST, IN THE COUNTY OF CAPE MAY, NEW JERSEY.**

Mr. Schiff motions, Mr. Cabrera seconds that a public hearing now be held on Ordinance No. 1400.

Vote: Schiff - Franco – Cabrera – YES

Mr. Schiff motions, Mr. Cabrera seconds that a public hearing now be closed on Ordinance No. 1400.

Vote: Schiff - Franco – Cabrera – YES

Mr. Schiff motions, Mr. Cabrera seconds that Ordinance No. 1400 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. 23-159
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 II Police Officers for the Borough of Wildwood Crest; and

WHEREAS, it is the desire of the Commissioner of Public Safety to appoint **Adriann Macario** as a 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 **Adriann Macario** as a 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 **Adriann Macario** as a 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, be and the same is hereby confirmed and ratified.
3. That said unclassified appointment shall be "at-will," at the pleasure of the Commissioner of Public Safety, and shall remain in full force and effect until further notice.

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 23-160

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST SUPPORTING THE CLICK IT OR TICKET MOBILIZATION OF MAY 22– JUNE 4, 2023

WHEREAS, there were 694 motor vehicle fatalities in New Jersey in 2022; and

WHEREAS, approximately 40% of the motor vehicle occupants killed in those traffic crashes were not wearing a seat belt; and

WHEREAS, use of a seat belt remains the most effective way to avoid death or serious injury in a motor vehicle crash; and

WHEREAS, the National Highway Traffic Safety Administration estimates that 135,000 lives were saved by safety belt usage nationally between 1975-2000; and

WHEREAS, the State of New Jersey will participate in the nationwide *Click it or Ticket* seat belt mobilization from May 22- June 4, 2023 in an effort to raise awareness and increase seat belt usage through a combination of high visibility enforcement and public education; and

WHEREAS, a further increase in seat belt usage in New Jersey will save lives on our roadways.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey declares it's support for the *Click It or Ticket* seat belt mobilization both locally and nationally from May 22- June 4, 2023 and pledges to increase awareness of the mobilization and the benefits of seat belt use.

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 23-161

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING THE CHIEF FINANCIAL OFFICER TO PAY THE PRESCRIBED FLAT RATE PER HOUR TO LAW ENFORCEMENT PURSUANT TO THE 2023 CLICK IT OR TICKET SEATBELT MOBILIZATION GRANT

WHEREAS, on May 10, 2023, the Borough of Wildwood Crest was awarded a grant by the New Jersey Division of Highway Traffic Safety for the 2023 *Click It or Ticket* Seatbelt Mobilization; and

WHEREAS, the State of New Jersey will participate in the nationwide *Click It or Ticket* seat belt mobilization from May 22 – June 4, 2023 in an effort to raise awareness and increase seat belt usage through a combination of high visibility enforcement and public education; and

WHEREAS, the 2023 *Click It or Ticket* Seatbelt Mobilization Grant will pay for overtime enforcement during the approved crackdown period, with a maximum rate to be reimbursed of \$70.00 per hour; and

WHEREAS, this is a reimbursement grant and as such, participating departments will incur all costs and then submit the necessary documentation to the Division of Highway Traffic Safety for reimbursement; and

WHEREAS, the Borough of Wildwood Crest received notification of award in the amount of \$7,000.00 on May 10, 2023.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey, that the Chief Financial Officer be and is hereby authorized and directed to pay flat rate of \$70.00 per hour to law enforcement pursuant to the *Click It or Ticket* Seatbelt Mobilization Grant.

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 23-162

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING AMENDMENT TO THE 2023 MUNICIPAL BUDGET TO ACCOUNT FOR ADDITIONAL FUNDING FROM THE NEW JERSEY DIVISION OF HIGHWAY TRAFFIC SAFETY MOBILIZATION FOR THE 2023 CLICK IT OR TICKET 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 will receive \$ 7,000.00 from the New Jersey Division of Highway Traffic Safety Mobilization for the 2023 Click It or Ticket Grant and wishes to amend its 2023 Municipal Budget to include this amount of revenue.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey, does hereby request the Director of the Division of Local Government services to approve the insertion of an item of revenue in the municipal budget of the Borough of Wildwood Crest for the year 2023 in the sum of \$ 7,000.00

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:	
2023 Click It or Ticket Grant	\$.....7,000.00

BE IT FURTHER RESOLVED that a like sum of \$.....7,000.00
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:
2023 Click It or Ticket Grant

BE IT FURTHER RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey, that the Chief Financial Officer be and is hereby authorized and directed to pay a flat rate of \$70.00 per hour to law enforcement pursuant to the 2023 Click It or Ticket Grant.

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

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 23-163

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING WAIVING THE FEE REQUIRED BY APPLICATION TO OCEAN OUTFITTERS FOR ALOHA FRIDAYS FREE UKULELE LESSONS AT SUNRISE PARK
JUNE 23, 2023 THROUGH SEPTEMBER 1, 2023**

WHEREAS, Ocean Outfitters has made a Special Events Application to hold “Aloha Fridays” free ukulele lessons at Sunrise Park on Friday nights from June 23, 2023 through September 1, 2023 from 7:00-8:00 pm; and

WHEREAS, in the spirit of supporting our community, the Board of Commissioners have agreed to waive the Special Events Application fees.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey, that the fee required by application of Ocean Outfitters for the use of Sunrise Park for “Aloha Fridays” free ukulele lessons on Friday nights from June 23, 2023 through September 1, 2023 from 7:00-8:00 pm is hereby waived.

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 23-164

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING THE RE-APPOINTMENT OF BRUCE HAMLIN TO THE GREATER WILDWOOD TOURISM IMPROVEMENT AND DEVELOPMENT AUTHORITY FOR A FOUR YEAR TERM EXPIRING AUGUST 12, 2027

WHEREAS, the term of BRUCE HAMLIN as a Business Community Representative to GWTIDA on behalf of the Borough of Wildwood Crest shall expire August 13, 2023; and

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest wish to re-appoint BRUCE HAMLIN to this position.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, in the County of Cape May, New Jersey, in accordance with the provisions of P.L. 1992, Chapter 165, Section 20, paragraph c, which specifically provides for the appointment of members of the TOURISM IMPROVEMENT AND DEVELOPMENT AUTHORITY OF THE WILDWOODS, that BRUCE HAMLIN, be and he is hereby re-appointed from the “business” sector to membership on the TOURISM IMPROVEMENT AND DEVELOPMENT AUTHORITY OF THE WILDWOODS for a term of four (4) years; said term commencing effective August 13, 2023 and expiring August 12, 2027.

BE IT FURTHER RESOLVED that the foregoing appointment constitutes one of the three appointments the Borough of Wildwood Crest is entitled to make to the aforesaid Authority, based upon the provisions of the above referenced public law, otherwise known as the “Tourism Improvement and Development District Act.”

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 23-165

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING THE APPOINTMENT OF ZACK MOREY TO THE GREATER WILDWOOD TOURISM IMPROVEMENT AND DEVELOPMENT AUTHORITY TO FILL THE VACANCY OF A TERM EXPIRING ON AUGUST 13, 2023 AND RE-APPOINTING FOR AN ADDITIONAL FOUR YEAR TERM EXPIRING AUGUST 12, 2027

WHEREAS, JACK MOREY has tendered his resignation as Business Community Representative to GWTIDA on April 25, 2023 with an end date of May 31, 2023; and

WHEREAS, it is desire of the Board of Commissioners of the Borough of Wildwood Crest to appoint ZACK MOREY to fill the unexpired term of JACK MOREY as the Business Representative for the Borough of Wildwood Crest of GWTIDA; and

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest desire to re-appoint ZACK MOREY to his own four-year term effective August 13, 2023 through August 12, 2027; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, in the County of Cape May, New Jersey, in accordance with the provisions of P.L. 1992, Chapter 165, Section 20, paragraph c, which specifically provides for the appointment of members of the TOURISM IMPROVEMENT AND DEVELOPMENT AUTHORITY OF THE WILDWOODS from the “business” sector to membership, that ZACK MOREY, be and he is hereby appointed to fill the vacancy of term expiring August 13, 2023 and re-appoint for an additional four year term through August 12, 2027.

BE IT FURTHER RESOLVED that the foregoing appointment constitutes one of the three appointments the Borough of Wildwood Crest is entitled to make to the aforesaid Authority, based upon the provisions of the above referenced public law, otherwise known as the “Tourism Improvement and Development District Act.”

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 23-166

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING BOROUGH ENGINEER WORK ORDER FOR CRESSE ISLAND: PROFESSIONAL LAND SURVEYING SERVICES – AT THE NTE SUM OF \$8,500

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 **CRESSE ISLAND: PROFESSIONAL LAND SURVEYING SERVICES**, for engineering services which are more specifically set forth in the attached Proposal from Marc DeBlasio and the Firm of DeBlasio & Associates, dated **May 9, 2023** which is made a part hereof by reference as if fully set forth at the billable rates set forth in the professional services agreement between Marc DeBlasio and Borough not to exceed **\$8,500.00**; 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 **\$8,500.00**.

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 23-167

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING APPROVAL TO SUBMIT A GRANT APPLICATION 2023 LOCAL TRANSPORTATION PROJECT FUND RECONSTRUCTION OF ORCHID ROAD -00175 FROM OCEAN AVENUE TO PACIFIC AVENUE AND EXECUTE GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION

WHEREAS, the New Jersey Department of Transportation accepts applications for the Local Transportation Project Fund Program; and

WHEREAS, this program is available to all counties and municipalities in the State of New Jersey; and

WHEREAS, subject to funding appropriation, the Local Transportation Projects Fund is established to address specific focused local transportation issues throughout the State; and

WHEREAS, these projects are approved at the discretion of the Commissioner; and

WHEREAS, this grant program does not require a local match; and

WHEREAS, the Borough of Wildwood Crest carefully considers grant programs that assist the Borough in achieving projects and programs that are priorities for the community; and

WHEREAS, the Borough of Wildwood Crest wishes to apply for to the Local Transportation Project Fund Program for a grant for FY2023 NJDOT Local Transportation Fund Program – Reconstruction of Orchid Road - 00175 from Ocean Avenue to Pacific Avenue.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Borough of Wildwood Crest formally approves a Local Transportation Project Fund Program grant application.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as LTPF- Reconstruction of Orchid Road – 00175 from Ocean Avenue to Pacific Avenue to the New Jersey Department of Transportation on behalf of the Borough of Wildwood Crest.

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

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. 23-168

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 FY2024 NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE RECONSTRUCTION OF TOLEDO AVENUE FROM BEACH AVENUE TO BAYVIEW DRIVE

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-2024-Reconstruction of Toledo Avenue -00048 from Beach Avenue to Bayview Drive 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 constitute 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. 23-169

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING BOROUGH ENGINEER WORK ORDER FOR GRANT APPLICATIONS FOR FY2023 NJDOT LTPF ORCHID ROAD AND FY2024 NJDOT MUNICIPAL AID TOLEDO AVENUE – AT THE NTE SUM OF \$3,000

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest desires to authorize issuance of a Work Order to the Borough Engineer, Marc DeBlasio and the Firm of DeBlasio & Associates for the **GRANT APPLICATIONS FOR FY2023 NJDOT LTPF ORCHID ROAD AND FY2024 NJDOT MUNICIPAL AID TOLEDO AVENUE**, for engineering services which are more specifically set forth in the attached Proposal from Marc DeBlasio and the Firm of DeBlasio & Associates, dated **May 3, 2023** which is made a part hereof by reference as if fully set forth at the billable rates set forth in the professional services agreement between Marc DeBlasio and Borough not to exceed **\$3,000.00**; and

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

Account Number(s) _____ Amount _____ Signature _____

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

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

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 23-170

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING RELEASE OF ESCROW FUNDS AND APPLICATION FEES FOR #PB-23-06 IN THE AMOUNT OF \$1,100.00

WHEREAS, the Wildwood Crest Construction Official has received approval from the Borough Engineer, DeBlasio & Associates, on May 5, 2023 that the Planning Board Application was not required and to refund application and escrow fees to THE DEWEESE LAW FIRM for Planning Board Application/Escrow #PB-23-06, Block 109/Lot 30; and

WHEREAS, the Wildwood Crest Construction Official has confirmed that the Planning Board Application related to Application #PB-23-06 is not required; and

WHEREAS, THE DEWEESE LAW FIRM, 3200 PACIFIC AVENUE, Wildwood, NJ 08260 made an application and escrow payment to the Borough of Wildwood Crest of \$1,100 on April 5, 2023 for a Planning Board Application for location 115-117 E Stockton Road, Block 109/Lot 30 and has requested return of the application and escrow fee; and

WHEREAS, the application and escrow used totaled \$0.00 and the Borough of Wildwood Crest Construction Official is recommending the return of the application and escrow fee of **\$1,100.00**.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, in the County of Cape May, New Jersey, that the return of the application and escrow fee in the amount of \$1,100.00 to THE DEWEESE LAW FIRM, 3200 Pacific Avenue, Wildwood, NJ 08260 be and hereby is approved.

BE IT FURTHER RESOLVED that the Chief Financial Officer is hereby authorized to return the application and escrow fee in the amount of \$1,100.00 to THE DEWEESE LAW FIRM, 3200 Pacific Avenue, 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. 23-171

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST ESTABLISHING A NEW BANK ACCOUNT WITH CREST SAVINGS BANK FOR GENERAL CAPITAL FUND AND AUTHORIZING SIGNATORIES FOR THE ACCOUNT

WHEREAS, the Borough of Wildwood Crest has closed General Capital Fund Account #990146722 and established General Capital Fund Account #990177693; and

WHEREAS, authorizing resolution must be provided to Crest Savings Bank in order to establish a new bank account number.

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, that the municipal officials listed hereinbelow are hereby designated as signatories on the above listed account when necessary or required as follows:

_____	or	_____
Francine B. Springer		Alexa Campilango
	and	
_____	or	_____
Don Cabrera	Joseph Franco, Jr.	Joseph M. Schiff
	and	
_____	or	_____
Patricia A. Feketics		Victoria Mason

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 23-172

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING REFUND OF PROPERTY TAXES OR UTILITIES OVERPAYMENT MADE PAYABLE TO CORELOGIC

WHEREAS, the Tax Collector of the Borough of Wildwood Crest collected from the property owner or it's designee an excess amount on 2023 property taxes and/or utility payments; and

WHEREAS, an overpayment was created for the reason listed above, and

WHEREAS, the Tax Collector of the Borough of Wildwood Crest has determined the said overpayment should be refunded accordingly as indicated below.

		Amount
142-32	McCarthy, Sean and Danielle	
2023 Taxes	220 East Syracuse Avenue	\$1,119.78
	Title Company and mortgage company	
	both paid second quarter	
	Refund overpayment to Corelogic	

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 24, 2023.

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 23-173

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST ENDORSING THE PROPOSED ROADWAY ALIGNMENT PLANS FROM THE COUNTY OF CAPE MAY FOR NEW JERSEY AVENUE

WHEREAS, County Road 621 runs through Wildwood Crest on Pacific Avenue from Jefferson Avenue to Rambler Road, Rambler Road from Pacific Avenue to New Jersey Avenue and on New Jersey Avenue from Rambler Road to Cresse Avenue; and

WHEREAS, the Borough of Wildwood Crest has reviewed the proposed plans and endorses the proposed roadway alignment “as shown on sheets 20-22 of 47, Traffic Striping Plans for New Jersey Avenue from Rambler Road to Cresse Avenue prepared by T&M Engineers revised February 2023; and

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest concurs and desires to endorse the plan with the reduction of the roadway section from 4 thru lanes to 2 thru lanes with a left turn lane, including the creation of a raised concrete curbed center median from Heather Road to Columbine Road and painted gore medians for the remainder of the project limits.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, in the County of Cape May, New Jersey, hereby endorses the proposed roadway alignment plans from the County of Cape May for New Jersey Avenue.

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 23-174

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING WAIVING THE FEE REQUIRED BY APPLICATION TO JERSEY PRIDE CHEERLEADING FOR CELEBRATION FOR YOUTH CHEERLEADERS AWARD CEREMONY AT RAMBLER ROAD GAZEBO ON JUNE 11, 2023 FROM 1:30 PM TO 2:30 PM

WHEREAS, Jersey Pride Cheerleading has made a Special Events Application to hold an award ceremony celebrating youth cheerleaders at the Rambler Road gazebo on June 11, 2023 from 1:30-2:30 pm; and

WHEREAS, in the spirit of supporting our community, the Board of Commissioners have agreed to waive the Special Events Application fees.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey, that the fee required by application of Jersey Pride Cheerleading for the use of Rambler Road Gazebo on June 11, 2023 1:30-2:30 pm is hereby waived.

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 23-175

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 \$7,000.00 FOR CY 2023

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 24, 2023 to any political committee or candidate through the term of this contract; and

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

Account Number(s) _____ Amount _____

Signature _____

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

1. That the allegations of the preamble hereto are incorporated herein as if fully set forth.
2. That the Mayor and Borough Clerk are hereby authorized and empowered to execute the attached contract with **THE SEWARD JOHNSON ATELIER, INC.**, who shall be compensated by voucher at the agreed upon rate of \$7,000.00, 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. 23-176

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING APPROVAL OF CHANGE ORDER NO. 2 – FY2022 NJDOT MUNICIPAL AID – RECONSTRUCTION OF SYRACUSE AVENUE TO REFLECT ADDITIONAL WORK AT BAYVIEW DRIVE, PRESTON PARK AND INLET REPAIR WITH CONTRACTUAL REDUCTIONS - AT THE NTE SUM OF \$31,498.00

WHEREAS, Asphalt Paving Systems Inc., PO Box 530, Hammonton, New Jersey 08037 was awarded the contract known as RECONSTRUCTION OF SYRACUSE AVENUE (FY 2022 NJDOT MUNICIPAL AID) -via Resolution No. 22-315 on October 26, 2022 for \$2,193,300.00 with the Borough’s portion being \$1,873,566.25; and

WHEREAS, the Board of Commissioners authorized Change Order No 1 - RECONSTRUCTION OF SYRACUSE AVENUE (FY 2022 NJDOT MUNICIPAL AID) TO REFLECT ADDITIONAL WORK FROM BAYVIEW DRIVE FROM HOLLYWOOD AVENUE TO SYRACUSE AVENUE with an increase amount of \$340,472.00 all of which is detailed in the attachment to the Change Order and revising the Contract Price to \$2,533,772.00, with the Borough's portion being \$2,214,038.25; and

WHEREAS, Borough Engineer Marc DeBlasio of DeBlasio & Associates has reviewed the request for additional work for Bayview Drive from Hollywood Avenue to Syracuse Avenue and approves Change Order No 2 - RECONSTRUCTION OF SYRACUSE AVENUE (FY 2022 NJDOT MUNICIPAL AID) TO REFLECT ADDITIONAL WORK AT BAYVIEW DRIVE, PRESTON PARK AND INLET REPAIR WITH CONTRACTUAL REDUCTIONS with an increase amount of \$31,498.00 all of which is detailed in the attachment to the Change Order and revising the Contract Price to \$2,245,536.25; and

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

Account Number: _____ Amount: \$ _____ 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 2- increasing the total contract amount by \$31,498.00 and revising the contract price to \$2,245,536.25 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, and Mr. Franco seconds that the foregoing resolution be adopted.

Vote: Schiff - Franco – Cabrera – YES

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

Vote: Schiff - Franco – Cabrera – YES

REPORTS: Mr. Franco motions, and Mr. Schiff seconded that all reports received from the Court Administrator, Chief Financial Officer, Tax Collector, Chief of Police, Supervisor for the Recreation Department, Construction Official, Emergency Services Coordinator, for the EMS and the Wildwood Crest Volunteer Fire Company Chief for the month ending April 30, 2023 be accepted as presented.

Vote: Schiff - Franco – Cabrera – YES

MINUTES: Mr. Schiff motions, and Mr. Franco seconded that all minutes from the Commission meetings dated April 26, 2023 and May 10, 2023 be approved as presented.

Vote: Schiff - Franco – Cabrera – YES

First Responder Reports: Chief Robert Lloyd (PD) and Ron Harwood (other) and Sr. Lieutenant Dave Ferraro (WCBP)

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

Calls for Service: 1,297

Criminal Investigations: 214

Service Calls: 243

Traffic: 238

Arrests: 8

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

Office of OEM: No Report.

Fire Prevention: Total Inspections were 412 and Smoke Detector Inspections were 14.

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

EMS: Total Calls: 70

Volunteer Fire Co: Total Incidents: 25

Lt. Dave Ferraro (wcbp)

WCBP REPORT 5/24/2023 (COMMISSIONER MONTHLY MEETING)

- 2023 WCBP LIFEGUARD COVERAGE BEGINS: MDWE MAY 27-29
JUNE 3-4, JUNE 10-SEPT 10 (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 TEMPORARY BEACH PATROL HQ (RAMBLER ROAD AND BEACH/NESBITT CENTER)
- 2023 SURFING BEACHES: RAMBLER-PRIMROSE, ASTER-CARDINAL, HOLLYWOOD-TOPEKA (10AM-1PM ONLY)
- NEW CANDIDATE TRYOUTS: MAY 27 AND JUNE 3 AT JOSEPH VON SAVAGE MEMORIAL POOL. REPORT TIME 8AM. STILL TAKING APPLICATIONS AT BEACH PATROL WEBSITE: www.wcbp.org MUST BE 16 YEARS OLD TO APPLY.
- CALL BEACH PATROL HQ AT 609-522-3825 FOR INFORMATION, QUESTIONS OR CONCERNS.

ADMINISTRATOR'S REPORT:

May 24, 2023

ONGOING AND UPCOMING PROJECTS

Beach End Bump Outs

With summer about to arrive, decks are nearly complete at all 11 street ends south of Rambler. Amenities such as shade structures, showers and benches were ordered by the contractor and have some significant lead times. They will be installed as they arrive.

Crest Arts Pavilion

There are very few punch list items that remain to be completed on this project. The Crest Arts Pavilion is now open to the public. We are hoping to have a successful opening on June 1st for the café lease. Hours are 9:00 am to 3:30 pm Monday through Saturday and 9:00 am to 1:00 pm on Sunday. A grand opening is scheduled for Friday, June 16th at 5:00 pm.

Hereford Inlet to Cape May Inlet Beach and Dune Construction

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

New Jersey Avenue

The County Engineer has informed us that we should start the infrastructure work in fall 2024 in advance of their plans to start the reconstruction of New Jersey Avenue in the spring of 2025. This project is expected to take two years. The county's striping plan has been approved by resolution.

Sunset Lake- State Channel Dredging

The NJDOT Office of Maritime Resources will be dredging State boating channels in North Wildwood, Wildwood and West Wildwood from the mouth of Beach Creek to Post Creek Basin between the beginning of September to the end of January, 2023 to remove shoals and restore navigability. Approximately 124,000 CY of sediment will be removed using a hydraulic cutterhead pipeline dredge and pumped to one of three sites for dewatering. Dredging operations will take place 24/7 during this timeframe. The three sites identified for dewatering are 401/501 W 26th Avenue in North Wildwood, 510 NY Avenue in North Wildwood and 525 W Spicer Avenue in Wildwood. Once dewatered, the material will be removed from the site and trucked to the Tuckahoe Turf Farm in Atlantic County for use as agricultural soil. Trucking operations will begin on or about February 1 and will be completed on or about May 31, 2024 and will follow main routes to and from the sites in accordance with municipal and county approved trucking routes.

CAFRA Applications

We received our CAFRA IP permit on May 15th. It has been recorded at the County Clerk's office as required.

Washington Avenue BRIC Planning Study

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

EV Charging Stations

We have been given a one-year extension on our Tourism Grant and Clean Energy Grant. These two grants will provide funding toward the purchase and installation of level 2 chargers for 6301 Ocean Avenue. As of Monday, our grant writer informed us of another DEP grant that can be used in addition to the ones already obtained. We are currently preparing that application which will significantly lower the cost for the EV Charging stations at the Crest Arts Pavilion if granted. At this time, due to budget constraints we have decided not to pursue the grants for the other two locations previously mentioned. The \$4,000 incentive grants for 2 Chevy Bolts is currently on hold.

FY2023 DCA-Small Cities ADA Grant

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

ENGINEER'S REPORT:

Date: May 24, 2023

Capital Projects

1. **Pacific Avenue Storm Sewer Improvements and Borough Street Improvements**
 - The bid was awarded to Asphalt Paving Systems in the amount of \$5,767,600.00.
 - All work on Cardinal Avenue has been completed and we are in the project close out phase.
2. **FY 2023 NJDOT Municipal Aid Program – Reconstruction of Orchid Road**
 - The Borough has been allotted a \$170,085.00 grant from the NJDOT.
 - Our office submitted a proposal on December 1, 2022 to design the project. Upon authorization from the Township, we are prepared to start work immediately.
3. **NJDEP CAFRA Permit for Beachfront Improvements, Sand Back Passing and Dune Maintenance Activities**
 - The permit was issued on May 15, 2023.
4. **Fiscal Year 2019 NJDCA Small Cities Program – Renovations to the Crest Arts Pavilion**
 - The bid opening occurred on November 24, 2021 and the apparent low bidder was Joseph Porretta Builders, Inc. in the amount of \$1,918,713.00 for the Base Bid, Alternate Bid No. 1 and Alternate Bid No. 2.
 - The Atlantic City Electric utility pole has been installed, the electrical power to the building has been established and the project has entered the punch list phase.
5. **Fiscal Year 2022 NJDOT Municipal Aid Program – Reconstruction of Syracuse Avenue**
 - The Borough was notified by the NJDOT that \$196,025.00 was allocated for the Reconstruction of Syracuse Avenue.
 - The bid opening occurred on October 19, 2022 and the apparent low bidder was Asphalt Paving Systems, Inc. in the amount of \$2,193,300.00.
 - All work on Syracuse Avenue is completed.
 - Bayview Avenue has been base paved.
 - Concrete work on Bayview Avenue will be finalized the week of May 29, 2023. Final paving will follow shortly thereafter.
6. **Beach Patrol Headquarter Renovations-Readvertised**
 - The project was re-advertised for public bid on March 1, 2023 and the apparent low bidder was Straga Brothers in the amount of \$2,054,334.00 for the Base Bid plus Alternate Bid 1 and Alternate Bid 2.
 - The contractor has mobilized to the site and has started demolition.
7. **Beach Street End Public Access Improvements – Phase 2**
 - The bid opening occurred on February 1, 2023, and the apparent low bidder was Fred M. Schiavone Construction, Inc. in the amount of \$3,228,065.20.
 - All eleven (11) street end decking, ramps and railings have been installed.
 - All water main extensions, water services and trench repairs have been completed.
 - The contractor is set to commence concrete work the week of May 22, 2023.
8. **Von Savage Pool – Pool and Roof Repairs**
 - The bid opening occurred on March 9, 2023 and the apparent low bidder was Capri Construction in the amount of \$1,267,500.00.
 - A pre-construction meeting was held on March 30th and construction is scheduled to begin on August 15, 2023.
9. **Public Works Roof Repairs**
 - Our office has completed bid documents and are ready for public bidding when authorized by the Borough.
10. **Bayside Bulkhead Replacement and Flood Mitigation Improvements**
 - The Borough wants to replace or elevate the eleven (11) existing bayside street end bulkheads from Cardinal Road to Primrose Road and implement flood mitigation improvements along the bayside from Cresse Avenue to Rambler Road. It is our understanding that the Borough would like to complete the improvements in a phased manner and initiate the first phase of the bulkhead replacements in the Fall 2023 with construction completed by Spring 2024.
 - Our office has completed the survey of the bayside street ends and are currently in the base mapping and permitting phase.

CORRESPONDENCE: None.

PUBLIC COMMENTARY: None

DISCUSSION: None

NEW BUSINESS:

N/A

OLD BUSINESS:

-**Traffic Study**-No movement.

-**Code Enforcement Personnel**- No movement

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

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

-**CAFRA Permit:** Remove.

-**NJ Avenue infrastructure pre-county:** Discussed in Administrator's report.

-**PW roof:** Close to bidding the project.

-**Borough hall exterior and addition – office moves:** No movement.

-**Bayside outfalls and capacity / bulkhead repairs / replacement:** No movement.

-**Arts Pavilion Exterior – with CMCOS:** Waiting to get on CMC agenda.

-**Washington / Seaview – beach outfalls and capacity:** BRIC grant discussed in Administrator's report.

-**Update Landscaping and add lighting in Business district -NJ-** Temporary work done and waiting on planters and trash cans.

PUBLIC COMMENTARY:

Mike Marino asked for an update on the traffic study. It was determined that the Engineer, Commissioner of Public Safety and the Chief of Police would get together to discuss a scope for the proposal.

Commissioner Comments-

Commissioner Franco – Thanked Public Works and Recreation for the yard sale and that it was a great job done by all. He further thanked the Administrator for her work with the dredging project. Happy Memorial Day Weekend to all.

Commissioner Schiff – Echoed the sentiments of Commissioner Franco. He further added that he was extremely impressed with the heartfelt turnout for the recent breakfast at the fire hall and all monies were donated to Amanda's Wish.

Mayor Cabrera – He expressed condolences to the family of Jack Taylor. He then congratulated the Greater Wildwood Little League, Recreation Department, Administration and Mike Marino for the efforts for Veteran's Night. He indicated that the Pickleball Courts are open and that the shade structure will not be in place until after summer, but there will be something temporarily placed there. He thanked the Police and Crest Memorial for the recent bike train to school. He added that bike racks were ordered over two months ago and when they arrive, they will be placed at street ends. There are new trash cans coming and that Blue cans will be recycle and Gray will be for trash. Lastly, Happy Memorial Day weekend!

Hearing nothing further,

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 23-177

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 one (1) 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 24, 2023 at 5:00 P.M.**; and

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

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

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

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

_____ “(4) Any collective bargaining agreement, or the terms and conditions of which are proposed for inclusion in any collective bargaining agreement, including the negotiation of terms and conditions with employees or representatives of employees of the public body.”

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

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

 x _____ “(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 litigation

_____ “(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, and Mr. Franco seconds that the foregoing resolution be adopted.

Vote: Schiff - Franco – Cabrera – YES

After returning to Open Session and hearing nothing further from the public, Mr. Schiff motioned and Mr. Franco seconded that the meeting be adjourned. All were in favor. The time was 6:36 p.m.

Dated: June 21, 2023

Patricia A. Feketics, Borough Clerk

