Note: Meeting Appears July 1, 2026
On Borough of Wildwood Crest Facebook page and You tube by date.
The Mayor led those present in the Pledge of Allegiance to the Flag.

The meeting of the Board of Commissioners, Borough of Wildwood Crest, Cape May County, New Jersey, was held at Borough Hall at 9:30 a.m. On roll call the following answered to their names:

Fuscellaro - Franco – Cabrera -- YES

Mr. Cabrera read the following statement: In compliance with the Open Public Meetings Act, Chapter 231, P.L. 1975, the notice requirements have been satisfied as to the time, place and date of holding said said meeting by posting notice on the bulletin board in Borough Hall, mailing and by E-mailing same to the Herald of Cape May County and the Press of Atlantic City for publication date of September 24, 2025.

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 Mrs. Fuscellaro seconded that Ordinance No. 1492 be placed on second reading and final passage by title only.
Vote: Fuscellaro - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING ORDINANCE BY TITLE:

ORDINANCE NO. 1492

AN ORDINANCE TO AMEND SECTION 59-3 OF THE CODE OF THE BOROUGH OF WILDWOOD CREST, KNOWN AS THE "SALARY ORDINANCE," FIXING AND DETERMINING SALARIES AND COMPENSATIONS OF THE BOROUGH OF WILDWOOD CREST, AND PROVIDING FOR THE RAISING OF THE AMOUNTS THEREOF BY TAXATION AND FOR THE TIME AND METHOD OF PAYMENT

Mr. Franco motioned and Mrs. Fuscellaro seconded that a public hearing be held on Ordinance No. 1492.
Vote: Fuscellaro - Franco – Cabrera – YES

After hearing nothing from the public, Mr. Franco motioned and Mrs. Fuscellaro seconded that a public hearing now be closed on Ordinance No. 1492.
Vote: Fuscellaro - Franco – Cabrera – YES

Mr. Franco motioned and Mrs. Fuscellaro seconded that Ordinance No. 1492 be passed on second and final reading and advertised by law.
Vote: Fuscellaro - Franco – Cabrera – YES

Mr. Franco motioned and Mrs. Fuscellaro seconded that Ordinance No. 1493 be placed on second reading and final passage by title only.
Vote: Fuscellaro - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING ORDINANCE BY TITLE:

ORDINANCE NO. 1493

ORDINANCE OF THE BOROUGH OF WILDWOOD CREST AMENDING AND SUPPLEMENTING THE CODE OF THE BOROUGH OF WILDWOOD CREST ARTICLE I, UNIFORM CONSTRUCTION CODE OF CHAPTER 22 TO ALLOW FOR A WAIVER OF FEES FOR CONSTRUCTION WITHIN A DISABLED PERSONS HOME THAT PROMOTES ACCESSIBILITY

Mr. Franco motioned and Mrs. Fuscellaro seconded that a public hearing be held on Ordinance No. 1493.
Vote: Fuscellaro - Franco – Cabrera – YES

After hearing nothing from the public, Mr. Franco motioned and Mrs. Fuscellaro seconded that a public hearing now be closed on Ordinance No. 1493.
Vote: Fuscellaro - Franco – Cabrera – YES

Mr. Franco motioned and Mrs. Fuscellaro seconded that Ordinance No. 1493 be passed on second and final reading and advertised by law.
Vote: Fuscellaro - Franco – Cabrera – YES

Mr. Franco motioned and Mrs. Fuscellaro seconded that Ordinance No. 1494 be placed on second reading and final passage by title only.
Vote: Fuscellaro - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING ORDINANCE BY TITLE:

ORDINANCE NO. 1494

ORDINANCE OF THE BOROUGH OF WILDWOOD CREST AMENDING AND SUPPLEMENTING SECTION 79-32.3, SCHEDULE IC, RESTRICTED PARKING ZONES FOR PERSONS WITH DISABILITIES; SECTION 79-32.4, GOLF CART PARKING; SECTION 79-3.1, RESTRICTED PARKING HEATHER ROAD; REPEAL PORTION OF SECTION 79.3 OF THE CODE OF THE BOROUGH OF WILDWOOD CREST

Mr. Franco motioned and Mrs. Fuscellaro seconded that a public hearing be held on Ordinance No. 1494.
Vote: Fuscellaro - Franco – Cabrera – YES

After hearing nothing from the public, Mr. Franco motioned and Mrs. Fuscellaro seconded that a public hearing now be closed on Ordinance No. 1494.
Vote: Fuscellaro - Franco – Cabrera – YES

Mr. Franco motioned and Mrs. Fuscellaro seconded that Ordinance No. 1494 be passed on second and final reading and advertised by law.
Vote: Fuscellaro - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 26-195

RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE NEW JERSEY URBAN ENTERPRISE ZONE AUTHORITY FOR ENTERPRISE ZONE ASSISTANCE FUNDS FOR ADMINISTRATION OF THE URBAN ENTERPRISE ZONE PROGRAM FOR THE PERIOD FROM JULY 1, 2026 TO DECEMBER 31, 2027

WHEREAS, N.J.S.A. 52:27H.88 creates an Enterprise Zone Assistance Fund to be held by the State Treasurer on behalf of qualifying municipalities, of which the Borough of Wildwood Crest is recognized, which shall be a repository of all monies required to be deposited therein and disbursed in the amounts necessary to fulfill the purposes of the UEZ Authority, N.J.S.A. 52:27H 60 et seq.; and

WHEREAS, N.J.S.A. 52:27H-88b. permits a municipality to utilize 10% of the amount annually credited to its Enterprise Zone Assistance Fund for administrative expenses incurred in furtherance of the mission of the New Jersey Urban Enterprise Zone Authority; and

WHEREAS, in order to adequately provide for the proper administration of qualified economic development projects in designated enterprise zones within the Borough of Wildwood Crest by funding qualified assistance fund expenses, the Board of Commissioners finds it to be in the best interest of the Borough of Wildwood Crest and in furtherance of the goals set forth in N.J.S.A. 52:27H-60 et seq. to request and utilize available monies being held by the State Treasurer for **FY2027 UEZ Administrative Budget** in the amount **not to exceed $10,000.00**.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Borough of Wildwood Crest that said Board does hereby authorize and direct the submission of a proposal to the New Jersey Urban Enterprise Zone Authority for use of Enterprise Zone Assistance Funds in an amount not to exceed $10,000.00 credited in FY2027 being held on behalf of the Borough of Wildwood Crest for administrative expenses necessary to fulfill the purposes of N.J.S.A. 52:27H-60 et seq.

BE IT FURTHER RESOLVED that the persons whose names, titles, and signatures appear below or their successors in said titles are authorized to sign any agreement connected with this funding and any other documents necessary in connection therewith:

_____	_____
(signature)	(signature)
_____	_____
(print name) Mayor	(print name) Clerk

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

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 26-196

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING REFUND FOR FIRE PREVENTION ANNUAL REGISTRATION FEE FOR $45.00 MADE PAYABLE TO JACK BARRON FOR PROPERTY LOCATED AT 5510 PACIFIC AVENUE

WHEREAS, Jack Barron was billed $45.00 for fire prevention annual registration fee, but the property is now owner occupied and it does not require an inspection; and

WHEREAS, Jack Barron submitted payment in the amount of $45.00 via Check #8232; and

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, State of New Jersey, that the Chief Financial Officer is hereby authorized to execute said refund in the amount of $45.00 to: Jack Barron, 5510 Pacific Avenue, Wildwood Crest, NJ 08260.

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

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 26-197

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING REFUND OF MERCANTILE LICENSE AND TOURISM FEES TO SHUN WANG LEUNG & LAIYIN WONG FOR PROPERTY LOCATED AT 411 E. MORNING GLORY ROAD – UNIT 6002 IN THE AMOUNT OF $420.00

WHEREAS, Shun Wang Leung & Laiyin Wong paid mercantile license and tourism fees totaling $420.00 (check #2245) for the 2026 rental license for property located at 411 E. Morning Glory Road – Unit 6002, Wildwood Crest, NJ 08260; and

WHEREAS, the property is under contract to be sold and he has requested a refund.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, State of New Jersey, that the Chief Financial Officer is hereby authorized to execute refund of $420.00 to Shun Wang Leung & Laiyin Wong, 3 Knight Drive, Plainsboro, New Jersey, 08536.

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

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 26-198

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING EXPENDITURE FOR THE PURCHASE OF A KUBOTA 4WD TRACTOR FOR THE DEPARTMENT OF PUBLIC WORKS UNDER THE SOURCEWELL COOPERATIVE PURCHASING PROGRAM

WHEREAS, pursuant to N.J.S.A. 40A:11-12A and N.J.A.C. 5:34-7.29(c), the Borough may, by resolution and without advertising for bids, purchase goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

WHEREAS, the Borough of Wildwood Crest Department of Public Works is in need of a new Kubota 4WD Farm Tractor; and

WHEREAS, the procurement of goods and services through a cooperative purchasing program is considered to be open and fair process under the New Jersey Pay-To-Play Law N.J.S.A. 19:44A-20.4 et seq.; and

WHEREAS, Hoober (Contract #082923-KBA) 163 Route 77, Elmer, NJ 08318 has provided a quotes dated April 10, 2026 totaling $132,475.06; and

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

Account Number(s) C-04-55-148-9C1 Amount(s) NTE $132,475.06 Signature_____

NOW THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Borough of Wildwood Crest, in the County of Cape May, that the Borough is authorized to fund the expenditure for a Kubota 4WD Farm

Tractor based upon the quote received from Hoober (Contract #082923-KBA) in an amount not to exceed $132,475.06.

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

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 26-199

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING NO CORRECTIVE ACTION PLAN NEEDED FOR 2025 AUDIT

WHEREAS, the 2025 Audit was received by the members of the Board of Commissioners of the Borough of Wildwood Crest; and

WHEREAS, no comments or recommendations were made in the 2025 audit; and

WHEREAS, a Corrective Action Plan is not needed.

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. The members of the governing body have acknowledged that there were no comments and recommendations and a Corrective Action Plan is not required as set forth in the 2025 Audit.

2. That a certified copy of this Resolution shall be forwarded to the Division of Local Government Services, Chief Financial Officer and the Municipal Auditor.

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

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 26-200

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST APPROVING SETTLEMENT OF TAX APPEAL LITIGATION KNOWN AS CRUSADER LAND, LLC v. BOROUGH OF WIDWOOD CREST

WHEREAS, the Borough of Wildwood Crest is the defendant in litigation entitled Crusader Land, LLC v. Borough of Wildwood Crest, Docket Nos. 000430-2025; 000775-2026; 000607-2024 (collectively the "Litigation"); and

WHEREAS, the Borough Tax Assessor and Borough Solicitor have recommended that the litigation be settled in accordance with the proposed Stipulation of Settlement attached hereto as Exhibit "A" (the "Stipulation"); and

WHEREAS, the Board of Commissioners desires to settle the Litigation in accordance with the terms of the Stipulation.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, State of New Jersey, that the Borough Solicitor and Tax assessor are hereby authorized and directed to settle the Litigation and to execute a stipulation of settlement in substantially the same form as is attached hereto as EXHIBIT "A" and to take all necessary action to effectuate there terms thereof.

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

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 26-201

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING AWARD OF PROFESSIONAL SERVICE CONTRACT TO WILLIAM J. KAUFMANN OF NEHMAD, DAVIS & GOLDSTEIN AS SPECIAL CONFLICT SOLICITOR FOR THE BOROUGH OF WILDWOOD CREST PLANNING BOARD AT NTE SUM $7,500

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 of Nehmad, Davis & Goldstein 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 Solicitor is awarded to William J. Kaufmann, Esquire of Nehmad, Davis & Goldstein.

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 retroactive May 14, 2026 through December 31, 2026, William J. Kaufmann of Nehmad, Davis & Goldstein, who shall be compensated pursuant to attached agreement, at the billable rate of $250.00 per hour not to exceed $7,500.00.

5. That a Notice of Award shall be published on the Borough of Wildwood Crest's official internet website in compliance with P.L.2025, ch. 72 on July 2, 2026 this notice shall state that this Resolution and the contract are on file and available for public inspection in the office of the Borough Clerk.

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

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:
RESOLUTION NO. 26-202

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING CONTRACTS WITH CERTAIN APPROVED STATE AND NATIONAL CONTRACT VENDORS FOR 2026

WHEREAS, the Borough of Wildwood Crest, pursuant to N.J.S.A. 40A:11-12(a) and N.J.A.C. 5:34-7.29(c), may by Resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

WHEREAS, the Borough of Wildwood Crest has the need, on a timely basis, to purchase goods or services utilizing New Jersey State and National Contract vendors; and

WHEREAS, the Borough of Wildwood Crest may enter into contractual agreements with the attached referenced State and National Contract Vendors through this Resolution and properly executed contracts/purchase orders, which shall be subject to all the conditions applicable to the current New Jersey Local Public State Contracts Law.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of the Borough of Wildwood Crest, in the County of Cape May, New Jersey authorizes the Borough Qualified Purchasing Agent to purchase certain goods or services from those approved New Jersey State and National Contract Vendors on the attached list, pursuant to all conditions of the individual State Contracts.

BE IT FURTHER RESOLVED, that the named State Contract vendors and their corresponding numbers may change during the time frame indicated below and that Borough Qualified Purchasing Agent is hereby authorized to make the necessary adjustments to the attached list as may be required for the Borough to continue its routine procurement practices throughout the indicated time frame.

BE IT FURTHER RESOLVED, by the Board of Commissioners of the Borough of Wildwood Crest, pursuant to N.J.A.C. 5:30-5.5(b), that no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order and a certification of availability of funds is made by the Chief Financial Officer.

BE IT FURTHER RESOLVED, that the duration of the contracts between the Borough of Wildwood Crest and the referenced State and National Contract Vendors shall be from January 1, 2026 and continuing through December 31, 2026 or until the expiration of the referenced vendor's New Jersey State Contract, whichever shall occur first.

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

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 26-203

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AMENDING AND SUPPLEMENTING THE 2025 BOROUGH OF WILDWOOD CREST'S PERSONNEL POLICIES AND PROCEDURES MANUAL

WHEREAS, the Atlantic County Municipal Joint Insurance Fund recommends the Policies and Procedures Manual to be updated when changes occur; and

WHEREAS, Governor Murphy signed legislation implementing changes to the NJ Family leave Act which go into effect on July 17, 2026: and

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest have reviewed and recommended the updates to the 2025 Borough of Wildwood Crest Personnel Policies & Procedures Manual; and

WHEREAS, the updates to 2025 Personnel Policies & Procedures Manual are attached hereto as Exhibit "A" and incorporated 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 2025 Personnel Policies and Procedures Manual of the Borough of Wildwood Crest attached hereto as Exhibit "A" is hereby adopted as amended in accordance therewith.

BE IT FURTHER RESOLVED that a copy of the updated 2025 Personnel Policies and Procedures Manual of the Borough of Wildwood Crest be distributed to all current Borough employees and a copy shall remain on file in the office of the Borough Clerk.

Exhibit A

The ACMJIF recommends the Policies and Procedures Manual to be updated when changes occur. The changes are summarized below for your convenience:

FAMILY AND MEDICAL LEAVE

- Page 53. Added language to the Utilization of Paid Leave.

- Page 55. Added language to Family Temporary Disability.

NEW JERSEY FAMILY LEAVE

- Page 56. Amended language for Eligible Employees.
- Page 58. Updated and added language for Leave Benefits.
- Page 59. Updated and added language for New Jersey Family Leave Insurance.

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

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 26-204

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING RELEASE OF PERMIT FUNDS FOR DUPLICATE PAYMENT ON PERMIT #26-179 IN THE AMOUNT OF $75.00.

WHEREAS, the Wildwood Crest Construction Official has received written request from GONDOLIER LLC on June 5, 2026 to refund permit fees for duplicate payment to GONDOLIER LLC for Permit #26-179, Block 16.04/Lot 2; and

WHEREAS, the Wildwood Crest Construction Official has confirmed that a duplicate payment was received for annual pool bonding in the amount of $75.00 and should be returned; and

WHEREAS, GONDOLIER LLC 5701 Ocean Avenue, NJ 08260 made a permit payment to the Borough of Wildwood Crest of $75.00 on April 24,2026 for annual pool bonding permit for location 5701 Ocean Avenue, Block 16.04/Lot 2 and has requested refund of; and

WHEREAS, the permit totaled $75.00 and the Borough of Wildwood Crest Construction Official is recommending the return of the duplicate permit fee of **$75.00**.

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 duplicate permit fee in the amount of $75.00 to GONDOLIER LLC 5701 Ocean Avenue, NJ 08260 be and hereby is approved.

BE IT FURTHER RESOLVED that the Chief Financial Officer is hereby authorized to return the balance of the overpaid permit fee in the amount of $75.00 to GONDOLIER LLC 5701 Ocean Avenue, NJ 08260.

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

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 26-205

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING RELEASE OF PERMIT FUNDS FOR DUPLICATE PAYMENT ON PERMIT #26-180 IN THE AMOUNT OF $75.00.

WHEREAS, the Wildwood Crest Construction Official has received written request from ATTACHE OCEANFRONT LLC on June 5, 2026 to refund permit fees for duplicate payment to ATTACHE OCEANFRONT LLC for Permit #26-180, Block 16.04/Lot 1; and

WHEREAS, the Wildwood Crest Construction Official has confirmed that a duplicate payment was received for annual pool bonding in the amount of $75.00 and should be returned; and

WHEREAS, ATTACHE OCEANFRONT LLC 5711 Ocean Avenue, NJ 08260 made a permit payment to the Borough of Wildwood Crest of $75.00 on April 24,2026 for annual pool bonding permit for location 5711 Ocean Avenue, Block 16.04/Lot 1 and has requested refund of; and

WHEREAS, the permit totaled $75.00 and the Borough of Wildwood Crest Construction Official is recommending the return of the duplicate permit fee of **$75.00**.

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 duplicate permit fee in the amount of $75.00 to ATTACHE OCEANFRONT LLC 5711 Ocean Avenue, NJ 08260 be and hereby is approved.

BE IT FURTHER RESOLVED that the Chief Financial Officer is hereby authorized to return the balance of the overpaid permit fee in the amount of $75.00 to ATTACHE OCEANFRONT LLC 5711 Ocean Avenue, NJ 08260.

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

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 26-206

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING RELEASE OF CERTIFIED CHECK DRAWN IN PLACE OF PERFORMANCE SURETY BOND FOR STREET OPENING PERMIT #SO26-0508 IN THE AMOUNT OF $4,065.00.

WHEREAS, the Wildwood Crest Construction Official has received written approval from the Borough Engineer, DeBlasio & Associates, on June 15, 2026 to refund certified check (drawn in place of performance surety bond) to RAY MANFRED for Street Opening Permit #SO26-0508, Block 56.01/Lot 16; and

WHEREAS, the Wildwood Crest Construction Official has confirmed that all Borough Engineer inspections related to Street Opening Application #SO26-0508 are complete; and

WHEREAS, RAY MANFRED 200 E. Fern Road, NJ 08260 made a payment in the form of a certified check (drawn in place of a performance surety bond) to the Borough of Wildwood Crest of $4,065.00 on June 2, 2026 for a street opening permit for location 200 E. Fern Road, Block 56.01/Lot 16 and has requested refund of; and

WHEREAS, the permit totaled $4,065.00 and the Borough of Wildwood Crest Construction Official is recommending a refund of the fee of **$4,065.00**.

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 refund of the certified check (drawn in place of performance surety bond) to RAY MANFRED 200 E. Fern Road, NJ 08260 be and hereby is approved.

BE IT FURTHER RESOLVED that the Chief Financial Officer is hereby authorized to refund the certified check in the amount of $4,065.00 to RAY MANFRED 200 E. Fern Road, NJ 08260.

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

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 26-207

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF WILDWOOD AND THE CITY OF NORTH WILDWOOD AND THE BOROUGH OF WILDWOOD CREST FOR SHARED DAYTIME AMBULANCE RESPONSE

WHEREAS, the City of North Wildwood, City of Wildwood, and the Borough of Wildwood Crest (the Municipalities) desire to come to an agreement to share in duties of EMS response during the hours of (0800-1800 hours) (day time shift) Monday through Friday between June 25, 2026 and September 5, 2026; and

WHEREAS, the Municipalities agree to equally share the staffing of a second day time shift EMS Crew; and

WHEREAS, the Municipalities agree to direct their respective fire/ems Chiefs to coordinate said equal schedule; and

WHEREAS, the Parties have each duly authorized their proper officials to enter into and execute this Agreement through accompanying Resolutions.

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

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

2. The Memorandum of Understanding between the City of Wildwood and the City of North Wildwood and the Borough of Wildwood Crest" for a period not to exceed September 5, 2026 is hereby approved.

3. The Mayor and Borough Clerk are hereby authorized and empowered to execute the Memorandum of Understanding on behalf of the Borough of Wildwood Crest and to take any and all other action necessary to effectuate the terms thereof.

4. This Resolution shall take effect as provided by law and a copy of this Resolution and the Memorandum of Understanding shall be placed on file and available for public inspection in the office of the Borough Clerk.

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

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

CORRESPONDENCE: David Mears letter
"Dear Commissioners:
On the morning of Tuesday, June 16, I witnessed the aftermath of an accident in which a pedestrian crossing at Topeka and Atlantic Avenues was struck and seriously injured by an automobile. I anticipate that you may already be aware of this accident.

On the occasion of a commissioners' discussion on pedestrian safety approximately three years ago, I testified before those assembled. I noted that, while other north-south streets such as Seaview and Pacific Avenues had crosswalk street markings and "state law yield to pedestrians in crosswalk" signs at most intersections, there were much fewer of these markings and signs on Atlantic Avenue.

I will suggest that it may be good public safety to consider more such markings and signs on Atlantic Avenue as may help prevent such accidents in the future. I thank you in advance for your considerations and also thank you for your service to the Borough of Wildwood Crest, a town I am most please to be a resident of.
Sincerely,
Dave Mears"

This was turned over to Mr. Franco, Commissioner of Public Safety for follow up.

PUBLIC COMMENTS: Mayor Cabrera read the following OPMA statement.

The Open Public Meetings Act requires that a portion of every meeting of a municipal governing body be set aside for public comment on any issue that a member of the public feels may be of concern to the residents of the municipality.
To ensure an orderly and efficient meeting and to provide everyone an opportunity to be heard, here are the guidelines:

1. **Addressing the Body:** When recognized, please come to the microphone/lectern and clearly state your name for the record. All comments and questions should be addressed to the governing body as a whole and not to individual members or staff.
2. **Time Limit:** Each speaker will be limited to five (5) minutes. Speakers may only speak once during this portion. Time cannot be yielded to another speaker.
3. **Decorum:** Speakers and members of the public are expected to maintain proper decorum and shall civilly make their comments. Personal attacks, obscenity, derogatory or slanderous remarks, and disruptive behavior will not be tolerated. Please do not mention employees by name.
4. **Responses:** The governing body is not required to respond to questions during the public comment period, but may choose to do so at the end of the session, or refer inquiries to appropriate staff for follow-up at a later date.
5. **Subject Matter:** Comments should related to any governmental issue affecting the municipality.
6. **Remote Participation (If applicable):** For those participating remotely, you will be acknowledged by me and must state your name before making comments.

The Chair reserves the right to interrupt or terminate a speaker's privilege if the rules of decorum are violated or if comments become disruptive or exceed the time limit.
Thank you in advance for your cooperation in ensuring a respectful and productive dialogue. We now open the floor for public comments."

No comments from the public.

DISCUSSION:

NEW BUSINESS: N/A

OLD BUSINESS:
-Historical museum - 2025 – On hold until 2027.
-Back Beach Excavation: This is pending outcome of USACE and DEP.
-Dredging: Currently working a possible land acquisition of property for dredge materials.

-**Washington / Seaview – beach outfalls and capacity**: We received preliminary word on funding and getting close on an announcement and doing a benefit cost analysis.
-**US ACE / NJ DEP Dune**: There is another meeting forthcoming in the next few weeks and waiting on potential dates.
-**Borough Hall Renovations-** Funding is not available this year…will look in 2027. We are looking at replacing the flag pole outside borough hall and possibly relocating to a spot on corner of Sweet Briar and Pacific and potentially getting a digital sign.

PUBLIC COMMENTS:

Brian Cunniff, Public Information Officer, added that 250th celebrations continue to include a Baby Parade at 6:30 pm this evening and food trucks from 5-9 pm and music starting at 7 pm. There is a patriotic 5k Friday evening at 7 pm, on Saturday there is a reading of the Declaration of Independence at 6:30 at Centennial park where active military, veterans and first responders will be recognized followed by music at 7 pm.

COMMISSIONER COMMENTS:
Commissioner Franco congratulated Chief Robert Lloyd on being inducted as 4th Vice President at the NJ State Chiefs of Police recent ceremony.

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 26-208

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING EXECUTIVE/CLOSED SESSION IN ACCORDANCE WITH THE PROVISIONS OF THE OPEN PUBLIC MEETINGS ACT, SPECIFICALLY N.J.S.A. 10:4-12(B)

WHEREAS, the Open Public Meetings Act (N.J.S.A. 10:4-6 et. seq.) requires all meetings of the Board of Commissioners of the Borough of Wildwood Crest to be held in public, except that N.J.S.A. 10:4-12(b) sets forth nine (9) types of matters that may lawfully be discussed in "Executive or Closed Session," i.e., without the public being permitted to attend; and

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest has determined that two (2) issue(s) is/are permitted by N.J.S.A. 10:4-12(b) to be discussed without the public in attendance to be discussed during the Executive or Closed Session to be held on **Wednesday, July 1, 2026** at **9:30 A.M**.; and

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

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

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

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

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

___x___ **"(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 property for dredge materials.

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

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

__ x ____ **"(8) Any matter involving the employment, appointment, termination of employment, erms 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 **Deputy CFO interviews.**

_____ **"(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.

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

After returning to Open Session,
THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 26-209

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING COMMISSIONER JOSEPH FRANCO TO NEGOTIATE LAND ACQUISITION FOR BACK BAY DREDGING PROJECT

WHEREAS, the Borough of Wildwood Crest has identified a need and determined that the acquisition of certain real property is in the best interest of the Borough of Wildwood Crest for a Confined Disposal Facility (CDF) for dredge materials; and

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest desires to authorize the designated representative (Commissioner Joseph Franco) to negotiate in good faith with a property owner on fair purchase terms, subject to final approval and authorization.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, State of New Jersey, that Commissioner Joseph Franco is hereby authorized and directed to negotiate in good faith with a property owner regarding the purchase price, terms, and conditions of acquisition.

BE IT FURTHER RESOLVED that the purchase price and final terms negotiated shall be based on an independent market appraisal and Commissioner Franco is authorized to negotiate a purchase price provided that final agreement is duly authorized at a commission meeting with approval of the governing body.

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

After hearing nothing further from the public, Mrs. Fuscellaro motioned and Mr. Franco seconded that the meeting be adjourned. All were in favor. The time was 11:53 am.

Dated: July 22, 2026

_____

_____ _____

Patricia A. Feketics, Borough Clerk

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