

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

July 10, 2024

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

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

Schiff - Franco – Cabrera - YES

Mr. Cabrera read the following statement: In compliance with the Open Public Meeting Act, Chapter 231, P.L. 1975, the notice requirements have been satisfied as to the time, place and date of holding said meeting by posting notice on the bulletin board in the Borough Hall and by e-mailing and same to the Herald of Cape May County on October 4, 2023 and The Press on December 13, 2023.

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

Mr. Franco motioned and Mr. Schiff seconded that Ordinance No. 1433 be passed on second reading and final passage by title only.

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING ORDINANCE BY TITLE:

ORDINANCE NO. 1433
ORDINANCE OF THE BOROUGH OF WILDWOOD CREST
AMENDING SECTION 85-82 FENCES AND WALLS OF CHAPTER 85
OF THE BOROUGH OF WILDWOOD CREST LAND USE ORDINANCE

Mr. Franco motioned and Mr. Schiff seconded that a public hearing be held on Ordinance No. 1433.

Vote: Schiff - Franco – Cabrera – YES

After hearing nothing from the public, Mr. Franco motioned and Mr. Schiff seconded that the public hearing be held on Ordinance No. 1433 now be closed.

Vote: Schiff - Franco – Cabrera – YES

Mr. Franco motioned and Mr. Schiff seconded that Ordinance No. 1433 be passed on second reading and advertised according to law.

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 24-199
RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF
WILDWOOD CREST AUTHORIZING AMENDMENT OF RESOLUTION NO. 24-160 TO
REFLECT TOTAL EMERGENCY COST \$465,716.75 AND AUTHORIZING APPROVAL
OF CHANGE ORDER NO. 1 – PARK BOULEVARD SANITARY SEWER REPLACEMENT
– TO REFLECT AS-BUILT QUANTITY ADJUSTMENTS - AT THE NTE SUM OF
\$5,957.95

WHEREAS, Asphalt Paving Systems, PO Box 530, Hammonton, New Jersey 08037 was awarded an Emergency Contract known as PARK BOULEVARD SANITARY SEWER REPLACEMENT- via Resolution No. 24-160 on May 22, 2024 for \$435,309.83; and

WHEREAS, the total of the emergency was \$465,716.75 for an increase of \$30,406.92; and

WHEREAS, Marc DeBlasio of DeBlasio & Associates has reviewed the request for additional work for **AS-BUILT QUANTITY ADJUSTMENTS** and approves Change Order No 1 –**PARK BOULEVARD SANITARY SEWER REPLACEMENT** with an increase amount of \$5,957.95 all of which is detailed in the attachment to the Change Order and revising the Contract Price to \$471,674.70; and

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

Account Number: _____ Amount: \$36,364.87 Signature: _____

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

1. That the above recital paragraphs are incorporated herein by reference as if set forth at length.
2. That said Change Order Number 1- increasing the total contract amount by \$5,957.95 and revising the contract price to \$471,674.70 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

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

**RESOLUTION NO. 24-200
RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF
WILDWOOD CREST AUTHORIZING ABATEMENT OF FEE TO BIG TIME VENDING
FOR LOSS OF REVENUES IN IN THE AMOUNT OF \$1,600 RESULTING FROM LOSS
OF CONCESSION AREAS DUE TO CONSTRUCTION ACTIVITIES**

WHEREAS, the Borough of Wildwood Crest requested Big Time Vending remove three vending machines near the Beach Patrol Headquarters for the summer of 2023 due to construction and renovations; and

WHEREAS, Big Time Vending indicated that this location yielded a gross profit of \$1,600.00 in 2022; and

WHEREAS, the Beach Patrol Headquarters is currently still under construction and has been since the summer of 2023; and

WHEREAS, the Borough recognizes the financial impact of the ongoing renovations and therefore is desirous of authorizing an abatement in the amount of \$1,600 to Big Time Vending.

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 abatement for loss of revenues in the amount of \$1,600 is authorized to Big Time Vending.

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

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

**RESOLUTION NO. 24-201
RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF
WILDWOOD CREST AUTHORIZING COMPLIANCE WITH THE ANNUAL
AUDIT REQUIREMENTS AND DIRECTING MEMBERS OF THE GOVERNING
BODY TO EXECUTE THE GROUP AFFIDAVIT IN ACCORDANCE
THEREWITH**

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts, and financial transactions; and

WHEREAS, the Annual Report of Audit for the year 2022 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled:

GENERAL COMMENTS

RECOMMENDATIONS

and

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

GENERAL COMMENTS

RECOMMENDATIONS

as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the governing body no later than forty-five (45) days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5, as per the regulations of the Local Finance Board; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52 – “A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand (\$1,000.00) dollars or imprisoned for not more than one year, or both, in addition shall forfeit his office.”

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to demonstrate evidence of said compliance.

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 24-202

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING CONTRACTS WITH CERTAIN APPROVED STATE AND NATIONAL CONTRACT VENDORS FOR CY2024

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 2, 2024 and continuing through December 31, 2024 or until the expiration of the referenced vendor’s New Jersey State Contract, whichever shall occur first.

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 24-203

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR DONATIONS FOR COMMUNITY ACTIVITIES AS REQUIRED BY NJSA 40A:5-29

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by county or municipality when the revenue is not subject to reasonably accurate estimates in advance; and

WHEREAS, donations received for the specific purpose of assisting the Recreation Department by N.J.S.A. 40A:5-29; and

WHEREAS, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from the donations collected for community activities by the Borough of Wildwood Crest are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement:

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

1. The Board of Commissioners of the Borough of Wildwood Crest does hereby request permission of the Director of the Division of Local Government Services to pay expenditures related to the Recreation Department required by N.J.S.A. 40A:5-29.

2. The Municipal Clerk of the Borough of Wildwood Crest, County of Cape May, is hereby directed to forward two certified copies of this Resolution to the Director of Division of Local Government Services.

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 24-204

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING THE BOROUGH OF WILDWOOD CREST TO ENTER INTO A CONTRACT FOR COOPERATIVE PURCHASING WITH THE FLORIDA SHERIFFS ASSOCIATION COOPERATIVE PURCHASING PROGRAM

WHEREAS, N.J.S.A. 5:34-7.6, as amended by P.L. 2011, c.139, authorizes the Borough to purchase goods or to contract for services through the use of a recognized and accepted cooperative purchasing system that has been developed utilizing a competitive bidding process by another contracting unit within the State of New Jersey, or within any other state, when available: and

WHEREAS, the recognized Florida Sheriffs Association Cooperative Purchasing Program, located in Tallahassee, Florida, offers voluntary participation in its cooperative purchasing system for the purchase of goods and services from Florida Sheriffs Association Cooperative Purchasing Program vendors; and

WHEREAS, it is the desire of the Borough to join the Florida Sheriffs Association Cooperative Purchasing Program to purchase goods and services available thereunder, in order to make the Borough's procurement process for certain goods and services more efficient and cost effective.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, that the mayor is hereby authorized to execute the Florida Sheriffs Association Cooperative Purchasing Program Contract for Cooperative Purchasing.

BE IT FURTHER RESOLVED that the Borough shall be responsible to ensure that the purchase of goods and/or services through the Florida Sheriffs Association Cooperative Purchasing Program complies with all applicable laws of the State of New Jersey, including the Local Public contracts Law (N.J.S.A. 40A:11-1 et seq.).

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 24-205

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING THE FOLLOWING APPOINTMENTS FOR THE BOROUGH OF WILDWOOD CREST PLANNING BOARD: BRIAN STUART AS CLASS IV MEMBER, VINCENT TENAGLIA AS ALTERNATE #1 MEMBER, BRADLEY VOGDES AS ALTERNATE #2 MEMBER AND JANE REYNOLDS AS ALTERNATE #3 MEMBER

WHEREAS, a vacancy has occurred in the position of Class IV Member of the Planning Board of the Borough of Wildwood Crest; and

WHEREAS, it is desired that a full compliment of the Board be maintained at all times; and

WHEREAS, Board of Commissioners of the Borough of Wildwood Crest, wishes to move Alternate #1 Member, Brian Stuart, to fill the vacancy in the position of Class IV Member of the Wildwood Crest Planning Board with term expiring December 31, 2025; and

WHEREAS, Board of Commissioners of the Borough of Wildwood Crest, wishes to move Alternate #2 Member, Vincent Tenaglia, to fill the vacancy in the position of Alternate #1 Member of the Wildwood Crest Planning Board with term expiring December 31, 2025; and

WHEREAS, Board of Commissioners of the Borough of Wildwood Crest, wishes to move Alternate #3 Member, Bradley Vogdes, to fill the vacancy in the position of Alternate #2 Member of the Wildwood Crest Planning Board with term expiring December 31, 2025; and

WHEREAS, Board of Commissioners of the Borough of Wildwood Crest, wishes to move Alternate #4 Member, Jane Reynolds, to fill the vacancy in the position of Alternate #3 Member of the Wildwood Crest Planning Board with term expiring December 31, 2024; and

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest wish to acknowledge this appointment.

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 BRIAN STUART is hereby appointed as a Regular Member, VINCENT TENAGLIA is hereby appointed as Alternate #1 Member, BRADLEY VOGDES is hereby appointed as Alternate # 2 Member and Jane Reynolds is hereby appointed as Alternate # 3 Member of the PLANNING BOARD with above referenced expiration dates.

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 24-206

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST CANCELING ERRONEOUS 2024 SEWER RENTS IN THE AMOUNT OF \$124.00 FOR PROPERTY LOCATED AT 419 EAST ATLANTA AVENUE

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

WHEREAS, sewer account 1473-0, at 419 East Atlanta Avenue had no water meter installed for the year 2023, the sewer rents levied in 2024 should be canceled; and

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

Block / Lot Sewer ID#	Name	Amount
98.02/13 1473-0	Ocean Seven Homes Atlanta LLC 419 East Atlanta Avenue 2024 Sewer Rents	\$124.00

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

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 24-207

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING THE BOROUGH TO CANCEL THE GRANT ACCOUNT RECEIVABLES AND APPROPRIATIONS

WHEREAS, N.J. 40A:4-60 provides that any unexpended balance of an appropriation may, by resolution of the governing body, be cancelled prior to the end of the fiscal year; and

WHEREAS, balances remain in various grants which have been completed or not undertaken; and

WHEREAS, it is desired by the Board of Commissioners of the Borough of Wildwood Crest, to cancel such balances.

NOW, THEREFORE, BE IT RESOLVED, that the following balances be and are hereby cancelled:

	ACCOUNT RECEIVABLE	APPROPRIATION
CDBG Street Intersections ADA	41,676.46	25,191.99
CDBG Beach Access Grant	57,759.99	30,472.07
FEMA Sunset Lake Grant	58,445.05	99,495.05
NJ DEP – NJ Stewardship Grant	3,740.77	13,740.77
Total	<u><u>161,622.27</u></u>	<u><u>168,899.88</u></u>

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 24-208

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 2024 SUMMER SHORE PEDESTRIAN AWARENESS CAMPAIGN

WHEREAS, on June 27, 2024, the Borough of Wildwood Crest was awarded a grant by the New Jersey Division of Highway Traffic Safety for the 2024 Atlantic / Cape May Summer Shore Pedestrian Awareness Campaign; and

WHEREAS, the Counties of Atlantic and Cape May will participate in the Summer Shore Pedestrian Awareness Campaign mobilization from July 10-August 14, 2024 in an effort to raise awareness for pedestrian safety; and

WHEREAS, the 2024 Atlantic / Cape May Summer Shore Pedestrian Awareness Campaign will pay for overtime enforcement during the approved 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 \$5,250.00 on July 5, 2024.

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 2024 Atlantic / Cape May Summer Shore Pedestrian Awareness Campaign.

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 24-209

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING AMENDMENT TO THE 2024 MUNICIPAL BUDGET TO ACCOUNT FOR ADDITIONAL FUNDING FROM THE NEW JERSEY DIVISION OF HIGHWAY TRAFFIC SAFETY FOR THE 2024 SUMMER SHORE PEDESTRIAN AWARENESS CAMPAIGN 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 \$ 5,250.00 from the New Jersey Division of Highway Traffic Safety for the 2024 Summer Shore Pedestrian Awareness Campaign Grant and wishes to amend its 2024 Municipal Budget to include this amount of revenue.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey, does hereby request the Director of the Division of Local Government services to approve the insertion of an item of revenue in the municipal budget of the Borough of Wildwood Crest for the year 2024 in the sum of \$ 5,250.00

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:	
2024 Summer Shore Pedestrian Awareness Grant	\$ 5,250.00

BE IT FURTHER RESOLVED that a like sum of \$.....5,250.00 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:
- 2024 Summer Shore Pedestrian Awareness 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 2024 Summer Shore Pedestrian Awareness Campaign 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. 24-210

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST APPROVING AGREEMENT WITH T&C, LLC TO PROVIDE TWO AFFORDABLE HOUSING UNITS

WHEREAS, T&C, LLC (the “Developer”) obtained preliminary and final major site plan approval from the Borough of Wildwood Crest Planning Board by Resolution #PB-22-04 adopted on May 4, 2022 in order to construct two (2) multi-family buildings consisting of four (4) residential units and five (5) residential units on property located at 418 East Farragut Road, Block 98.02, Lots 18, 19, 20 and 21 in compliance with the Borough’s Affordable Housing Ordinance (hereinafter referred to as “The Project”); and

WHEREAS, by Agreement dated October 31, 2022, between the Borough, Attn: Constance Mahon and Developer, Developer agreed to purchase two (2) creditworthy rental units in the Borough of Wildwood Crest to comply with the Borough’s Affordable Housing Ordinance (the “Affordable Units”); and

WHEREAS, Developer is in the process of purchasing real property to create the Affordable Units and seeks additional time and further seeks permission from the Borough to convey seven out of the nine Units, Units A, B, C, D, E, F and I prior to delivering the Affordable Units and that the Borough shall withhold final inspection and Certificates of Occupancy for Units G, Qualifier C0000G and Unit H, Qualifier C0000H, 418 East Farragut Road of the Project to ensure compliance with Developer’s obligation in accordance with the terms and conditions set forth the Agreement attached hereto and incorporated herein as if set forth at length.

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. That the Agreement attached hereto is hereby approved, and the Mayor and Borough Clerk are hereby authorized, instructed, and empowered to execute the Agreement on behalf of the Borough of Wildwood Crest and to take all other necessary action to effectuate the terms thereof.
3. That any all acts taking by Borough Officials, including but not limited to the Zoning Officer and issuance of a Temporary Certificate of Occupancy for Unit D, which permitted transfer of title of that unit, which would have been authorized by the forgoing Resolutions, except that such acts were taken prior to the adoption of such Resolutions, are hereby severally authorized, ratified, confirmed and adopted as acts on behalf of the Borough.
4. This Resolution shall take effect immediately.

Mr. Schiff motions, and Mr. Franco seconds that the foregoing resolution be adopted.
Vote: Schiff - YES Franco – ABSTAIN Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 24-211

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING THE BOROUGH OF WILDWOOD CREST TO GRANT A WAIVER OF FEE FOR STREET OPENING PERMIT

WHEREAS, the property located at the corner of Morning Glory Road and New Jersey Avenue has requested a waiver of fee for street opening permit; and

WHEREAS, Crest Saving Bank has hired an independent plumber to investigate and repair a sewer back up and the Borough of Wildwood Crest also investigated the issue and found the pipe to the sewer lateral has sunk and must be repaired; and

WHEREAS, in accordance with the Borough’s Code § 61-10, it is the responsibility of the owner to repair; and

WHEREAS, in order to complete the installation of the sewer work, the requested street(s) requires excavation; and

WHEREAS, the Borough Engineer and Borough Administrator have both recommended to the Board of Commissioners that the waiver be granted.

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 preamble hereto is repeated herein as if set forth in full.
2. The Street Opening Permit Fee is hereby waived and reconstruction and restoration of the roadway and all necessary guarantees pursuant to Chapters 61 of the Code of the Borough of Wildwood Crest shall be enforced.

Mr. Schiff motions, and Mr. Franco seconds that the foregoing resolution be adopted.
Prior to the vote, Commissioner Franco indicated that the Construction Department was not involved in the meeting when it pertains to that department. The mayor indicated that the request from Crest Savings Bank came in as a blocked pipe with Public works and the request to waive the street opening permit came as a result of that meeting.
Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 24-212

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING CANCELLATION OF A 2025 WESTERN STAR 47X SET BACK AXLE TRUCK AND AUTHORIZING EXPENDITURE TO PURCHASE 2024 WESTERN STAR 47X SET BACK AXLE TRUCK FOR PUBLIC WORKS UNDER STATE CONTRACT

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, on April 24, 2024, the Board of Commissioners authorized Resolution No. 24-146 to purchase 2025 Western Star 47x Set Back Axle Truck; and

WHEREAS, there is a 2024 Western Star 47x Set Back Axle Truck immediately available for \$267,417.00; and

WHEREAS, the CFO has canceled the previously certified funds for the 2025 Western Star 47x Set Back Axle Truck and has certified the availability of funds for the 2024 Western Star 47x Set Back Axle Truck as evidenced below by her signature:

Account Number(s) _____ Amount \$267,417.00

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 cancel the funds for the expenditure for the purchase of a 2025 Western Star 47x Set Back Axle Truck for Public Works contract based upon the quote received from Hoover Truck Center (State Contract #89257) in an amount not to exceed \$267,417.00 and is authorized to purchase a 2024 Western Star 47x Set Back Axle Truck in an amount not to exceed \$267,417.00 under State

Contract.

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

CORRESPONDENCE: N/A

DISCUSSION:

NEW BUSINESS:

-UEZ 5 Year Plan: The Administrator indicated the state now requires UEZ applications to be a part of a 5-year plan. As we are collective members of the Wildwoods UEZ, we will now be required to submit each application in accordance with the 5-year plan. The Mayor indicated that the UEZ funds generated by businesses should be invested back in that zone and all agreed.

-Pickleball Courts- It appears that behavior at the pickleball courts has prompted the need for signage and an ordinance needs to be adopted so police can enforce the law.

-MJPPPI 2024 Annual Update- The Flood Plain manager will make a presentation at the next meeting.

OLD BUSINESS:

-250th birthday committee- The Mayor would like to appoint a committee to put together events for the 250th birthday of our country in 2026 and asked to keep thinking about possible membership and events.

-WC Municipal App- There was an initial meeting scheduled and details would be forthcoming.

-Old Tourism building use – 2025- No movement.

-Historical museum - 2025 –No movement.

-Proposed Amendment to Ord. 1432 – Ch. 79 – Time Limit Parking – The Mayor indicated the Chief and the Solicitor were working on this.

-Concession agreement hotel zone / beach chairs – hold.

-Traffic Calming – A grant was applied for and two upcoming meetings planned in coordination with Colliers Engineering: one with SJTA to go over a letter of support for Safe Streets For All and another meeting with police administration

-Back Beach Excavation: On hold pending dune.

-Dredging: The Administrator met with Scott Douglass from the state and Phase II will commence next year. It was also discussed that we are still in the acquisition phase and they will be redirecting the state channel and adding a leg to the yacht club.

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

-PW roof: Funding is in place and looking for commencement in August or September.

-Bayside outfalls and capacity / bulkhead repairs / replacement: Looking to authorize a Notice to Bidders at the next meeting.

-Washington / Seaview – beach outfalls and capacity: The Mayor indicated that we are awaiting word from Jim Rutala.

PUBLIC COMMENTS:

Mike Garofalo, homeowner in the Crest indicated he had an issue with the property next door and the builder doing whatever and that they removed his corner posts, beat up his grass, broke blocks on a retaining wall and that there is now the neighbor's fence on his property. He further indicated that the proposed plan is not what has been done. He also indicated that there is a cabana, they will be walking on his property to get out of their vehicles, etc.

The Solicitor indicated that it appears to be a boundary dispute. Commissioner Franco indicated that the Construction Official will do an inspection.

On phone, Ann, voiced her displeasure at vehicles parked over night at the pool were given tickets. She indicated that two large sheds were placed in the corner lot and 5-6 spots were taken from the area near the pump station and there is no room to see children and it causes a public safety concern. Commissioner Schiff indicated that police officers report to the Chief, not to him and the parking ordinance went into effect months ago. Parking over the holiday weekend was at an all-time high and that was island wide. The caller wanted the lot to be an overflow lot when parking was not available. The Chief added that he was working and indicated that if you knowingly park in an area that is clearly marked, you should be prepared to face the ticket and furthermore, he added that no one said at anytime to ticket them anyway. He suggested contacting the court and arguing the case with the judge. The Mayor added that the ordinance had both an introduction and that gets published in the paper and then an adoption and there is clear transparency. The sheds have been placed there temporarily by Public Works and

hopefully they will be relocated shortly. He will look to free up some of the spots that were taken by the pump station.

Commissioner Comments:

Mr. Schiff – County lifeguard championships will resume on Monday, July 15th at 6:15 pm.

Mr. Franco – The borough had its annual audit and congrats to the CFO and department heads on a great job.

Mayor Cabrera – Happy July 4th to all and congrats to all departments on their hard work.

Dated: July 24, 2024

Patricia A. Feketics, Borough Clerk

