

Note: Due to technical difficulties, Partial Meeting Appears  
 On Borough of Wildwood Crest Facebook page and You tube by date and  
 The meeting was audio recorded.

July 20, 2022

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

The meeting of the Board of Commissioners, Borough of Wildwood Crest, Cape May County, New Jersey, was held at Borough Hall at 5:30 p.m. On roll call the following answered to their 9names:

Schiff - Franco - Cabrera - YES

Mr. Cabrera read the following statement: In compliance with the Open Public Meeting Act, Chapter 231, P.L. 1975, the notice requirements have been satisfied as to the time, place and date of holding said meeting by posting notice on the bulletin board in the Borough Hall and by e-mailing and same to the Herald of Cape May County and The Press on October 13, 2021.

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

**Commissioner Schiff requested the First Responders reports first.**

**On behalf of Chief Johnson of the WCBP, Senior Lt. Bick Murphy spoke first.**

WCBP REPORT 7/20/2022 (COMMISSIONER MONTHLY MEETING)

- 2022 WCBP LIFEGUARD COVERAGE: EVERYDAY FROM 10:00AM- 5:30PM (WEATHER PERMITTING) UNTIL THE SUNDAY AFTER LD (SEPT 11)
- HANDICAP TRANSPORT SERVICE 11AM-4PM WHENEVER LIFEGUARDS ARE ON DUTY.
- SURF CHAIRS (BEACH WHEEL-CHAIRS) 10AM-5PM PICK-UP AND RETURN AT BEACH PATROL HQ (RAMBLER ROAD AND BEACH)
- 2022 SURFING BEACHES: RAMBLER-PRIMROSE, ASTER-CARDINAL, HOLLYWOOD-TOPEKA (10AM-12 NOON ONLY)
- FUTURES PROGRAM FOR GRADES 9<sup>TH</sup> -10<sup>TH</sup> WILL FINISH ON WED JULY 27<sup>TH</sup>. 30 KIDS PARTICIPATED IN THIS YEAR'S PROGRAM.
- JRLG PROGRAM FOR GRADES 4<sup>TH</sup>-8<sup>TH</sup> WILL FINISH ON THURS JULY 21<sup>ST</sup>. 150 CHILDREN PARTICIPATED IN THE PROGRAM THIS YEAR.
- WCBP HOSTED THE 38<sup>TH</sup> ANNUAL CAPE MAY COUNTY LIFEGUARD CHAMPIONSHIPS ON FRIDAY, JULY 8<sup>TH</sup>. AVALON BEACH PATROL TOOK THE COUNTY TITLE FROM TWO-TIME DEFENDING CHAMPION WILDWOOD CREST.
- CALL BEACH PATROL HQ AT 609-522-3825 FOR INFORMATION, QUESTIONS OR CONCERNS.

**Chief Ron Harwood of the Fire Co., EMS, OEM and Housing Inspector:  
 Reports:**

**FIRE:**

June 1, 2022 thru June 30, 2022

<b>Fires</b> (Including building fires, cooking fires, rubbish fires, vehicles fires, Mulch fires)	<b>2</b>
<b>Over Pressure Rapture, Explosion, Overheated</b> (No fire)	<b>1</b>
<b>Rescue/EMS</b> (MVA's, medical assists, elevator entrapments, water rescues)	<b>10</b>
<b>Hazardous Conditions</b> (Gas leaks, electrical hazards, aircraft stand-by C/O Incidents)	<b>8</b>
<b>Service Calls</b> (Animal rescues, assist police department, public assists)	<b>2</b>
<b>Good Intent Calls</b> (Smoke scares, odor of smoke, investigations with no incident)	<b>7</b>
<b>False Alarm &amp; False Calls</b> (Malfunctioning alarm systems, malicious alarms, unintentional)	<b>19</b>
<b>Severe Weather, Natural Disaster, Lightning Strike (No Fire)</b>	<b>0</b>
<b>Total Incidents</b>	<b>49</b>
Average Turnout Per Incident ( 28 Members)	<b>16</b>
Mutual Aid - First Alarm Fire Assignments for structure fire <b>1 to Wildwood            0 to North Wildwood</b>	<b>2</b>

**FIRE PREVENTION:**

From June 01,2022 thru June 30, 2022, the Wildwood Crest Fire Prevention & Inspection Bureau conducted the following Inspection.

PERIODIC	584	Notice of Violations sent	237
RE- INSPECTION	133	Certificate of inspection	701
Life Hazard Inspection	13		
L/H Re- Inspection	9		
OTHER/Follow-up	3		
Total Inspections	<b>742</b>	Smoke Detector Inspection	8

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

**HOUSING:**

**The Bureau of Housing 5-Year Maintenance of Hotels and Multiple Dwellings  
SLCHIP Program (State Local Cooperative Housing Inspection Program)**

**216** Units were Inspected

**02** Units were Re-Inspected

**OEM:**

No report for the month of June.

**EMS:**

Patients Treated & Transported to Hospital:	66
Refusal of Care	41
Recalled/Canceled by Dispatch	21
Public Assist- Fire Stand By	43
<b>Mutual Aid Received:</b>	<b>6 From WFD      0 From NWFD 0 From Lower Township</b>
<b>Mutual Aid Given:</b>	<b>4 To NWFD    8 To WFD    11 To LT</b>
<b>Total Calls</b>	<b>171</b>

**Chief Robert Lloyd of the Wildwood Crest Police Department:**

**July Report to Commissioners**

Special Events

1. Christmas in July is Saturday July 23<sup>rd</sup> from 6pm – 9:30pm along Sunset Lake. There will be road closures along NJ Ave between Rambler Road and Louisville Ave. Please plan for the detours and possible traffic delays.
2. National Night Out is taking place on Tuesday August 2<sup>nd</sup> at Centennial Park from 5:30pm - 8:30pm. A movie will be shown immediately following. All are welcome and encouraged to come out to see us.

Enforcement Actions

1. There have been some complaints and issues regarding some local ordinances and traffic violations across town that we will be addressing with heavy enforcement.
  1. Pedestrians in crosswalks
  2. Speeding
  3. Bicycles
  4. Low speed vehicles
  5. Electric/motorized bicycles on the bike path
  6. Open containers of alcohol in public
  7. Dogs on the beach and unleashed dogs

To address some of these issues, not only will officers be conducting heavy enforcement actions, we will also have plain clothes officers doing directed enforcement action for some of these issues. You will most likely not see them but they will be looking for these violations and communicating with uniformed patrol officers to conduct stops for observed violations. We will be pushing out informational postings on some of these violations on our social media and on our website. Please look for these postings and share them with friends and family.

Mike Garagosa, Pittsburgh Avenue, was concerned over cars and actions of drivers and the difficulty of seeing traffic while trying to edge out and how closely cars are parked to end of the blocks. He was also concerned about electric bicycles no longer being allowed to continue in the

bike lanes but was misinformed because it was no longer permitted on the bike path and he was satisfied.

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 22-244

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST URGING SWIFT PASSAGE OF S-330 WHICH RESTORES ENERGY TAX RECEIPTS TO MUNICIPALITIES**

**WHEREAS**, taxes on gas and electric utilities were originally collected by the host municipalities to be used for local purposes and to compensate the public for the use of their rights of way; and

**WHEREAS**, when the State of New Jersey made itself the collection agent for these taxes, it promised to dedicate the proceeds to municipal property tax relief; since, just as municipalities collect property taxes for the benefit of school districts, counties, and other entities, the State is supposed to collect Energy Taxes for the benefit of municipal governments; and

**WHEREAS**, for years, though, State budget makers have utilized funding from Energy Taxes to fund State programs; and instead of being spent on local programs and services and used to offset property taxes, the money has been spent as successive Legislatures and Administrations have seen fit; and

**WHEREAS**, the diversion of dedicated energy tax receipts to the State's General Fund further jeopardizes this critical property tax relief funding in future years; and

**WHEREAS**, by reducing Consolidated Municipal Property Tax Relief Act (CMPTRA), which is also comprised of revenues that should be returned to municipalities, State Budget makers have been able to continue collecting Energy Taxes, while keeping additional revenue that should have been returned to provide property tax relief; and

**WHEREAS**, the cumulative impact of years of underfunding has left many municipalities with serious needs and burdensome property taxes; and

**WHEREAS**, local elected officials are in the best position to decide the best use of these resources, which were always intended to fund local programs and services; and

**WHEREAS**, Senator Singleton and Senate President Scutari have introduced legislation (S-330) that will restore, over a five-year period, Energy Tax Receipts to municipalities.

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough of Wildwood Crest, County of Cape May, State of New Jersey, that:

1. The Recital paragraphs are incorporated as if fully set forth.
2. The Board of Commissioners hereby urges the Legislature to swiftly pass this legislation and Governor Murphy to sign the legislation prior to passage of the FY2023 State budget.
3. The Board of Commissioners hereby directs that a copy of this Resolution be forwarded to Assemblyman Simonsen, Assemblyman McClellan, Senator Testa, Senate President Scutari, Assembly Speaker Coughlin, Governor Murphy, and the League of Municipalities.
4. The Mayor and all other appropriate Borough Officials are hereby authorized and directed to take all action and execute all documents required to give effect to this Resolution.
5. This Resolution shall take effect immediately upon passage, according to law.

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 22-245

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING EXPENDITURE TO PURCHASE THREE (3) DOUBLE SIDED SIGNS WITH ELECTRONIC MESSAGE CENTER FOR RECREATION CENTER AND CREST ARTS PAVILLION UNDER HUNTERDON COUNTY 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 is in need of Three (3) Double Sided Sign with Electronic Message Center *for Recreation Center and Arts Pavillion*; and

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

**WHEREAS**, KC Signs & Awnings (Hunterdon County Contract # HCESC-SER-21-08) 142 Conchester Highway, Aston PA 19014 has provided a quote dated June 14, 2022 for \$110,430.00; and

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

Account Number(s) C-04-55-137-0D2 Amount \$ 110,430.00

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 fund the expenditure to purchase Three (3) Double Sided Sign with Electronic Message Center based upon the price quote on June 14, 2022 from KC Signs & Awnings. (Hunterdon County Contract # HCESC-SER-21-08) in an amount not to exceed \$110,430.00.

**BE IT FURTHER 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 to purchase Three (3) Double Sided Sign with Electronic Message Center based upon the price quote on June 14, 2022 from K Signs & Awnings (Hunterdon County Contract # HCESC-SER-21-08) in an amount not to exceed \$110,430.00.

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

**RESOLUTION NO. 22-246**

**AUTHORIZING THE AWARD OF A CONTRACT TO CAPE MAY COUNTY COUNCIL ON ALCOHOLISM AND DRUG ABUSE, INC. ALSO KNOWN AS CAPE ASSIST FOR EMPLOYEE ASSISTANCE PROGRAM**

**WHEREAS**, N.J.S.A. 40A:11-3 authorizes the award of any contract without competitive bidding for any purchase, work or service that does not exceed in the fiscal year the total sum of Seventeen Thousand Five Hundred (\$17,500) Dollars; and

**WHEREAS**, Cape May County Council on Alcoholism and Drug Abuse, Inc. (hereafter “Cape Assist”) has submitted a proposal, dated July 11, 2022, to provide the Borough of Wildwood Crest with an EAP and the Board of Commissioners is satisfied that Cape Assist has the credentials and abilities to perform such services; and

**WHEREAS**, the contract amount is \$21.00 per each full-time employee and \$15.00 per each seasonal employee for twelve months beginning August 1, 2022 and ending July 31, 2023; 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 and State of New Jersey that a contract hereby is awarded to Cape Assist for services in the form of an Employee Assistance Program (EAP) and that the Mayor and Borough Clerk are hereby authorized to sign the agreement.

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

**RESOLUTION NO. 22-247**

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING AWARD PROFESSIONAL SERVICES CONTRACT TO THE LOMAX GROUP FOR SPECIALIZED ENGINEERING AND ENVIRONMENTAL CONSULTING SERVICES FOR CAFRA REQUIRED HABITAT EVALUATION / MITIGATION SERVICES FOR STUDY OF A BIKE PATH EXPANSION: CRESSE AVENUE TO RAMBLER ROAD AND STUDY B STREET END BUMP-OUTS: RAMBLER ROAD TO JEFFERSON AVENUE**

**WHEREAS**, the Board of Commissioners of the Borough of Wildwood Crest has determined that there exists the need for specialized engineering and environmental consultation services to be provided to the Borough of Wildwood Crest for environmental consulting for CAFRA required Habitat Evaluation / Mitigation Services for Study A Bike Path Expansion Cresse Avenue to Rambler Road and Study B Street End Bump-Outs: Rambler Road to Jefferson Avenue; and

**WHEREAS**, the Borough Clerk received a proposal from The Lomax Consulting Group dated January 22, 2021 and that proposal was forwarded to a review committee consisting of the Borough Administrator, Constance Mahon, Borough Clerk, Patricia Feketics, Chief Financial Officer, Francine Springer, and Borough Solicitor Ronald J. Gelzunas; and

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

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

1. Professional services of the type herein sought are of such a nature as to require a high degree to trust and confidence in the individual providing the service and may require the creation of a confidential or fiduciary relationship between that individual and the Borough;

2. The services required are highly specialized or technical in nature;

3. The services require peculiar ability and skill, and demand a high degree of specialized knowledge or expertise;

4. The services are such that their relative worth must be judged by subjective considerations that are not susceptible of valuation by competitive bidding;

5. The individual or entity who will provide these services has demonstrated competence and particular expertise in the services required;

6. The individual or entity who will perform these services is held to and fully adheres to the strict ethical standards that govern the involved profession;

7. The services include advise to and consultation with the municipality that require both knowledge and judgment on the part of the individual or entity providing services, as well as the confidence of the municipal officials, such that competitive bidding is not feasible or practical;

8. The services to be provided are such that their nature, scope and duration are not capable of precise measurement, but rather require a flexibility and discretion that render competitive bidding impractical and inefficient; and

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

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

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

Account Number(s) \_\_\_\_\_ Amount \$15,100.00 Signature \_\_\_\_\_

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

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

2. That the contract for the Environmental Consulting Services for work in **PROPOSAL TLCG FILE: 20-1070** in Wildwood Crest be awarded to The Lomax Consulting Group.

3. The award of this contract is contingent upon compliance with the New Jersey Pay to Play Law as set forth in N.J.S.A. 19:44A-1; production of the Business Entity Disclosure Certificate, Affirmative Action Compliance Notice, New Jersey Certificate of Employee Information Report, New Jersey Business Registration Certificate and proof of insurance as required in the contract and certification from the Chief Financial Officer as to the availability of funds.

4. That the Mayor and Borough Clerk are hereby authorized and empowered to enter into a professional services contract effective immediately and not to extend beyond one (1) calendar year, with The Lomax Consulting Group, who shall be compensated pursuant to attached Proposal which is incorporated herein, at the billable rates set forth therein not to exceed \$15,100.00.

5. That a Notice of Award shall be published in *The Herald of Cape May County* as required by law within ten (10) days of passage of this Resolution, which notice shall state that this Resolution and the contract are on file and available for public inspection in the office of the Borough Clerk.

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 22-248

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING BOROUGH ENGINEER WORK ORDER FOR VON SAVAGE POOL- POOL AND ROOF IMPROVEMENTS AT THE NTE SUM OF \$40,000**

**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 **VON SAVAGE POOL- POOL AND ROOF IMPROVEMENTS** for engineering services which are more specifically set forth in the attached Proposal from Marc DeBlasio and the Firm of DeBlasio & Associates, dated July 11, 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 \$40,000.00; and

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

Account Number(s): \_\_\_\_\_ Amount: \$40,000.00 Signature \_\_\_\_\_

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

1. The above recital paragraphs are incorporated herein as if set forth at length.
2. The Mayor and Borough Clerk are hereby authorized and empowered to execute the attached Work Order authorizing MARC DEBLASIO and DEBLASIO & ASSOCIATES to perform the professional engineering services as described in the Proposal, which is hereby approved, at the billable rates set forth in the professional services agreement between Marc DeBlasio and Borough not to exceed \$40,000.00.

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 22-249

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING AMENDMENT TO THE 2022 MUNICIPAL BUDGET TO ACCOUNT FOR ADDITIONAL FUNDING FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY FOR THE FLOOD MITIGATION ASSISTANCE (FMA) PROGRAM 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 \$ 70,875.00 from the Federal Emergency Management Agency of the US Department of Homeland Security for the Flood Mitigation Assistance (FMA) Program Grant and wishes to amend its 2022 Municipal Budget to include this amount of revenue.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey, does hereby request the Director of the Division of Local Government services to approve the insertion of an item of revenue in the municipal budget of the Borough of Wildwood Crest for the year 2022 in the sum of \$ 70,875.00 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:

FEMA Flood Mitigation Assistance Grant .....\$ 70,875.00

**BE IT FURTHER RESOLVED** that a like sum of \$.....70,875.00 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:  
FEMA Flood Mitigation Assistance Grant

**BE IT FURTHER RESOLVED** that the sum of \$23,625.00 representing the amount required for the municipality's share of the aforementioned undertaking in appropriated in the general capital fund.

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

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 22-250

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING AND DIRECTING THE PLANNING BOARD TO CONDUCT A PRELIMINARY INVESTIGATION TO ESTABLISH A REDEVELOPMENT AREA WITHIN THE BOROUGH OF WILDWOOD CREST, COUNTY OF CAPE MAY, STATE OF NEW JERSEY**

**WHEREAS**, N.J.S.A. 40A:12A-6 of the Local Redevelopment and Housing Law (the "Redevelopment Law") authorizes the governing body of any municipality, by Resolution, to have its Planning Board conduct a preliminary investigation to determine whether any area of the municipality is a redevelopment area pursuant to the criteria set forth in N.J.S.A. 40A:12A-5; and

**WHEREAS**, the Board of Commissioners of the Borough of Wildwood Crest (the "Board of Commissioners") consider it to be in the best interest of the Borough of Wildwood Crest (the "Borough") to have the Borough's Planning Board (the "Planning Board") conduct such an investigation regarding the properties identified on Exhibit A attached hereto located on New Jersey Avenue between Wisteria Road and Heather Road within the Borough (the "Study Area"); and

**WHEREAS**, a redevelopment area designation shall authorize the municipality to use all powers provided by the State Legislature for use in a redevelopment area excepting the use of eminent domain (herein referred to as a "Non-Condensation redevelopment Area"); and

**WHEREAS**, the land located within the Study Area appears to be in a state of dilapidation, appears to be vacant, obsolete and/or underutilized and/or otherwise appears to be in need of redevelopment; and

**WHEREAS**, the present conditions at the aforementioned Study Area may be detrimental to the safety and welfare of the community, thereby requiring redevelopment to better serve the Borough.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Borough of Wildwood Crest that:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Planning Board is hereby directed to conduct a preliminary investigation to determine whether the Study Area, or any part thereof, if applicable, is a Non-Condensation Redevelopment Area pursuant to the criterion set forth in N.J.S.A. 40A:12A-1, et seq.
3. The Planning Board is hereby directed to prepare a report of its findings and once completed, the Planning Board is directed to transmit the report to the governing body of the Borough for their review and approval in accordance with the provisions of the Redevelopment Law.
4. This Resolution shall take effect immediately upon adoption.

**EXHIBIT A**

<b><u>Block</u></b>	<b><u>Lot</u></b>
22	20.01, 20.02, 21.01, 21.02, 22.01, 23.01, 24.01, 24.02, 25.01, 25.02
23	1, 2, 3, 4, 5, 6
27	19.02, 20.01, 20.02, 21.01, 21.02, 22.01, 22.02, 23, 24, 25
28	1, 2, 3, 4, 48, 49, 50
31	19, 20, 21, 22, 23, 24
32	1, 2, 3, 4, 5, 6
35	19, 20.01, 20.02, 21, 22, 23, 24
36	1, 2, 3, 4, 5, 6, 44, 45, 46
39	20, 21, 22, 23, 24, 25
40	1, 2, 3, 4, 5, 6

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

Vote: Schiff - Franco – Cabrera – YES

The Mayor requested that attorney James Maley give a brief summary for the public. Mr. Maley indicated there is a major undertaking for New Jersey Avenue from Wisteria Avenue to Heather Road and they are trying to get this designated as an area of redevelopment and this will allow for more flexibility with respect to municipal rules for homeowners and developers.

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 22-251

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING THE SOLICITOR TO PREPARE AND FILE A MOTION TO INTERVENE FOR THE CONSTRUCTION OR OPERATION OF THE OCEAN WIND 1 QUALIFIED WIND PROJECT – BPU Docket No. Q022050347**

**WHEREAS**, on Friday, June 29, 2022, the Board of Public Utilities entered an Order in the above matter made effective Friday, July 1, 2022; and

**WHEREAS**, the Order contained a provision that any party seeking to intervene in the matter must do on or before July 15, 2022; and

**WHEREAS**, the Borough of Wildwood Crest sent a letter to the Board of Public Utilities Requesting to Extend the Time to Apply to Intervene dated July 8, 2022; and

**WHEREAS**, the Borough of Wildwood Crest received email notification on July 8, 2022 that the submission was received by the Public Utilities Requesting to Extend the Time to Apply to Intervene; and

**WHEREAS**, the Borough of Wildwood Crest is desirous of having the Solicitor prepare a file a motion for the Construction and Operation of the Ocean Wind 1 Qualified Wind Project – BPU Docket No. Q022050347; 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 Solicitor is hereby authorized to Prepare and File a Motion to Intervene for the Construction or Operation of the Ocean Wind 1 Qualified Wind Project – BPU Docket No. Q022050347.

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 22-252

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING A REVOCABLE LICENSING AGREEMENT AND WAIVER OF ENCROACHMENT BETWEEN BOROUGH OF WILDWOOD CREST AND A & DV, LLC dba BANDANAS RESTAURANT**

**WHEREAS**, A & DV, LLC applied to the Borough of Wildwood Crest Zoning Board of Adjustment for property located at 5605 Atlantic Avenue, Wildwood Crest, New Jersey, for certain approvals among which were the elimination of a parking lot along Atlantic Avenue and was granted various relief from the Borough of Wildwood Crest Zoning Ordinance in order to construct the aforesaid project as memorialized in the Borough of Wildwood Crest Zoning Board of Adjustment Resolution No. 21-21; and

**WHEREAS**, the Resolution and approval required A & DV, LLC to comply with any and all comments and or conditions set forth within the Engineer’s Report by DeBlasio & Associates, dated August 26, 2021; and

**WHEREAS**, the aforesaid Resolution and engineer review letter contained provisions requiring the Licensee to obtain approval from the governing body for proposed improvements to allow the placement of removeable benches and planters on the public right of way, or portion thereof, along Atlantic Avenue to block access to a former parking lot and depressed curb and to facilitate separation of persons waiting to enter the restaurant and traffic along Atlantic Avenue in order to address safety considerations raised by the Zoning Board Engineer; and

**WHEREAS**, the Borough of Wildwood Crest desires to permit a revocable license and to waive said encroachment in accordance with the terms and conditions contained in the attached Revocable License Agreement and Waiver of Encroachment.

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



2. That a revocable license is hereby granted to A & DV, LLC d/b/a BANDANAS RESTAURANT to allow the placement of removeable benches and planters on the public right of way, or portion thereof, along Atlantic Avenue to block access to a former parking lot and depressed curb and to facilitate separation of persons waiting to enter the restaurant and traffic along Atlantic Avenue.

3. The Mayor and the Borough Clerk are hereby authorized and directed to execute and attest said Revocable License Agreement and Waiver of Encroachment on behalf of the Borough.

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

Vote: Schiff - Franco – Cabrera – YES

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

Vote: Schiff - Franco – Cabrera – YES

**REPORTS:** Mr. Franco motioned and Mr. Schiff seconded 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 June 30, 2022 be accepted as presented.

Vote: Schiff - Franco – Cabrera – YES

**MINUTES:** Mr. Franco motioned and Mr. Schiff seconded all minutes from the regularly scheduled Commission meetings dated June 22, 2022 and July 6, 2022 be approved as presented.

Vote: Schiff - Franco – Cabrera – YES

## **ADMINISTRATOR’S REPORT:**

**July 20, 2022**

### **ONGOING AND UPCOMING PROJECTS**

#### **Beach End Bump Outs**

We have been approved for a \$2.5M Open Spaces grant to construct 11 beach bump outs and our engineer is preparing construction documents to go out to bid. We expect to award and commence construction on these additional beach bump outs in the fall.

#### **Pacific Avenue**

Phase 1 of this county project is complete. Phase 2 is expected to commence after Labor Day in the Southern most portion of town.

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

As of today, Coastal Engineering is still working with Wildwood and Lower Township on their state aid agreements. There is nothing more to report.

#### **New Jersey Avenue**

The Borough has engaged James Maley as special counsel to create redevelopment zone in the New Jersey Avenue business district. A public hearing will be held at the Planning Board’s, September 7<sup>th</sup> meeting.

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

We continue to work with the NJDOT’s Office of Maritime Resources, the NJDEP Office of Sediment and Dredging Technology and our dredging committee to have the State dredge their state channel and have requested that they realign the channel and perhaps partner with us to dredge more of the lake. Meetings have been held with all agencies and the project planning is progressing. Our next meeting is planned for September 1<sup>st</sup> with a follow-up meeting with NJDOT on September 13<sup>th</sup>.

#### **CAFRA Applications**

In an on-going effort to remain compliant with the state’s Coastal Management Rules, the Borough has been working on 2 separate CAFRA permits. The first permit seeks to permit beach patrol storage adjacent to the beach patrol headquarters. Just last week a 30-day extension was requested on this application. In addition, our environmental consultant has submitted a request for administrative review for the beach patrol headquarters renovation. We still have not received a response. The second IP permit is still being worked on and would permit the following 5 items:

- Dune and Beach Maintenance Activities
- Bike Path Improvements north of Rambler
- Widening of pedestrian access through dunes north of Rambler
- Old Library site improvements including expanded parking
- Water main looping

### **Old Library Renovations**

A progress meeting was held last Thursday. The nano door for the rear of the building and the electric panel are the only two large items that still have not arrived. These supply chain issues will delay our opening to 2023. Once the building is complete, we will be able to go out to bid once more for the retail and café space.

During excavation of the parking lot area a 1000- gallon heating oil tank was discovered. In accordance with regulations, the tank was immediately emptied and removed and the soil and ground water surrounding it was tested and reported to the state. We now must hire a Licensed State Remediation Professional and remediate the area. I will report on the next steps once the professional has been engaged.

The Borough has applied to the Cape May County Open Spaces Board for phase 2 of this project which will include site improvements. We will continue to work with them to obtain this funding.

### **Public Works Property Acquisition**

The borough just closed on the property 117 W. Jefferson on Friday. This parcel of land adjoins the public works yard and was purchased for \$200,000 at the recommendation of the Public Works Superintendent. It was previously owned by the Borough and is needed to accommodate borough equipment.

### **ENGINEER'S REPORT:**

**Date:** July 20, 2022

### **Grant Applications**

1. FY 2023 NJDOT Municipal Aid Program
  - The NJDOT has announced that they are accepting State Aid applications for Roadways, Bikeways, Pedestrian, Safe Streets to Transit and Transit Village projects.
  - The Borough has selected to submit the Reconstruction of Orchid Road from Pacific Avenue to Ocean Avenue as the grant application.
  - The application was successfully submitted on June 27<sup>th</sup>.
2. FEMA Flood Mitigation Assistance (BRIC)
  - The Borough is proposing to construct one (1) bayside storm sewer pump station, install bay outfall SCADA control valves and associated storm sewer improvements in the north west section of the Borough.
  - Our office has met with Jim Rutala to develop the application submission, which is due November 30, 2021.
3. Cape May County Open Space Board – Coastal Recreational Enhancements
  - The Borough has decided to submit a grant application for ADA beach access improvements-phase 2 (Orchid Road to Jefferson Avenue).
  - In support of the grant application, our office transmitted the grant application to Cape May County on December 15, 2020.
  - The County has indicated preliminary favorability and requested additional information.
  - The Borough provided a supplemental presentation to the CMCOSB on September 28<sup>th</sup> and a final decision is anticipated in late March, 2022.

### **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.
  - The Borough has approved a Change Order for improvements on Ocean Avenue and Washington Avenue and various streets.
  - Our office is in the process of preparing a Change Order to replace the Cardinal Avenue sanitary sewer from Seaview Avenue to Pacific Avenue for Fall, 2022 construction.
2. Fiscal Year 2021 NJDCA Small Cities Program – Beach Street End Public Access Improvements – Phase 1B
  - The Borough was notified by the NJDCA that a \$400,000.00 grant was allocated for the project.
  - The original project and Heather Road Fishing Pier Improvements are complete.
3. Reconstruction of Beach Avenue and Stanton Road
  - The Borough was notified that a grant in the amount of \$155,000.00 was allocated for the reconstruction of Beach Avenue from Crocus Road to Forget-Me-Not Road.
  - The Borough has been notified by the NJDOT that a grant in the amount of \$185,000.00 was allocated for the reconstruction of Stanton Road from the Beach to New Jersey Avenue.
  - The contractor has completed all of the improvements on Beach Avenue and Stanton Road. We are working toward project closeout.
4. NJDEP CAFRA Permit for Beachfront Improvements, Sand Back Passing and Dune Maintenance Activities
  - The beach survey is complete and the permitting application is in progress.
  - The wave height analysis is being performed.

- The plans are being finalized.
5. Fiscal Year 2019 NJDCA Small Cities Program – Renovations to the Old Library
    - 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.
    - Bi-weekly on-site project meetings are occurring with the contractor and Borough representatives.
    - All structural framing, rough electrical, HVAC and plumbing have been completed and finish items are ongoing.
    - All roofing and siding is completed.
    - The contractor is waiting for a few remaining items to be delivered. Supply chain issues have delayed completion. The project is substantially complete with the exception of the large sliding door, two exterior doors and miscellaneous electrical components. The contractor is tracking delivery dates and expects a mid-August arrival.
  6. Fiscal Year 2022 NJDOT Municipal Aid Program – Reconstruction of Syracuse Avenue
    - The Borough was notified by the NJDOT that the \$196,025.00 was allocated for the Reconstruction of Syracuse Avenue.
    - Survey is complete, the design is in progress and construction is scheduled for Fall, 2022.
  7. Beach Patrol Headquarter Renovations
    - The project architect has completed the schematic/concept design and waiting for further instructions from the Borough.
    - Our office completed a structural review of the lifeguard building and the report will be finalized this week.
  8. Beach Street End Public Access Improvements – Phase 2
    - Survey is complete, the design is in progress and construction is scheduled for Fall, 2022.

The mayor added that he wanted to get a list together for discussion items for budgetary planning.

**CORRESPONDENCE:** N/A

**PUBLIC COMMENTARY:**

Gail Kelly / Matt Gulfo, 201 East Columbine Road, listed several concerns over the shed on property located at 213 E. Columbine Road to include: eye sore/ lower value of home, there is a business running in a residential area and concerns about kilns to name a few. They would like to see the homeowner remove the shed and for the street to remain residential.

Allen Hirschmann, 213 East Columbine, indicated that much of what was said is not true. He indicated that no sale was made from the property and his wife is not doing classes and their website has recently been updated.

The Mayor pointed out that the solution is not simple and not able to happen overnight. He indicated that Commissioner Franco is working on a solution with council and providing responses on behalf of the governing body and asked for patience and cooperation while this gets worked out.

Matt Gulfo inquired about the kilns being inspected and the Mayor indicated that Commissioner Franco will be consulting with council and the numerous codes.

Allen Hirschmann then indicated that if his home is to be inspected, he would expect the same to happen to every person that signed a petition.

Gail Kelly indicated that no one else is running a business out of their homes.

The Mayor added the issue is being addressed.

Mike Marino, 215 West Buttercup Road, believes the intersection of Buttercup Road and Park Blvd. to be a safety issue with the speed and volume of traffic, poor visibility with cars being parked so close to the corner and removal of pedestrian signs. Furthermore, he added that he has over 50 signatures of homeowners requesting the issue be addressed.

The Chief added that this needs a long-term solution, not a quick fix. He added that they have stepped up enforcement and he will discuss with the engineer for a proper traffic study to be conducted, upon approval from the governing body. He also noted that this is not the only

intersection that needs to be addressed. They have moved a sign in the area and that any change inevitably affects other streets.

The Mayor added that short term it appears the residents would like to have the pedestrian cross walk sign reinstated and that a long term solution needs to have consultation with the engineer to devise a plan/study. The Chief added that it would be beneficial to do a study and that the officers are out there enforcing traffic.

The Chief pointed out multiple signs were not replaced because they were hit by cars, people tend to use a security blanket, there needs to be more education and there is poor visibility for the lines.

Jim McGinty, Buttercup Road, asked for a proactive approach and to please put the sign back out and do the striping again to make it more visible. The Mayor had no issue with this.

Commissioner Schiff agreed to meet with the Chief and Supervisor of Traffic Maintenance to come up with a short term plan.

Matt Gulfo inquired about possibly halting development and placing moratoriums on building and the Solicitor indicated that moratoriums come from the state level.

Dave Thompson, 8002 Pacific Avenue, asked about the lot for sale at Rosemary Road and Seaview Avenue and if the money from the lot is earmarked for a specific project, which it is not. He recommended not selling property until ready to buy a property for the future pump station. Mr. Thompson was told the money will go into General Surplus and the tax rate will yield approximately \$13,000 a year and there is on going maintenance for the property. The CFO confirmed the Borough would bond for the large purchase and increased surplus is beneficial.

#### **sameDISCUSSION:**

#### **NEW BUSINESS:**

**-Preston Park:** The Mayor indicated the previous administration approved the design for Preston Park and the previously submitted proposal from the Engineer has been scaled down and they are hoping to do most of the work in house. The Mayor asked that it be resolved at the next meeting.

#### **OLD BUSINESS –**

**-Historian:** The Mayor indicated that he and the Administrator will be meeting with Kirk Hastings of the Wildwood Crest Historical Society to review artifacts stored at the EMS and hopefully some of those will find their way to the Crest Arts Pavilion.

**-Back Beach Excavation:** Tabled until end of year.

**-Office Moves:** There have been talks about potentially moving offices to curb the flow of traffic and to make the borough and employees safer. Any major changes would have to be phased in and it was suggested that an armed officer be placed in front and to buzz people in the building. It was also noted that the borough building is old and is need of major renovations in the future.

**-Flood Mitigation Projects:** No movement.

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

**-Dredging:** See Administrator's report.

**-Beach Patrol Building:** No movement; waiting on Jurisdictional Determination.

**-CAFRA Permit:** See Administrator's report.

#### **PUBLIC COMMENTARY: N/A**

#### **Commissioner Comments:**

Commissioner Schiff : Comm. Schiff thanked all of the employees for their hard work and mentioned the moving of signs to accommodate handicapped parking.

Commissioner Franco: Comm. Franco noted that in June, New Jersey passed a 506 billion dollar budget for next year and many people will see their income taxes increase because of cost of living increases that may push them into a higher tax bracket. Under New Jersey's graduated income tax rates, a single worker pays a 3.5% income tax on income earned between \$35,000 and \$40,000. The tax rate jumps for income between \$40,000 and \$75,000 to 5.525% and then to 6.37% for income above \$75,000. While these things are out of our control, our goal as a local municipality is to keep spending in check by investing in our infrastructure and employees and making the necessary upgrades to keep our town a safe and desirable place to live and vacation.

Mayor Cabrera – The Mayor reminded all of Christmas in July on Saturday, the food truck festival at Centennial Park on Sunday and that the jitney company servicing the wildwoods will now be running Friday and Saturday only from 6 pm to 2:30 a.m. effective immediately. He noted there is record heat in the forecast and lastly, he wished residents Nick Holland and James Grauel a successful Ironman race this weekend.

After hearing nothing from the public, Mr. Schiff motioned and Mr. Franco seconded that the meeting be adjourned. All were in favor. The time was 7:08 p.m.

Dated: August 24, 2022

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Patricia A. Feketics, Borough Clerk

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