

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 6, 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 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 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.

Mr. Cabrera announced that there were technical difficulties and that they were trying to get the meeting live streamed.

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 22-237

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AMENDING GREEN TEAM RESOLUTION NO. 149-18 TO ALLOW FOR A TOTAL OF ELEVEN (11) MEMBERS TO THE GREEN TEAM AND AUTHORIZING THE APPOINTMENTS OF CARMEN CUSELLA FOR A TERM EXPIRING DECEMBER 31, 2024 AND BARBARA LITTLE FOR A TERM EXPIRING DECEMBER 31, 2023

WHEREAS, the Board of Commissioners adopted Resolution No. 149-18 on April 11, 2018, which appointed nine members to the Wildwood Crest Green Team; and

WHEREAS, the Board of Commissioners wish to amend the Green Team composition to allow for a total of eleven members; and

WHEREAS, there have been recent inquiries to join the Green Team, and the Board of Commissioners wish to appoint Carmen Cusella with a term expiring on December 31, 2024 and Barbara Little with a term expiring December 31, 2023.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey that Green Team shall now consist of 11 members.

BE IT FURTHER RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey that Green Team roster shall be as follows:

<u>Appointee</u>	<u>Term to Expire</u>
Kristen DeRogatis-Vassallo	12-31-2024
Darleen Devlin	12-31-2024
Robert Deissroth	12-31-2024
Carmen Cusella	12-31-2024
Mary Celebre	12-31-2022
Danielle Corradino	12-31-2022
David Mears	12-31-2022
Colleen Archer	12-31-2023
Patricia McQueen	12-31-2023
AJ Caruso	12-31-2023
Barbara Little	12-31-2023

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. 22-238

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING A CONTRACT AWARD FOR AN AMATEUR SAND SCULPTING CONTEST

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest has determined that there exists the need for the “Extraordinary Unspecifiable Services” of a sand sculpting contest professional to assist the municipality with an amateur sand sculpting contest to be held on Friday, July 8, 2022 on the beach in Wildwood Crest; and

WHEREAS, obtaining quotes for said services would be impractical and not possible due to the limited vendors providing services of this nature; and

WHEREAS, the Local Public Contracts Law provides for the entering into of a contract for Extraordinary Unspecified Services pursuant to R.S.40A:11-5(1)(a)(ii), without advertising for competitive bidding; and

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

1. The services require peculiar ability and skill, and demand a high degree of specialized knowledge or expertise;
2. The services are such that their relative worth must be judged by subjective considerations that are not susceptible of valuation by competitive bidding;
3. The individual or entity who will provide these services has demonstrated competence and particular expertise in the services required;
4. 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 Borough has determined that Can You Dig It Sand Tools/Matt Long dba Days at the Beach is qualified to perform the said work and it is desired to enter a contract with them for said services pursuant to law, and to provide for the advertising of a notice pursuant to law; and

WHEREAS, Can You Dig It Sand Tools/Matt Long dba Days at the Beach has completed and submitted a Business Entity Disclosure Certification which certifies that Can You Dig It Sand Tools/Matt Long dba Days at the Beach will not make any reportable contributions pursuant to N.J.S.A. 19:44A-1 commencing July 7, 2022 to any political committee or candidate through the term of this contract; and

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

Account Number(s) _____ Amount _____

Signature _____

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

1. The above recital paragraphs are incorporated herein as if set forth at length.
2. Can You Dig It Sand Tools/Matt Long dba Days at the Beach is hereby retained to assist with an amateur sand sculpting contest to be held on Friday, July 8, 2022 on the beach in Wildwood Crest as an Extraordinary Unspecified Service. The said services to be received shall be “as directed” by the Borough of Wildwood Crest.
3. The Mayor and Borough Clerk are hereby authorized and directed to enter into a contract with Can You Dig It Sand Tools/Matt Long dba Days at the Beach for specialized services, which contract shall provide for fees not to exceed \$9,400.00, contingent upon certification from the Chief Financial Officer as to the availability of funds.
4. This contract is awarded without competitive bidding as an extraordinary unspecified service in accordance with the provisions of the Local Public Contracts Law aforesaid, and in accordance with the provisions of N.J.S.A. 19:44A-1, and shall be in a form approved by the Borough.
5. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this Resolution.
6. 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. 22-239

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING REFUND OF BEACH BOX RENTAL FEE TO REBECCA MAUTE IN THE AMOUNT OF \$450.00

WHEREAS, on February 28, 2022 Rebecca Maute purchased a seasonal beach box; and

WHEREAS, on February 28, 2022 Rebecca Maute paid \$450.00 via credit card for the rental of one seasonal beach box; and

WHEREAS, on June 21, 2022 the Borough received a request to refund the rental fees in the amount of \$450.00; 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 a refund in the amount of \$450.00 to Rebecca Maute.

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. 22-240

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING REFUND OF MERCANTILE LICENSE AND TOURISM FEES TO JAMES POLIZZANO

WHEREAS, James Polizzano paid mercantile license and tourism fees totaling \$330.00 for the 2022 renewal of his rental license for property located at 116 E Cresse Ave. Unit 2 and

WHEREAS, the property was sold on April 22, 2022, and James Polizzano has requested refund of the mercantile license and tourism fees paid.

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 \$330.00 to James Polizzano, 814 S Delhi Street, Philadelphia, PA 19147.

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. 22-241

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING REFUND OF MERCANTILE LICENSE AND TOURISM FEES TO MARIA MARCEAU

WHEREAS, Maria Marceau paid mercantile license and tourism fees totaling \$330.00 for the 2022 renewal of his rental license for property located at 8206 Pacific Ave Unit 2 and

WHEREAS, the property was sold on June 30, 2022, and Maria Marceau has requested refund of the mercantile license and tourism fees paid.

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 \$330.00 to Maria Marceau, 313 Miles Ave, Syracuse, NY 13210.

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. 22-242

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING REFUND OF MERCANTILE LICENSE AND TOURISM FEES TO ELISEO AND GIOVANNA BELLOMO

WHEREAS, Mr. and Mrs. Bellomo paid mercantile license and tourism fees totaling \$360.00 for the 2022 renewal of his rental license for property located at 306B East Heather Road, Unit 306; and

WHEREAS, the property was sold on June 9, 2022, and Mr. and Mrs. Bellomo have requested refund of the mercantile license and tourism fees paid.

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 \$360.00 to Eliseo and Giovanna Bellomo, 12 Sunset Drive, Whippany, NY 07981.

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. 22-243

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING BOROUGH ENGINEER WORK ORDER FOR SUNSET LAKE HYDROGRAPHIC SURVEY AND DREDGING FEASIBILITY REPORT AT THE NTE SUM OF \$23,000

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 **SUNSET LAKE HYDROGRAPHIC SURVEY AND DREDGING FEASIBILITY REPORT** for engineering services which are more specifically set forth in the attached Proposal from Marc DeBlasio and the Firm of DeBlasio & Associates, dated June 30, 2022 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 \$23,000.00; and

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

Account Number(s): _____ Amount: **\$23,000.00** 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 \$23,000.00.

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

CORRESPONDENCE: N/A

PUBLIC COMMENTARY:

Gayle Kelly, 201 East Columbine Road, indicated she was opposed to modular building on the front lawn of 213 E. Columbine citing it is an eye sore, lowers the value of her home, a business is being run out of a residentially zoned area and classes are being offered. She stated that there will be a kiln in there and questioned how it was permitted.

The Mayor asked Ms. Kelly for copies of all of the documents she had in her possession.

Matt Gulfo, 201 East Columbine Road, indicated that this isn't just an aesthetic issue, but a violation of ordinance and not in accordance with zoning regulations, etc.

Gayle Bernhart, 222-224 East Cresse Avenue indicated she has had squatters without leases for several years and has been forced to incur the financial burden. She indicated that the water was going to be shut down on July 12th and that she would go to tax sale on August 26th for not paying the sewer. She indicated that she gotten no help from municipal, county and state authorities and since COVID, she has not been able to evict per the Governor's executive order 106. The Solicitor indicated it was ultimately up to her to pay or she would go to tax sale.

Earl Aiken, Galloway, inquired about Rideshare and having electric scooters and bikes throughout the borough. He further added that he wanted to obtain a mercantile license for the

venture. He was added that they drop the electric bikes / scooters throughout the island and can make red zones so they do not go where they are not permitted. He added that they were in Wildwood Crest last week and he was told that the bikes were confiscated by the police and they were left blocking sidewalks, etc. The Mayor added that taking this request to consider these in the beginning of July is unreasonable and asked the gentleman to provide all details to the Clerk.

The Mayor wanted to return to the issue at Columbine and asked Ms. Kelly to leave information with the Clerk.

Alan Hirschmann, 213 East Columbine, indicated that the property being discussed belongs to him and his wife, Susan, and she is an artist. He indicated that he met with Borough representatives and received zoning and construction permits. He indicated that the shed sits to the right of the property and that the shed will not be a shop and no classes will take place and that he will have potted flowers and it will be visually nicer. Lastly, he indicated that he did not misrepresent themselves to the borough and that his wife will create and design to sell at shows and that it is not a boutique. Furthermore, he indicated that he is not doing anything illegal. Lastly, he indicated that he will be preparing a document before something is formally done and will have to the Clerk by Monday.

Gail Kelly, 201 E. Columbine, believes that Mr. Hirschmann corroborated their argument and that it is in fact a business.

Maria Wisnieski, 136 E. Columbine Road, indicated that this will be setting a precedent and was not happy with it a business running on the residential street.

Joe Wisnieski, 136 E. Columbine Road, inquired about the bike path and if it will run from Rambler to Cresse on Pacific Avenue. The Mayor added that was not in the works and the Planning Board has a Master Plan Connectivity plan for discussion.

DISCUSSION:

NEW BUSINESS: N/A

OLD BUSINESS –

- Summer Hours:** Can be removed.
- Historian:** No movement.
- Back Beach Excavation:** Tabled until end of year.
- Office Moves:** There is a meeting scheduled for July 18th at 1:00.
- Flood Mitigation Projects:** No movement.
- Referendum permitting one consumption liquor license in business zone:** No movement
- Dredging:** No movement.
- Beach Patrol Building:** No movement.
- CAFRA Permit:** On Hold.
- Preston Park – sustainable NJ Project:** On hold.

PUBLIC COMMENTARY: N/A

Commissioner Comments:

Commissioner Franco: He asked the Engineer to give a recap on the Dredging proposal and what it encompasses. The Engineer indicated that it is for Sunset Lake municipal and intercoastal waterway and it will give an update on the data, options and how much sediment will need to be removed and where it will go.

Commissioner Schiff – Commended the Police, Fire, EMS and Beach Patrol for keeping everyone safe over the Fourth of July weekend.

Mayor Cabrera – The same congratulations were offered to all departments and the only negative comment was received from the portable potties being full and in need of a cleaning. He reminded all that the sand sculpting and lifeguard races will be held on Friday.

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 10:31 a.m.

Dated: July 20, 2022

Patricia A. Feketics, Borough Clerk