

Note: Complete Meeting Appears
On Borough of Wildwood Crest Facebook page by date
And on disc by date

August 18, 2021

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 Municipal Hall at 5:30 p.m. On roll call the following answered to their names:

Gould - Thompson - 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 28, 2020.

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

The Mayor noted for the record that that this meeting was open to the public in accordance with Executive Orders and there is no longer a limit restriction for indoor gatherings.

Mr. Cabrera motioned, Mr. Thompson seconded that Ordinance No. 1361 be placed on second reading and final passage by title only.

Vote: Gould - NO Thompson - Cabrera - YES

THE CLERK READS THE ORDINANCE BY TITLE:

ORDINANCE NO. 1361

**ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER 75 TRAILERS, TEMPORARY DWELLINGS
AND STRUCTURES, BOAT STORAGE TO PROHIBIT THE
PARKING OF VEHICLES IN FRONT YARD AREAS**

Mr. Cabrera motioned, Mr. Thompson seconded that a public hearing now be held on Ordinance No. 1361.

Vote: Gould - Thompson - Cabrera - YES

Mrs. Gould indicated that the ordinance has good intentions, but it will create parking problems. The Solicitor weighed in that there are various scenarios, but it is intended to be narrowly enforced and to prohibit cars from being parked on the front yard in front of a home. It is a matter of enforcement and should be looked at case by case.

After hearing nothing further from the public, Mr. Cabrera motioned, Mr. Thompson seconded that public hearing on Ordinance No. 1361 now be closed.

Vote: Gould - Thompson - Cabrera - YES

Mr. Cabrera motioned, Mr. Thompson seconded that Ordinance No. 1361 be passed on second and final reading and advertised according to law.

Vote: Gould - NO Thompson - Cabrera - YES

Mrs. Gould motioned, Mr. Thompson seconded that Ordinance No. 1362 be placed on second reading and final passage by title only.

Vote: Gould - Thompson - Cabrera - YES

THE CLERK READS THE ORDINANCE BY TITLE:

ORDINANCE NO. 1362

**AN ORDINANCE OF THE BOROUGH OF WILDWOOD CREST
AUTHORIZING A GRANT OF CONSERVATION RESTRICTION
EASEMENT TO THE NEW JERSEY DEPARTMENT OF
ENVIRONMENTAL PROTECTION PURSUANT TO COASTAL AREA**

**FACILITIES REVIEW ACT PERMIT NJDEP File No. 0515-20-0003.1 LUP
200001**

Mrs. Gould motioned, Mr. Thompson seconded that a public hearing now be held on Ordinance No. 1362.

Vote: Gould - Thompson – Cabrera – YES

After hearing nothing from the public, Mrs. Gould motioned, Mr. Thompson seconded that public hearing on Ordinance No. 1362 now be closed.

Vote: Gould - Thompson – Cabrera – YES

Mrs. Gould motioned, Mr. Thompson seconded that Ordinance No. 1362 be passed on second and final reading and advertised according to law.

Vote: Gould - Thompson – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 21-243

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF
WILDWOOD CREST AUTHORIZING RE-APPOINTMENT OF FRANCINE B.
SPRINGER AS CHIEF FINANCIAL OFFICER**

WHEREAS, Resolution No. 192-18, adopted June 20, 2018, served to authorize the appointment of Francine B. Springer as the Chief Financial Officer of the Borough of Wildwood Crest to fill unexpired term of previous Chief Financial Officer effective January 1, 2017 and terminating on December 31, 2020; and

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest has determined that it is in the best interests of the Borough to re-appoint Francine Springer as Chief Financial Officer of the Borough of Wildwood Crest to serve in accordance with the provisions of N.J.S.A. 40A:9-140.10, for a term of 4 years, beginning January 1, 2021 through December 31, 2024.

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. That the above recital paragraphs are incorporated herein as if set forth at length.
2. That Francine Springer is hereby re-appointed and shall serve as Chief Financial Officer which shall include the performance of all required duties and responsibilities as Chief Financial Officer of the Borough of Wildwood Crest under authority of the law, on a full-time basis for a term commencing January 1, 2021 through December 31, 2024, at an annual rate of pay provided for in the existing Salary Ordinance of the Borough of Wildwood Crest.

Mrs. Gould motions, Mr. Thompson seconds that the foregoing resolution be adopted.

Vote: Gould - Thompson – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 21-244

**A RESOLUTION AUTHORIZING AWARD OF EMERGENCY CONTRACT TO PERNA
FINNIGAN INC. FOR EMERGENCY SEWER REPAIRS AT 6812 PARK BOULEVARD
IN ACCORDANCE WITH N.J.S.A. 40A:11-6**

WHEREAS, N.J.S.A. 40A:11-6 provides for the award of an emergency contract when an emergency affecting public health, safety or welfare requires immediate performance of services; and

WHEREAS, a sewer repair has occurred at 6812 Park Boulevard; and

WHEREAS, the Borough Engineer and the Superintendent of the Department of Public Works do herewith declare that an emergency exists affecting the safety, health and welfare of the public, and recommend that the Borough engage a Contractor to be mobilized to effectuate the repair.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey, do herewith declare that an emergency exists with the regard to the sewer repair at 6812 Park Boulevard which affects the public health, safety and welfare necessitating immediate repairs and that the Borough Engineer be directed to coordinate all the necessary repairs.

BE FURTHER RESOLVED, that in accordance with the provisions of N.J.S.A. 40A:11-6, an emergency contract be awarded to Perna Finnigan Inc., the estimated construction costs for said emergency to be \$_____ all of which is more specifically set forth in the attached detailed breakdown of costs as supplied by the Borough Engineer which are made a part hereof by reference as if fully set forth. This emergency is subject to certification of availability of funds by the CFO as evidenced below by her signature.

Account Numbers
1-01-44-904-299

Amount

Signature

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

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 21-245

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING CANCELLATION AND REFUND OF TAXES FOR TOTALLY DISABLED VETERAN

WHEREAS, the below listed parcel was granted a 100% Totally Disabled Veteran Exemption on June 16, 2021 and;

WHEREAS, the property has been granted an exemption from taxes prorated for 14 days, and said exemption has resulted in an overpayment,

Block /Lot Amount	Name
58/17.02 \$197.21	Frank and Diane Lupo 6701 Park Boulevard 100% Totally Disabled Veteran Exemption granted as of June 16, 2021. Refund tax overpayment to homeowner

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, State of New Jersey, that the Chief Financial Officer is hereby authorized to execute said refund as soon as practicable and the Tax Collector shall mark the records accordingly to reflect said refund as per the meeting on August 18, 2021.

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

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 21-246

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING THIRD PEDDLING TRUCK LICENSE TO ISLAND PRODUCE INC FOR 2021

WHEREAS, Section 40-16, et. seq., of the Code of the Borough of Wildwood Crest, County of Cape May, State of New Jersey, sets forth the pertinent law regarding the issuance of licenses to persons, firms or corporations desiring to engage in the peddling and soliciting of Ice Cream Products and Fruits/Vegetables within the Borough of Wildwood Crest; and

WHEREAS, Island Produce Inc. applied for renewal of third License and has fulfilled all requirements for renewal of license; and

WHEREAS, review of the qualifications of applicant for said license has been made.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest that the third Fruits/Vegetable Peddling license for the balance of calendar year 2021 is hereby authorized to be issued to Island Produce Inc, 4314 Park Boulevard, Wildwood, NJ 08260.

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

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 21-247

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING REFUND OF UNUSED ESCROW FOR PROPERTY LOCATED AT 112 WEST SWEETBRIAR ROAD IN THE AMOUNT OF \$194.00

WHEREAS, on April 9, 2019, the Wildwood Crest Zoning Board considered the application of Carolyn A. Mavromates, owner of the property located at BLK 40, LOT 41 aka 112 West Sweetbriar Road, Wildwood Crest, New Jersey for hardship variance in connection with the subject property; and

WHEREAS, subsequent to the denial of the application by the Wildwood Crest Zoning Board, Carolyn A. Mavromates requested, by correspondence dated April 9, 2019, reimbursement of any monies remaining from the

escrow fee; and

WHEREAS, the Wildwood Crest Zoning Board has recommended (Resolution No. ZB-A 21-14) the return of the \$194.00 balance of escrow fee.

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 is hereby authorized and directed to issue a refund of escrow funds in the amount \$194.00 to Carolyn A. Mavromates, 112 West Sweetbriar Road, Wildwood Crest, NJ 08260.

Mrs. Gould motions, Mr. Thompson seconds that the foregoing resolution be adopted.

Vote: Gould - Thompson – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

**RESOLUTION NO. 21-248
RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF
WILDWOOD CREST CLOSING A BANK ACCOUNT WITH PNC BANK**

WHEREAS, the Borough of Wildwood Crest established a Bond and Coupon account at PNC Bank; and

WHEREAS, the account has remained dormant for many years; and

WHEREAS, the Chief Financial Officer of the Borough of Wildwood Crest has recommended to the Board of Commissioners that it is in the best interests of the municipality to close the Bond and Coupon account at PNC Bank and transfer the balance to the Current Fund.

BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, in the County of Cape May and State of New Jersey, that the Borough's Bond and Coupon account be closed at PNC Bank.

Mrs. Gould motions, Mr. Thompson seconds that the foregoing resolution be adopted.

Vote: Gould - Thompson – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

**RESOLUTION NO. 21-249
RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF
WILDWOOD CREST AUTHORIZING EXPENDITURE TO HOME DEPOT TO
PURCHASE LUMBER UNDER STATE CONTRACT #18-FLEET-00234 FOR BEACH
WALKWAYS**

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 procurement of goods and services through a state 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, Home Depot (State Contract # 18-FLEET-00234 M8001) 21 Indian Trail Road, Cape May Court House, NJ 08210 has all the necessary Lumber and Material and Accessories; and

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

Account Number(s) C-04-55-134-1B2 Amount \$ 150,000.00

Signature _____

NOW THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Borough of Wildwood Crest, in the County of Cape May, State of New Jersey, that the Borough is authorized to fund the expenditure to purchase Lumber based upon the price quote received on August 7, 2021 from Home Depot (State Contract # 18-FLEET-00234 M8001) in an amount not to exceed \$150,000.00.

Mrs. Gould motions, Mr. Thompson seconds that the foregoing resolution be adopted.

Vote: Gould - Thompson – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

**RESOLUTION NO. 21-250
RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF
WILDWOOD CREST AUTHORIZING REFUND FOR PIER PLAYMATES CAMP FEE
FOR \$470.00 FOR 2021 AND MADE PAYABLE TO MARY STARRETT**

WHEREAS, Mary Starrett enrolled a child in the First Session of Pier Playmates day camp for the 2021 season; and

WHEREAS, Mary Starrett submitted payment in the amount of \$470.00 for Session 1 via Check #9237; and

WHEREAS, Mary Starrett has indicated that the child has relocated and was not able to attend Session 1 and has requested the \$470.00 for the time he was not able to attend camp.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, State of New Jersey, that the Chief Financial Officer is hereby authorized to execute said refund in the amount of \$470.00 to: Mary Starrett, 15918 Innerarity Pt. Rd., Pensacola, FL 32507.

Mrs. Gould motions, Mr. Thompson seconds that the foregoing resolution be adopted.

Vote: Gould - Thompson – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 21-251

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING REFUND FOR PIER PLAYMATES CAMP FEE FOR \$260.00 FOR 2021 AND MADE PAYBLE TO KRISTA LEUZZI

WHEREAS, Krista Leuzzi enrolled Mark Leuzzi in the First and Second Sessions of Pier Playmates day camp for the 2021 season; and

WHEREAS, Krista Leuzzi submitted payment in the amount of \$650.00 for Session 1 and Session 2 via Check #12945; and

WHEREAS, Krista Leuzzi has indicated that the Mark Leuzzi was not able to attend Session 2 due to a broken finger and has requested the \$260.00 for the time he was not able to attend camp; and

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, State of New Jersey, that the Chief Financial Officer is hereby authorized to execute said refund in the amount of \$260.00 to: Krista Leuzzi, 1316 Geary St., Philadelphia, PA 19148.

Mrs. Gould motions, Mr. Thompson seconds that the foregoing resolution be adopted.

Vote: Gould - Thompson – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 21-252

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING POLICE SERVICES AGREEMENT WITH BCMF, LLC FOR LAW ENFORCEMENT EVENT SUPPORT

WHEREAS, BCMF, LLC, (the “Contractor”) requires police related services from August 19, 2021 to August 22, 2021 for a multi-day music festival, which will attract a number of attendees (“Event”); and

WHEREAS, the Attorney General of the State of New Jersey has authorized municipalities to enter into agreements with private persons and public entities for the purpose of providing police services; and

WHEREAS, the Borough of Wildwood Crest (the “Borough”) has in its employment properly trained and qualified individuals and equipment available to provide such services and agrees to make these services and equipment available to the Contractor for and by the terms dictated in the Police Services Agreement attached hereto incorporated herein (the “Agreement”); and

WHEREAS, the Borough and the Contractor desire to enter into an agreement wherein the Contractor will pay the Borough for all costs incurred for such services for the purposes described below and pursuant to the terms and conditions and in the amounts as set forth in the Agreement.

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 approves the Police Services Agreement attached hereto with BCMF, LLC for law enforcement event support and authorizes and directs the Mayor and Borough Clerk to execute same.

BE IT FURTHER RESOLVED that a copy of this resolution be attached to the original Agreement and shall remain on file in the Clerk’s Office and available for public inspection.

Mrs. Gould motions, Mr. Thompson seconds that the foregoing resolution be adopted.

Vote: Gould - Thompson – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 21-253

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING INCREASE OF CONTRACT IN THE AMOUNT OF \$11,000.00 TO STARR GENERAL CONTRACTING CORPORATION FOR PORTABLE TOILETS CONTRACT

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest awarded a contract, via Resolution No. 2020-159 adopted April 12, 2020, to STARR GENERAL CONTRACTING CORPORATION, for portable toilets contract at the NTE sum of \$45,000.00; and

WHEREAS, the Board of Commissioners increased the amount to \$50,600.00 via Resolution No. 2020-294 adopted October 7, 2020; and

WHEREAS, it is the desire of the Board of Commissioners of the Borough of Wildwood Crest to increase the amount of the contract by \$11,000.00; and

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

Account Number(s)	Amount	Signature
<u>1-01-28-371-275</u>	<u>\$3,000.00</u>	_____
<u>1-01-26-312-299</u>	<u>\$6,000.00</u>	_____
<u>1-01-28-381-299</u>	<u>\$2,000.00</u>	_____

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

1. That the recital paragraphs set forth above are incorporated herein as if set forth at length.
2. That the terms and conditions of the contract between the Borough of Wildwood Crest and STARR GENERAL CONTRACTING CORPORATION, authorized by Resolution No. 2020-159 adopted April 12, 2020 shall remain in full force and effect, with the sole exception that the amount of the contract shall be increased to a total sum not to exceed \$61,600.00 all of which is contingent upon certification from the Chief Financial Officer as to the availability of funds.
3. That a copy of the specific items appertaining to the award of this contract shall be published in a Notice of Award in *The Herald of Cape May County* as required by law within ten (10) days of passage of the Resolution authorizing same.

Mrs. Gould motions, Mr. Thompson seconds that the foregoing resolution be adopted.

Vote: Gould - Thompson – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 21-254

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST WAIVING SPECIAL EVENTS APPLICATION ADDITIONAL FEES TO PENNSAUKEN SURF FISHING CLUB

WHEREAS, Pennsauken Surf Fishing Club applied for a Special Events permit to hold a Fishing Tournament on October 2, 2021 from 6:00 am to 1:00 pm on the Wildwood Crest Beachfront; and

WHEREAS, in the spirit of supporting tourism for the Wildwoods and the Wildwood Crest Community, the Commissioners have agreed to waive special event additional fees.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey, that Special Events application additional fees be waived to Pennsauken Surf Fishing Club.

Mrs. Gould motions, Mr. Thompson seconds that the foregoing resolution be adopted.

Vote: Gould - Thompson – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 21-255

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 IN CONJUNCTION WITH SITE INVESTIGATION AND NJDEP CAFRA APPLICATION

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 for Site Investigation and New Jersey Department of Environmental Protection CAFRA Application; and

WHEREAS, the Borough Clerk received a proposal from The Lomax Consulting Group dated July 31, 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 of 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 _____ 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 – Site Investigation and NJDEP CAFRA Application 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 \$13,910.00.

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.

Mrs. Gould motions, Mr. Thompson seconds that the foregoing resolution be adopted.

Vote: Gould - Thompson – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 21-256
RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING APPROVAL OF CHANGE ORDER NUMBER 1 – BEACH STREET END PUBLIC ACCESS IMPROVEMENTS – PHASE I AT THE NTE SUM OF \$15,049.98

WHEREAS, Fred M. Schiavone Construction, Inc., PO Box 416, Malaga, New Jersey 08328 was awarded the contract known as **BEACH STREET END PUBLIC ACCESS IMPROVEMENTS – PHASE I** via Resolution No. 21-133 on March 31, 2021 for \$1,108,159.00; and

WHEREAS, Borough Engineer Marc DeBlasio of DeBlasio & Associates has reviewed the quantity additions for various items and approves Change Order No 1 - **BEACH STREET END PUBLIC ACCESS IMPROVEMENTS – PHASE I** with an increase amount of \$15,049.98 all of which is detailed in the attachment to the Change Order and revising the Contract Price to \$1,123,208.98.

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

Account Number: C-04-55-134-1B1 Amount: \$15,049.98 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- Final **BEACH STREET END PUBLIC ACCESS IMPROVEMENTS – PHASE I** increasing the total contract amount by \$15,049.98 and revising the contract price to \$1,123,208.98 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.

Mrs. Gould motions, Mr. Thompson seconds that the foregoing resolution be adopted.

Vote: Gould - Thompson – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 21-257
RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING BOROUGH ENGINEER WORK ORDER FOR PACIFIC AVENUE STORM SEWER IMPROVEMENTS & VARIOUS BOROUGH STREET IMPROVEMENTS ADDITIONAL SERVICES: RECONSTRUCTION OF WASHINGTON AVENUE AND VARIOUS STREET RESURFACING AT THE NTE SUM OF \$57,000

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest desires to authorize issuance of a Work Order to the Borough Engineer, Marc DeBlasio and the Firm of DeBlasio & Associates for the **PACIFICA AVENUE STORM SEWER IMPROVEMENTS & VARIOUS BOROUGH STREET IMPROVEMENTS ADDITIONAL SERVICES: RECONSTRUCTION OF WASHINGTON AVENUE AND VARIOUS STREET RESURFACING**, for engineering services which are more specifically set forth in the attached Proposal from Marc DeBlasio and the Firm of DeBlasio & Associates, dated **August 11, 2021** 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 **\$57,000.00**; and

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

Account Number(s): C-04-55-134-1A2 Amount: \$57,000.00 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 **\$57,000.00**.

Mrs. Gould motions, Mr. Thompson seconds that the foregoing resolution be adopted.

Vote: Gould - Thompson – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 21-258

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING APPROVAL OF CHANGE ORDER NUMBER 5 – PACIFIC AVENUE & VARIOUS STREETS CAPITAL IMPROVEMENTS PROGRAM – ADDITIONAL SERVICES- WASHINGTON AVENUE FROM SEAVIEW AVENUE TO PACIFIC AVENUE AT THE NTE SUM OF \$490,670.00

WHEREAS, Asphalt Paving Systems, Inc., Hammonton, New Jersey was awarded the contract known as PACIFIC AVENUE & VARIOUS STREETS CAPITAL IMPROVEMENTS PROGRAM via Resolution No. 2020-194 on February 19, 2020 for \$4,959,873.00; and

WHEREAS, the Board of Commissioners authorized Change Order No. 1 for Additional Services – Resurfacing of Crest Memorial School Parking Lots at the NTE sum of \$85,105.00 via Resolution No. 2020-174 on May 20, 2020 revising the contract price to \$5,044,978.00; and

WHEREAS, the Board of Commissioners authorized Change Order No. 2 for Reconstruction of Ocean Avenue between Crocus Road and Aster Road increasing the AMENDED contract of \$5,044,978.00 by \$202,290.00 making the REVISED contract amount \$5,247,268.00; and

WHEREAS, the Board of Commissioners authorized Change Order No. 3 for RESURFACING OF JOSEPH VON SAVAGE MEMORIAL POOL PARKING LOT increasing the AMENDED contract of \$5,247,268.00 by \$166,347.00 making the REVISED contract amount \$5,413,615.00; and

WHEREAS, the Board of Commissioners authorized Change Order No. 4 for Additional sanitary sewer work on Monterey Avenue increasing the AMENDED contract of \$5,413,615.00 by \$99,478.75 making the REVISED contract amount \$5,513,093.75; and

WHEREAS, upon recommendation from Marc DeBlasio of DeBlasio & Associates (the Borough Engineer), the Board of Commissioners of the Borough of Wildwood Crest wish to authorize Change Order Number 5 – **WASHINGTON AVENUE FROM SEAVIEW AVENUE TO PACIFIC AVENUE** increasing the AMENDED contract of \$5,513,093.75 by \$490,670.00 making the REVISED contract amount \$6,003,763.75 and

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

Account Number : C-04-55-134-1A2 Amount: \$413,500.00 Signature _____

Account Number: 1-01-44-910-299 Amount: \$77,170.00 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 5- **PACIFIC AVENUE & VARIOUS STREETS CAPITAL IMPROVEMENTS PROGRAM – ADDITIONAL SERVICES – WASHINGTON AVENUE FROM SEAVIEW AVENUE TO PACIFIC AVENUE** increasing the total contract amount by \$490,670.00 and revising the contract price to \$6,003,763.75 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.

Mrs. Gould motions, Mr. Thompson seconds that the foregoing resolution be adopted.

Vote: Gould - Thompson – Cabrera – YES

BILLS: Mrs. Gould motioned and Mr. Thompson seconded that all bills properly authorized, as submitted, be paid.

Vote: Gould - Thompson – Cabrera – YES

REPORTS: Mrs. Gould motioned and Mr. Thompson 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 July 31, 2021 be accepted as presented.

Vote: Gould - Thompson – Cabrera – YES

MINUTES: Mrs. Gould motioned and Mr. Thompson seconded all minutes from the regularly scheduled Commission meetings dated July 21, 2021 and August 4, 2021 be approved as presented.

Vote: Gould - Thompson – Cabrera – YES

ADMINISTRATOR’S REPORT:

August 18, 2021

COVID-19 UPDATE

The Borough will be hosting a mobile COVID-19 vaccination clinic at the EMS Building at 9500 Pacific on Tuesday, September 21st from 9:30 to 1 pm. The County continues to hold regular vaccination clinics throughout Cape May County in various locations. We encourage everyone interested in obtaining vaccinations to visit the Cape May County Health Department’s website. As most of you know, Cape May County is currently a substantial or high-risk zone due to the number of COVID cases in the County. Please continue to follow CDC guidance to avoid exposure to the virus.

ONGOING AND UPCOMING PROJECTS

Beach End Bump Outs

Two beach pump outs have been completed with amenities such as the showers and furnishings to be installed just after Labor Day. We have re-submitted our application to Open Spaces to obtain special recreational funding in the amount of \$2.5M for the beach bump outs south of Rambler and continue to work towards a successful application. We were awarded a \$400,000 FY2021 DCA Small Cities Grant Funds for this project for phase 1 and will be applying for another \$400,000 in 2022.

Pacific Avenue stormwater and sanitary sewer improvements are complete. The County Engineer has advised that Judge Pickering has rendered his decision regarding the outcome of the lawsuit pertaining to the contract’s award for the reconstruction of this roadway. He has indicated that an award of contract is pending confirming with County’s counsel from both the other contractor and NJ State AG as to whether they intend to appeal the judge’s decision. If there is no appeal it is expected that the County will issue an amending resolution of award at the August 24th meeting with the submission of the bid tabulation/documents to the NJDOT for approval shortly thereafter. The County will then schedule a notice to proceed in late September.

The **Scoop Taylor** ADA improvements project is underway, and the new playground equipment and concrete was installed. We have experienced a delay in the installation of the entire playground surface. Tiles are currently being manufactured and expected shortly. The shelter has been ordered and will arrive and be ready to install in the fall along with the remaining hardscaping improvements. This project is mostly funded by a FY2020 Small Cities ADA grant.

As you all know, the replacement and improvement of wind-damaged property at the **Little League Field** has been on-going. So far, the results look outstanding. The batting cages, improvements to the bathrooms, press box, seeding and a new home team dugout will be completed in the fall.

There is nothing new to report on the **Herford Inlet to Cape May Inlet Beach and Dune project.**

We have continued to meet and work with Cape May County’s engineer and professionals on design elements and improvements to the **New Jersey Avenue project.** The stakeholder meeting originally planned for May will now hopefully take place in the early fall. Changes have been proposed to the parking areas in two blocks and we have received a petition regarding the proposed parking area on the corner of Wisteria.

I have nothing new to report on **Army Corps’ Back Bays Coastal Storm Risk Management Study other than** we should be received word on the preferred storm reduction method shortly.

In our pursuit of the continuation of our Plan Endorsement, our Municipal Self-Assessment Report was forwarded to the Office of Planning Advocacy two months ago. We are still awaiting word back from the State in order to proceed through the next necessary steps.

ENGINEER’S REPORT:

Grant Applications

1. Fiscal Year 2022 NJDOT Municipal Aid Program
 - The NJDOT has announced they are receiving State Aid applications for Roadways, Bikeways, Pedestrian, Safe Streets to Transit and Transit Villages.
 - The Borough has selected the reconstruction of Syracuse Avenue from the beach block to Bayview Avenue. The applications was successfully submitted on June 1, 2021.

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 Triad Associates to address comments received by FEMA from the 2019 submission.
 - We submitted the engineering report for the 2020 application which was successfully filed by November 30, 2020.
3. Fiscal Year 2021 NJDCA Small Cities Program
 - The Borough has decided to submit a grant application for ADA beach access improvements-phase 1 (Orchid Road to Toledo Road).
 - On June 22nd, the Borough was notified that a \$400,000.00 grant was allocated for the project.
 4. 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 CMCOSB has requested additional information via their May 14th review letter and our office is providing the requested items the week of July 19th.

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 contractor has completed all the work in the original contract and we are in the process of contract closeout.
 - The Borough has approved a Change Order for improvements on Washington Avenue and various streets.
2. Higbee Field Little League Improvements Phase 1
 - The contractor has completed the concession stand and dugout.
 - The remaining improvements to the press building and other dugout is scheduled for Fall, 2021.
3. New Jersey Avenue Sanitary Sewer Replacement
 - Our office has completed the survey and base mapping. The design plans and specifications are approximately 90% complete.
 - This project is being included in a USDA sanitary sewer replacement grant application.
4. 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 Stanton Road.
 - The improvements on Beach Avenue are scheduled for the Fall, 2021.
5. FY2020 NJDCA Small Cities Grant Application-Scoop Taylor Park
 - The contract was awarded to Command Company, Inc. in the amount of \$257,750.00.
 - The playground and safety has been installed.
 - The remaining improvements are scheduled for the Fall, 2021.
6. Beach Street End Public Access Improvements – Phase 1
 - The contract was awarded to Fred M. Schiavone Construction, Inc. in the amount of \$1,250,022.60.
 - The contractor has completed Newark Avenue and Trenton Avenue.
 - The remaining street ends are scheduled for construction in the Fall, 2021.

CORRESPONDENCE:

Vaccination Clinic – September 21st at WC EMS from 9:30-1:00

The Mayor indicated that the governing body received a petition to have the land recently acquired on New Jersey Avenue and Wisteria Avenue as more green space instead of a parking lot.

Mr. Thompson gave a rundown on how the beaches on Hollywood and Topeka were selected to allow surfing from 10:00-12:00 noon on a trial basis.

There was a request from resident to have limited surfing down the south end. Since there is an outfall pipe and limited swimming in that vicinity, that seemed like the perfect spot. The request was for two hours as a trial and as a result there were community members along Topeka who

were upset and then more people supported the decision for the kids. The WCBP has the authority to designate under Borough Code. It would not work bringing in guards earlier because emergency services are not in place yet. The Borough has received numerous support letters to continue the two hours for the rest of the summer season. Commissioner Thompson indicated it would continue and would be visited again past the summer.

JIF PRESENTATION

Paul Forlenza, Senior Program Administrator, gave an overview of the JIF and its benefits to members. Casey Byrne, Risk Manager for the Borough from J. Byrne Agency agreed with Mr. Forlenza and was pleased with how well Wildwood Crest is doing and recommended continuing with the Atlantic County Municipal Joint Insurance Fund for renewal.

PUBLIC COMMENTARY:

David Gaydos, 207 East Topeka Avenue, indicated there was a violation of NJDEP 8:26 § 2.1 and 2.3 with no notifications or reports. Furthermore, he indicated he knows a number of people that supply him with money to bring about legal action. He then expressed that this was done “back door” and wanted to know why there was no discussion of rotating streets or public comment.

The Mayor indicated that the Beach Patrol has the authority under Borough Code Ch. 8-4. He added it was being considered as a pilot program for 2 hours for kids in the southern end to surf away from Rambler Road, where it is quite busy. He added that the peak time for the beach is noon to 5:30 and the surfers were allotted 10:00 to noon to try it out. The Mayor added that it could have been done with a Press Release in hind sight, but it was done for the kids and with the best intentions. Lastly, the surfing beach on Hollywood /Topeka will continue throughout the summer and then it will be discussed after the summer season.

NEW BUSINESS:

-Organized picnics on the beach

The Administrator added that she crafted a letter to two business and what was required in order to have their special events take place on borough property.

The Mayor followed up that he would like to address the special events process internally.

OLD BUSINESS:

-Washington Avenue Flooding Issues – } No movement.

-Bulkhead Ordinance / Lot Grading – } No movement.

-Flood Mitigation Efforts – } No movement.

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

-Park Blvd / Pumping Station – No movement.

-Beach Bike Path – No movement.

-Public Transportation – No movement.

-Public trash cans being used for household dumping -No movement.

-Trampolines on private property- No movement.

PUBLIC COMMENTARY:

Jennifer Hladish, 104 E. Monterey Avenue, expressed her thanks for addressing a recent problem with a neighbor’s property and it’s current condition. She added that many neighbors are grateful and expressed a desire for this situation to continue to improve and to keep on top of it.

The Mayor added that all respective departments are on notice and that she should expect rapid results and that she certainly got his attention and progress will be made. Finally, he thanked her for her comments.

Hearing nothing, Mrs. Gould motioned, and Mr. Thompson seconded that the meeting be adjourned. All were in favor. The time was 6:29 p.m..

Dated: September 22, 2021

Patricia A. Feketics, Borough Clerk
