

Note: Complete Meeting Appears
On Borough of Wildwood Crest Facebook page by date
And 2020-17 on disc

September 23, 2020

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 in the Municipal Court Room 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 Gazette-Leader, Herald of Cape May County and The Press on October 23, 2019.

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

Mr. Cabrera noted that this meeting was now partially open to the public in accordance with Executive Order No. 156. He thanked those for tuning in via the Borough's Facebook page and on YouTube. He reminded those tuning in that you could also listen in and provide commentary by dialing in 234-203-2766 and using passcode 786394836#. Again, he said that public commentary is available by calling in the number and Facebook live. When the public portion opens up, you will be able to provide your name and comment. A response will be given right away.

For the record, there is a maximum number (24) of people allowed in the courtroom and there were a total of 24 people in attendance at the start of the meeting.

THE CLERK READS THE ORDINANCE BY TITLE:

ORDINANCE NO. 1334

**ORDINANCE OF THE BOROUGH OF WILDWOOD CREST
APPROVING AN AGREEMENT FOR FIRE PROTECTION SERVICES
WITH THE WILDWOOD CREST VOLUNTEER FIRE COMPANY
NUMBER ONE**

Mrs. Gould motions, Mr. Cabrera seconds that Ordinance No. 1334 be passed on first reading, advertised according to law, be brought up for second and final reading and public hearing on October 7, 2020 at 9:30 a.m.

Vote: Gould - YES Thompson – ABSTAIN Cabrera – YES

THE CLERK READS THE ORDINANCE BY TITLE:

ORDINANCE NO. 1335

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 56,
OF THE CODE OF THE BOROUGH OF WILDWOOD CREST,
ENTITLED RECREATION COMMISSION, SECTION 56-3, APPROVING
AND CONFIRMING RATES AND FEES FOR THE RENTAL OF
FACILITIES, PARTICIPATION IN CERTAIN EVENTS AND
ACTIVITIES**

Mrs. Gould motions, Mr. Thompson seconds that Ordinance No. 1335 be passed on first reading, advertised according to law, be brought up for second and final reading and public hearing on October 7, 2020 at 9:30 a.m.

Vote: Gould - Thompson – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 2020-272

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST REJECTING ALL BIDS IN RESPONSE TO THE EMERGENCY MEDICAL SERVICE BILLING CONTRACT #2020-004

WHEREAS, on September 9, 2020, a single bid was received for the Emergency Medical Service Billing Contract #2020-004 from Cape Professional Billing, Inc.; and

WHEREAS, the Notice to Bidders, as advertised on August 12, 2020 via Resolution No. #2020-241, which was authorized on August 5, 2020, reserved the right of the Board of Commissioners to reject any or all bids, and N.J.S.A. 40A:11-13.2(a) and (b) further provides that a contracting unit may reject all bids if the lowest bid exceeds the cost estimates for the goods or services and/or the contracting unit's appropriation for the goods or services; and

WHEREAS, the single bid received from Cape Professional Billing, Inc. was reviewed by the Borough Bid Opening Committee and Borough Solicitor and determined that the unit prices submitted by Cape Professional Billing, Inc. for professional services exceeded the maximum per-hourly rates set forth in Section II of the Bid Specifications; and

WHEREAS, the Bid Opening Committee and Borough Solicitor have recommended to the Board of Commissioners to reject the Bid from Cape Professional Billing, Inc. based upon the forgoing reasons.

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, as follows:

1. The above recital paragraphs are incorporated herein as if set forth at length.
2. The sole bid received from Cape Professional Billing, Inc. for the Emergency Medical Service Billing Contract #2020-004 is hereby deemed nonresponsive and rejected, and is further rejected pursuant to N.J.S.A. 40A:11-13.2(a) and (b) due to the fact that the bid received contained unit prices for professional services which exceeded the maximum per-hourly rate set forth in Section II of the Bid Specifications.

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. 2020-273

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING RE-ADVERTISEMENT OF NOTICE TO BIDDERS FOR EMERGENCY MEDICAL SERVICE BILLING

WHEREAS, on August 12, 2020, Notice to Bidders was published in *The Herald of Cape May County* for receipt of bids for Emergency Medical Service Billing on Wednesday, September 9, 2020 at 10:00 a.m. in the Commissioners Meeting Room at Borough Hall, 6101 Pacific Avenue, Wildwood Crest, New Jersey; and

WHEREAS, one bid was received or presented at such time; and

WHEREAS, the bid was deemed nonresponsive and rejected, and further rejected pursuant to N.J.S.A. 40A:11-13.2(a) and (b) by the Board of Commissioners; and

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest desire to re-advertise Notice to Bidders for said service.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, in the County of Cape May, New Jersey, that the Borough Clerk is hereby authorized to advertise a Notice to Bidders in *The Herald of Cape May County* on September 30, 2020.

BE IT FURTHER RESOLVED that the plan and design as set forth in the Specifications on file in the Borough for the EMERGENCY MEDICAL SERVICE BILLING is hereby approved.

BE IT FURTHER RESOLVED that sealed bids will be received by the Bid Opening Committee in the Commissioners Meeting Room, Wildwood Crest Borough Hall, on **Friday October 16, 2020 at 10:00am**, prevailing time, for furnishing the items hereinafter set forth in accordance with the Specifications on file in the Borough Hall. Said items are as follows:

EMERGENCY MEDICAL SERVICE BILLING

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. 2020-274

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST URGING GOVERNOR MURPHY TO ALSO ALLOW IN PERSON MACHINE VOTING FOR THE NOVEMBER 3, 2020 GENERAL ELECTION

WHEREAS, the State of New Jersey has a Secretary of State and County Clerks in each of the 21 counties whose duties include the administration and overseeing of elections; and

WHEREAS, the State of New Jersey will be holding a General Election on November 3, 2020; and

WHEREAS, Governor Murphy, by his Executive Order No. 177 issued on August 14, 2020, provided for universal mail-in ballots in the 2020 General Election as the primary method of voting; and

WHEREAS, mail-in ballots were used predominantly in the Primary Election on July 7, 2020; and

WHEREAS, the practice of predominantly using mail-in ballots for all registered voters caused concerns for voter fraud, voter disenfranchisement, postal delivery delays, significant increase in election costs, and reliance on a flawed Statewide voter/DMV computer registration database and resulted in significant delays in the counting of ballots; and

WHEREAS, well before the COVID-19 pandemic, New Jersey law permitted voting by mail for any reason, or no reason at all, allowing any voter, even remotely concerned about in-person voting the option to request a mail-in ballot thus enhancing voter choice; and

WHEREAS, numerous voters have expressed a desire to wait until Election Day to cast their ballot electronically, in-person, for the candidate of their choice to fully assess the latest information available; and

WHEREAS, the Borough of Wildwood Crest is gravely concerned that the predominant use of mail-in ballots during the 2020 Primary Election was difficult at best and represents but a small fraction of the ballots to cast when compared to the upcoming General Election; and

WHEREAS, the Borough of Wildwood Crest feels strongly that voter "choice" should refer to "how" to vote, not just "who" to vote for in a given election cycle.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey, strongly urge Governor Murphy to also allow In Person Machine Voting for the November 3, 2020 General Election, and all future elections.

BE IT FURTHER RESOLVED, by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape may, New Jersey, strongly urges the Secretary of State and County Clerks to utilize in -person machine voting, in conjunction with mail-in balloting, in the General Election on November 3, 2020 and in all future elections.

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. 2020-275

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING REFUND FOR CREST PIER RENTAL FEES FOR 2020 IN THE AMOUNT OF \$125.00 MADE PAYABLE TO SUMMER SANDS CONDO ASSOCIATION

WHEREAS, due to COVID-19 and the guidelines from the Centers for Disease Control and Prevention, the Board of Commissioners of the of the Summer Sands Condo Association have opted to cancel their Crest Pier Rental for the 2020 season; and

WHEREAS, the health and safety of the vendors and public is top priority; and

WHEREAS, there are many health and safety guidelines with respect to the COVID-19 pandemic to which any in- door event planning to operate in 2020 must adhere; and

WHEREAS, the Borough of Wildwood Crest has determined that it cannot reasonably meet all of those guidelines and has opted to refund all monies to the vendors, which shall be annexed to the resolution.

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 refunds, which total \$125.00.

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. 2020-276

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING AWARD OF EMERGENCY CONTRACT TO A.C. SCHULTES FOR REPAIRS TO A PUMP MOTOR ON TOPEKA AVENUE 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 broken pump motor has occurred on Topeka Avenue at the pump house; and

WHEREAS, 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, by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey that they do hereby declare that an emergency exists with the regard to the broken pump motor at the pump house on Topeks Avenue which affects the public health, safety and welfare necessitating immediate repairs and that the Borough Superintendent of the Department of Public Works be directed to coordinate all the necessary repairs.

BE IT FURTHER RESOLVED by the Board of Commissioners, that in accordance with the provisions of N.J.S.A. 40A:11-6, an emergency contract be awarded to A.C. Schultes, the estimated construction costs for said emergency to be \$11,988.00 all of which is more specifically set forth in the attached detailed breakdown of costs as supplied by the Borough Superintendent of the Department of Public Works 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	Amount	Signature
0-01-26-290-263	11,988.00	_____

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. 2020-277

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING APPROVAL OF CHANGE ORDER NUMBER 1 – 2019 ROADWAY IMPROVEMENT PROGRAM AND FY2019 NJDOT MUNICIPAL AID PROGRAM -RECONSTRUCTION OF TRENTON AVENUE FROM THE BEACH TO PACIFIC AVENUE – TO REFLECT SUNRISE PARK IMPROVEMENTS AND AS BUILT QUANTITY ADJUSTMENTS AT THE NTE SUM OF \$130,221.58

WHEREAS, Asphalt Paving Systems, Inc., Hammonton, New Jersey was awarded the contract known as **2019 ROADWAY IMPROVEMENT PROGRAM AND FY2019 NJDOT MUNICIPAL AID PROGRAM – RECONSTRUCTION OF TRENTON AVENUE FROM THE BEACH TO PACIFIC AVENUE**-via Resolution No. 228-19 on August 21, 2019 for \$1,863,982.00; 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 1 –**2019 ROADWAY IMPROVEMENT PROGRAM AND FY2019 NJDOT MUNICIPAL AID PROGRAM – RECONSTRUCTION OF TRENTON AVENUE FROM THE BEACH TO PACIFIC AVENUE TO REFLECT SUNRISE PARK IMPROVEMENTS AND AS BUILT QUANTITY ADJUSTMENTS**, increasing the original contract of \$1,863,982.00 by \$130,221.58 making the amended contract amount \$1,994,203.58; 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 and State of New Jersey, that said Change Order Number 1- **2019 ROADWAY IMPROVEMENT PROGRAM AND FY2019 NJDOT MUNICIPAL AID PROGRAM – RECONSTRUCTION OF TRENTON AVENUE FROM THE BEACH TO PACIFIC AVENUE TO REFLECT SUNRISE PARK IMPROVEMENTS AND AS BUILT QUANTITY ADJUSTMENTS** increasing the total contract amount by \$130,221.58 and revising the contract price to \$1,994,203.58 is hereby approved.

BE IT FURTHER 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 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. 2020-278

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING ISSUANCE OF A RAFFLES LICENSE TO LOOM #988 BOUND BROOK LODGE

WHEREAS, the **LOOM #988 BOUND BROOK LODGE** made application on September 2, 2020 for a Raffles License under Application No. RA-116; and

WHEREAS, it is the desire of the Board of Commissioners of the Borough of Wildwood Crest to issue a Certificate of Approval under Application No. RA-116 to **LOOM #988 BOUND BROOK LODGE** for holding of said Raffle.

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, as follows:

1. That the Board of Commissioners issue to the **LOOM #988 BOUND BROOK LODGE** a Certificate of Findings and Determination to be signed by the proper officer of said Board of Commissioners under Application No. RA-116 made by said **LOOM #988 BOUND BROOK LODGE**; and

2. That the Municipal Clerk of the Borough of Wildwood Crest is hereby authorized, empowered and directed to cause the proper Raffle License to be issued to the **LOOM #988 BOUND BROOK LODGE** in accordance with the application made therefor.

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. 2020-279

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST APPROVING AND AUTHORIZING THE EXECUTION OF A MEMORANDUM OF AGREEMENT AND CONTRACT BETWEEN BOROUGH OF WILDWOOD CREST AND POLICEMEN'S BENEVOLENT ASSOCIATION LOCAL 59 SUPERIOR OFFICERS WILDWOOD CREST

WHEREAS, the Borough of Wildwood Crest (the "Borough") and PBA Local 59, Policeman's Benevolent Association Superior Officers (the "PBA-Superior Officers") engaged in collective bargaining negotiations to replace the current Agreement which expired on December 31, 2019; and

WHEREAS, the parties have determined that the Agreement between the parties shall be memorialized in the final contract covering the period January 1, 2020 through December 31, 2023.

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

1. Statements of the preamble hereto are incorporated herein by this reference.

2. The proposed Agreement between the Borough of Wildwood Crest and PBA Local 59 Policeman's Benevolent Association (Superior Officers) covering the period January 1, 2020 through December 31, 2023 (a copy of which is on file in the Office of the Borough Clerk) is hereby approved and the Mayor and the Borough Clerk are hereby authorized, directed and empowered to execute said Agreement on behalf of the Borough of Wildwood Crest subject such final editing as may be approved by Borough labor counsel.

3. The Borough Clerk is further authorized, directed and empowered to seal said Agreement with the seal of the Borough of Wildwood Crest.

Dated: September 23, 2020

Don Cabrera, Mayor

Joyce P. Gould, Commissioner

David Thompson, Commissioner

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. 2020-280

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING THE BOROUGH OF WILDWOOD CREST TO ENTER INTO A INTERLOCAL CONTRACT FOR COOPERATIVE PURCHASING WITH NORTH JERSEY WASTE WATER COOPERATIVE PURCHASING

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

WHEREAS, the recognized North Jersey Waste Water Cooperative purchasing system, located in Passaic County, New Jersey, offers voluntary participation in its cooperative purchasing system for the purchase of goods and services from North Jersey Waste Water Cooperative vendors; and

WHEREAS, it is the desire of the Borough to join the North Jersey Waste Water Cooperative purchasing system to purchase goods and services available thereunder, in order to make the Borough's procurement process for certain goods and services more efficient and cost effective.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, that the mayor is hereby authorized to execute the North Jersey Waste Water Interlocal Contract for Cooperative Purchasing.

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

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. 2020-281

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING A CONTRACT WITH KDI FOR 60 MONTH LEASE CONTRACT FOR SEVEN COPIERS FROM OCTOBER 2020 – OCTOBER 2025

WHEREAS, the Borough of Wildwood Crest (hereinafter "Borough"), as a contracting unit, may, without advertising for bid, purchase any materials, supplies or equipment from State Contract Vendors which have contracted with the State of New Jersey, Department of Treasury, Division of Purchase and Property, pursuant to the provisions of N.J.S.A. 40A:11-12; and

WHEREAS, the contracts awarded under a State Cooperative Purchasing contract that are in excess of the contracting unit's bid threshold shall be made by resolution of the governing body; and

WHEREAS, the Borough wishes to evidence an Agreement with the attached Vendor – KDI - referenced under NJ State Contract # 82709, which Agreement shall be in the not to exceed amount of \$811.08 per month for the 60 month contract lease subject to all the conditions applicable to the current State Contract.

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, that this Resolution shall constitute an Agreement between the Borough and the attached referenced State Contract Vendor, KDI of New Jersey, subject to all conditions applicable to the current State Contract.

BE IT FURTHER RESOLVED, pursuant to the rules of the Local Finance Board of the State of New Jersey, that no amount of these contracts shall be chargeable until such time as materials, supplies or equipment are ordered and a certification of availability of funds is made by the Chief Financial Officer.

BE IT FURTHER RESOLVED that the duration of this Agreement shall be sixty months or upon expiration of a listed vendor's State Contract (Attachment A), whichever event first occurs.

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. 2020-282

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING ADVERTISEMENT OF A NOTICE TO BIDDERS

FOR RENTAL OF BEACH CONCESSION AT APPROVED LOCATIONS FOR BEACH UMBRELLAS, BEACH CHAIRS, APPROVED FLOTATION DEVICES AND THE SALE OF BOTTLED WATER ONLY FOR YEARS 2021-2023

BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, Cape May County, New Jersey, that the Borough Clerk is hereby authorized to advertise a Notice to Bidders in *The Herald of Cape May County* on September 30, 2020.

BE IT FURTHER RESOLVED that the Specifications on file in the Borough for the RENTAL OF BEACH CONCESSION AT APPROVED LOCATIONS FOR BEACH UMBRELLAS, BEACH CHAIRS, APPROVED FLOTATION DEVICES AND THE SALE OF BOTTLED WATER ONLY 2021-2023 is hereby approved.

BE IT FURTHER RESOLVED that Sealed bids will be received by the Bid Opening Committee in the Commissioners Meeting Room, Wildwood Crest Borough Hall, on **Wednesday October 28, 2020 at 11:00am**, prevailing time, for furnishing the items hereinafter set forth in accordance with the Specifications on file in the Borough Hall. Said items are as follows:

RENTAL OF BEACH CONCESSION AT APPROVED LOCATIONS FOR BEACH UMBRELLAS, BEACH CHAIRS, APPROVED FLOTATION DEVICES AND THE SALE OF BOTTLED WATER ONLY 2021-2023

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. 2020-283

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING ADVERTISEMENT OF A NOTICE TO BIDDERS FOR RENTAL OF BEACH CONCESSION AT APPROVED LOCATIONS FOR SALE OF ICE CREAM / ICE CREAM PRODUCTS FOR YEARS 2021-2023

BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, Cape May County, New Jersey, that the Borough Clerk is hereby authorized to advertise a Notice to Bidders in *The Herald of Cape May County* on September 30, 2020.

BE IT FURTHER RESOLVED that the Specifications on file in the Borough for the RENTAL OF BEACH CONCESSION AT APPROVED LOCATIONS FOR SALE OF ICE CREAM / ICE CREAM PRODUCTS 2021-2023 is hereby approved.

BE IT FURTHER RESOLVED Sealed bids will be received by the Bid Opening Committee in the Commissioners Meeting Room, Wildwood Crest Borough Hall, on **Wednesday October 28, 2020 at 10:30am**, prevailing time, for furnishing the items hereinafter set forth in accordance with the Specifications on file in the Borough Hall. Said items are as follows:

RENTAL OF BEACH CONCESSION AT APPROVED LOCATIONS FOR SALE OF ICE CREAM / ICE CREAM PRODUCTS 2021-2023

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. 2020-284

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING ADVERTISEMENT OF A NOTICE TO BIDDERS FOR RENTAL OF BEACH CONCESSION AT APPROVED LOCATIONS FOR OCEAN SURF CAMP AND WATER SAFETY INSTRUCTION PROGRAM FOR YEARS 2021-2023

BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, Cape May County, New Jersey, that the Borough Clerk is hereby authorized to advertise a Notice to Bidders in *The Herald of Cape May County* on September 30, 2020.

BE IT FURTHER RESOLVED that the Specifications on file in the Borough for the RENTAL OF BEACH CONCESSION AT APPROVED LOCATIONS FOR OCEAN SURF CAMP AND WATER SAFETY INSTRUCTION PROGRAM 2021-2023 is hereby approved.

BE IT FURTHER RESOLVED Sealed bids will be received by the Bid Opening Committee in the Commissioners Meeting Room, Wildwood Crest Borough Hall, on **Wednesday October 28, 2020 at 10:00am**, prevailing time, for furnishing the items hereinafter set forth in accordance with the Specifications on file in the Borough Hall. Said items are as follows:

**RENTAL OF BEACH CONCESSION AT APPROVED LOCATIONS FOR OCEAN SURF CAMP
AND WATER SAFETY INSTRUCTION PROGRAM 2021-2023**

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. 2020-285

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF
WILDWOOD CREST AUTHORIZING SHARED SERVICES AGREEMENT WITH THE
COUNTY OF CAPE MAY FOR USE OF VARIOUS EMERGENCY MANAGEMENT
EQUIPMENT**

WHEREAS, the County of Cape May has obtained various emergency equipment through various grants from the Office of Homeland Security and Federal Emergency Management Agency; and

WHEREAS, said equipment, identified in Schedule A attached hereto, was purchased with the intent to be shared with the various municipalities in Cape May County; and

WHEREAS, it is the desire and intent of the Board of Commissioners of the Borough of Wildwood Crest to participate with the County of Cape May in a Shared Services Agreement for the use of said equipment identified in Schedule A; and

WHEREAS, N.J.S.A. 40A:65-1, *et. seq.*, authorizes local government units, including municipalities and counties, to enter into agreements for the exchange of services pursuant to the provisions of said statute known as the "Uniform Shared Services and Consolidation Act."

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 the Shared Services Agreement between the County of Cape May and the Borough of Wildwood Crest for various emergency equipment be and the same is hereby authorized and approved for participation, all of which is in accordance with and more fully set forth in the Agreement annexed hereto and made a part hereof by reference as if fully set forth.

BE IT FURTHER RESOLVED that the Commissioner of Revenue and Finance and the Borough Clerk are hereby authorized, directed and empowered to execute said Agreement and affix the corporate seal of the Borough of Wildwood Crest thereto.

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. 2020-286

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF
WILDWOOD CREST AUTHORIZING A 2021 PRORATED FEE TO THOSE WHO PAID
2020 POOL MEMBERSHIP PRIOR TO THE CLOSURE OF THE JOSEPH VON SAVAGE
POOL DUE TO COVID 19**

WHEREAS, according to the Centers for Disease Control and Prevention (CDC), Coronavirus disease 2019 (COVID-19) is a respiratory illness caused by a virus called SARS-CoV-2; and

WHEREAS, on March 9, 2020, Governor Philip D. Murphy issued Executive Order 103, declaring the existence of a Public Health Emergency, pursuant to the Emergency Health Powers Act, N.J.S.A. 26:13-1 *et seq.*, and a State of Emergency, pursuant to the Disaster Control Act, N.J.S.A. App A:9-33 *et seq.*, in the State of New Jersey for COVID-19; and

WHEREAS, the Public Health Emergency was extended by Governor Murphy under Executive Orders 119, 138, 151, 162, 171 and 180; and

WHEREAS, COVID-19 is thought to spread mainly through close contact from person to person through respiratory droplets produced when an infected person coughs, sneezes or talks; and

WHEREAS, on June 18, 2020, Governor Murphy issued Executive Order No. 153, allowing pool facilities, except aquatic recreation facilities, to open to the public; and **WHEREAS**, on July 1, 2020, the Department of Health issued Executive Directive No. 20-022, "Health and Safety Standards for Pools and Aquatic Recreation Facilities Pursuant to Executive Order No. 153"; and

WHEREAS, on August 27, 2020, Governor Murphy issued Executive Order No. 181, allowing, *inter alia*, water parks to open their indoor premises to the public subject to certain requirements and if they are in compliance with the health and safety guidelines and standards issued by the Commissioner of the Department of Health;

WHEREAS, the Board of Commissioners recognize that annual pool memberships were purchased in 2020 prior to the Joseph Von Savage pool has been closed for approximately four months; and

WHEREAS, the Board of Commissioners wish to offer those people identified in Schedule “A” in the attached a 2021 prorated fee for the membership purchased in 2020 for use of the Joseph Von Savage pool.

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 2021 prorated fee be extended to those who paid 2020 pool membership prior to the closure of the Joseph Von Savage Pool.

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. 2020-287

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING A CONTRACT WITH TRIAD ASSOCIATES FOR GRANT ADMINISTRATION SERVICES FOR USDA IMPLEMENTATION – DUAL BAND RADIOS AT THE NTE SUM OF \$1,500.00

WHEREAS, there exists the need for the “Services” of a firm to be retained by the Borough for the Grant Administrative Services and related duties associated therewith as directed by the authorized representatives of the Borough of Wildwood Crest, all as more specifically set forth in the attached Agreement which is made a part hereof by reference as if fully set forth; and

WHEREAS, TRIAD ASSOCIATES has completed and submitted a Business Entity Disclosure Certification which certifies that **TRIAD ASSOCIATES** will not make any reportable contributions pursuant to N.J.S.A. 19:44A-1 commencing January 1, 2020 to any political committee or candidate through the term of this contract. Said term shall expire December 31, 2020; 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 Mayor and Borough Clerk be and they are hereby authorized, instructed, and empowered to execute the attached agreement with **TRIAD ASSOCIATES**, who shall be compensated by voucher at the agreed upon hourly rates, **not to exceed \$1,500**, contingent upon certification from the Chief Financial Officer as to the availability of funds, and whose rate/fee structure are contained in the aforesaid Agreement and said “Independent Contractor” shall be required to comply with this Resolution, and the attached Agreement. Said **TRIAD ASSOCIATES** is further required to comply with all other conditions/provisions of law or regulation applicable to a “Contractor,” including but not limited to procuring/maintaining sufficient insurance coverages necessary to fully protect the interests of the Borough in each and every instance relative to performance under this contract.
3. The award of this contract is contingent upon compliance with the New Jersey Pay to Play Law as set forth in N.J.S.A. 19:44A-1; production of the Business Entity Disclosure Certificate, Affirmative Action Compliance Notice, New Jersey Certificate of Employee Information Report, New Jersey Business Registration Certificate and proof of insurance as required in the contract and certification from the Chief Financial Officer as to the availability of funds; a copy of these documents shall be kept on file in the office of the Borough Clerk.
4. That 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

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 that all reports received from the Court Administrator, Chief Financial Officer, the Tax Collector, the Captain of Police, Supervisor of the Recreation Department, Emergency Services Coordinator for the EMS and the

Wildwood Crest Volunteer Fire Company #1 Chief for month ending August 31, 2020 be accepted as presented.

Vote: Gould - Thompson - Cabrera - YES

MINUTES: Mrs. Gould motioned and Mr. Thompson seconded that all minutes from the regularly scheduled Commission meetings dated August 19, 2020 and September 2, 2020 be approved as presented.

Vote: Gould - Thompson - Cabrera - YES

ADMINISTRATOR'S REPORT:

September 23, 2020

The Mayor added that Administrator had a death in the family and was not able to make the meeting. He highlighted the report below.

COVID-19 CLOSINGS AND CANCELLATIONS

Cape May County Health department continues to report an overall steady decrease in the number of COVID-19 cases. Most Borough Buildings are open to the public during normal business hours with some restrictions. Masks are required to be worn in all public buildings. Crest Pier will be opening to the public on a restricted basis in the beginning of October. The recreation department will make future announcements on this which will include restrictions on use. The pool continues to be open and our ADA bathroom improvement project is complete.

2021 DCA SMALL CITIES GRANT APPLICATION

Our DCA Small Cities Grant Applications for up to \$400,000 for the 2021 fiscal year is complete and has been submitted. We have applied to DCA to provide funding for ADA Accessible Street End Improvements at Various Streets/Beaches. Also, in advance of the pending deadline of December 15th, Mayor Cabrera, Marc DeBlasio has a pre-application meeting with two representatives of the Open Spaces Board to discuss the future submission of our special funding round application for Coastal recreation improvements which will be for the phased funding of 20 street end bump outs. These bump outs will be modeled after the new ADA accessible street end at Rambler and include showers, trash receptacles, bike racks, beach mat extensions and possibly drinking fountains. If we are successful in our application under this round, we could begin construction as early as next fall.

CAPE MAY COUNTY OPEN SPACE GRANT- SUNRISE PARK

The playground equipment vendor and contractor commenced installation of the new surface and playground equipment on Monday. This project includes landscaping improvements, a foot wash station, exercise stations, a splash park and additional playground. Most of the funding for this project will be provided by the Cape May County Open Space program.

TROPICAL STORM DAMAGE

The recent tropical storm caused some significant damage here in the Crest. We suffered damage to our tennis courts, beach boxes, bayside railings, and little league field. We also had a great deal of flooding issues throughout town and on our beaches. The Little League Field suffered extensive damage to the concession stand and visitor's dugout. Due to safety concerns we were given permission to demolish these buildings and have submitting damage estimates to the JIF's adjuster. We have been assured that that the replacement of these buildings will be covered as will the replacement of the fencing at the tennis courts and railings at the bayside. We also will be reimbursed for costs to repair the beach boxes. I will continue to work with our adjuster to get all storm damage issues resolved.

ENGINEER'S REPORT:

Grant Applications

1. **Fiscal Year 2021 NJDOT Municipal Aid Program**
 - The NJDOT has announced they are receiving applications for Fiscal Year 2021 for the following State Aid Programs: Municipal Aid, Transit Village, Bikeways and Safe Streets to Transit. The deadline for grant application submissions is July 1, 2020.
 - The Borough has selected Stanton Road from the Beach to New Jersey Avenue as their Roadway Application.
 - The application was successfully completed and submitted to the State on May 8, 2020.
2. **FEMA Flood Mitigation Assistance (FMA)**
 - 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 provided a revised report to Triad Associates on December 20, 2019 to address comments received by FEMA.
 - The application has been reviewed by the NJ Office of Emergency Management and has been recommended to be sent to FEMA for consideration. A decision on the application is anticipated in 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).

- In support of the grant application, our office transmitted the engineering report to Mark Blauer on September 15th.

Capital Projects

1. NJDEP CAFRA Permit-Beach Programming and Improvements
 - On April 14th, the Borough received the NJDEP CAFRA permit for the Crest Fishing Pier Expansion and Sunrise Park Improvements.
 - The “Phase 2” application was submitted to the NJDEP on September 11th.
 - In conjunction with the Lomax Consulting Group, our office has completed the survey and mapping of the dune flagging. This dune delineation will be sent as a supplement to the “Phase 2” application.
2. Sunrise Park Improvements
 - Cape May County approved a grant for Sunrise Park in the amount of \$283,625.00.
 - These park improvements were permitted thru a NJDEP CAFRA permit on April 14th.
 - Through a change order, the contractor working on the Borough’s 2019 Road Improvement Program will start the utility work the week of September 28th.
3. 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 on Farragut Road, Miami Avenue, St. Louis Avenue and Crest Memorial School parking lot.
 - The contractor has completed all the utility work on Pacific Avenue from Rambler Road to Farragut Road.
 - On September 14th, the contractor remobilized to continue the utility work on Pacific Avenue from Farragut Road to Jefferson Avenue.
4. 2019 Road Improvement Program - Crocus Road, Denver, Stockton and Trenton Avenues
 - The contract was awarded to Asphalt Paving Systems, Inc. in the amount of \$2,144,400.00.
 - The contractor has completed all the work in the contract and we are in the process of contract closeout.
 - Through a change order, the contractor will start work on Sunrise Park improvements the week of September 28th.
5. FY2019 NJDCA Small Cities Program-Old Library and Joseph Von Savage Pool
 - The State has notified the Borough that \$354,545.00 in grant funding has been allocated for ADA improvements at the Old Library Building and Joseph Von Savage Pool.
 - The contractor has completed all of the work and the project is in the closeout phase.
6. New Jersey Avenue Sanitary Sewer Replacement
 - Our office has completed the survey and base mapping. The project is currently in the design phase.
7. 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.
 - Our office has completed the survey and base mapping for Beach Avenue and Stanton Road. The project is currently in the design phase.
8. FY2020 NJDCA Small Cities Grant Application-Scoop Taylor Park
 - The Borough was notified that a grant in the amount of \$400,000.00 was allocated for improvements at Scoop Taylor Park.
 - Our office provided a proposal to the Borough on August 20, 2019 to complete the proposed improvements.

CORRESPONDENCE: N/A

PUBLIC COMMENTS:

The Mayor opened the floor first to callers, Facebook and In Person. There were no comments about prior business.

NEW BUSINESS:

- **Washington Avenue Flooding Issues:** The Mayor indicated he met with several Washington Avenue homeowners along with the Borough Engineer. There was some investigative work done and the outfall at Washington Avenue seemed to be in good working order and perhaps it is a capacity issue. The borough is looking into short term and long term solutions.

Commissioner Thompson added that he has met with the Captain of Police and Traffic Maintenance Supervisor and they have purchased more signage and cones and flashing

lights. He emphasized for drivers not to go down streets that are blocked. Captain Lloyd added that drivers are subject to summons.

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- **FB / Youtube comments for meetings:** The Mayor added that FB comments will cease after this meeting. Comments are always welcome via the telephone line and people can always email the Clerk.

OLD BUSINESS:

-Bulkhead Ordinance / Lot Grading – No movement.

-Flood Mitigation Efforts – No movement.

-Ordinance – Garbage, Rubbish, Solid Waste- No movement.

-Old Library- Presentation scheduled for October 21st with Engineer and Architect.

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

-Beach Bumpout- No movement.

-Beach Walkways – No movement.

-Park Blvd / Pumping Station – Commissioner Thompson indicated he met with the Engineer and would like to get the process started and work on applying for grants to mitigate the flooding. He asked the Engineer to get a timeframe. The Engineer indicated that one grant was applied for and it is seemed favorable and were awaiting word from Triad. He further indicated that there were two more FEMA grants that are due in November and he would get the details.

-Special Events on beach- No movement.

-Beach Bike Path- No movement.

PUBLIC COMMENTARY:

Via Conference line:

Dave Mears, 245 E. Topeka Avenue, thanked the governing body for the opportunity to comment. He was concerned over the safety of pedestrians crossing at crosswalks. He suggested that perhaps more crosswalks could get painted over the course of the time. Commissioner Thompson indicated that they could look into it, but some people will cross when it is not safe. Captain Lloyd indicated with or without the paint, it is still considered a crosswalk. The mayor added that Mr. Mears comments will be taken into account.

The Public Information Officer added a FB comment from Bob Diessroth, 101 W. Charleston Avenue, agreed that pedestrians just walk and need accountability.

In courtroom:

Tony Visalli, 306 W. First Avenue, NWW, read a statement about outdoor Dining in 2021 and beyond. He commended the Governing Body for allowing relaxed parking ordinances due to the limitations of COVID 19 and would like to see this extended into the future beyond COVID 19.

The Mayor added that he would like the Planning Board to weigh in and asked the Clerk to forward to the Planning Board for consideration.

Alice Haver, 207 E. Rosemary Road, requested more signage on bike path so bicyclists will make their presence aware to pedestrians. The Mayor took note.

Dave McWilliams, 8107 New Jersey Avenue, asked for clarification on the upcoming election to which the Clerk responded. He also asked about Halloween and the commissioners indicated it would be decided at the next meeting.

Commissioner Gould thanked Officer Dominic Travascio for watching the outdoor fitness program when a suspicious person was present. Captain Lloyd indicated he would make the officer aware of the thanks.

James Zecca, 115 E. Hollywood Avenue, had questions about the project and supplied the following list:

1. Brick and Mortar Retail
2. Wrong location vs. Center of Tourist Area
3. Narrowing our only heavy commercial traffic street
4. Wildwood Linen
5. Parking
6. Critical mass far short of Brooks study. He is 10/10 (Rio Grande Avenue – Anchor Businesses are already in place a few blocks away)
7. Likely very high cost, probably well over \$1 million (Brooks study, Existing contracts and studies, Wildwood Linen, parking lots)
8. Short and long term business subsidies and costs for services and upkeep. (building fix up subsidies, Incentives to attract businesses, Long term advertising)
9. Return of Investment for taxpayers
10. Liquor is not a maybe; it's a must. (not enough licenses under state law for critical mass. Expansion is out of the control of voters. Local and state can change at will.)

The Mayor gave a quick overview and stated that this is a County road and the County is undertaking the reconstruction of New Jersey Avenue from Cresse Avenue to Rambler Road. This is the opportunity for the Borough to make proposed changes and enhancements.

Commissioner Thompson added there are investors and developers showing interest. The borough is working with Professional Planners and the Planning Board.

The Mayor invited all the Stakeholder meeting taking place immediately following the commission meeting at the Doo Wop Drive In.

Dennis Travascio, 112 E. Louisville Avenue, added that he didn't believe narrowing the road would be good idea. He added that Sunset Lake was narrowed and the speed limit was decreased and parking is limited. He added that the Special Election of 2016 showed 65% of voters did not want Pacific Avenue narrowed. Lastly, he added the Borough has spent money on two lots on New Jersey Avenue.

Mr. Zecca, added he would like to know some hard numbers. The Mayor added that the cost must be identified since it is shared between the County and the Borough.

Via Facebook:

None.

Hearing nothing further, Mrs. Gould motioned, and Mr. Thompson seconded that the meeting be adjourned. All were in favor. The time was 6:38 p.m.

Dated: October 21, 2020

Patricia A. Feketics, Borough Clerk

