

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

September 6, 2023

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

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

Schiff - Franco – Cabrera - YES

Mr. Cabrera read the following statement: In compliance with the Open Public Meeting Act, Chapter 231, P.L. 1975, the notice requirements have been satisfied as to the time, place and date of holding said meeting by posting notice on the bulletin board in the Borough Hall and by e-mailing and same to the Herald of Cape May County and The Press on December 7, 2022.

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

The Mayor indicated that the meeting was being streamed online via the Borough's Facebook page and YouTube channel due to scheduling conflicts and if there were any questions, please call the Clerk.

Mr. Franco motioned and Mr. Schiff seconded that Ordinance No. 1406 be placed on second and final passage by title only.

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE RE-INTRODUCED ORDINANCE BY TITLE:

**ORDINANCE NO. 1406**

**ORDINANCE OF THE BOROUGH OF WILDWOOD CREST  
AMENDING CHAPTER 85, ARTICLE XI, HOTEL, MOTEL AND  
MULTI-FAMILY ZONE, SECTION 85-57 PERMITTED USES, OF THE  
BOROUGH OF WILDWOOD CREST LAND USE ORDINANCE**

Mr. Franco motioned and Mr. Schiff seconded that a public hearing be held on Ordinance No. 1406.

Vote: Schiff - Franco – Cabrera – YES

After hearing nothing from the public, Mr. Franco motioned and Mr. Schiff seconded that the public hearing on Ordinance No. 1406 now be closed.

Vote: Schiff - Franco – Cabrera – YES

Mr. Franco motioned and Mr. Schiff seconded that Ordinance No. 1406 be passed on second and final reading and advertised according to law.

Vote: Schiff - Franco – Cabrera – YES

Mr. Franco motioned and Mr. Schiff seconded that Ordinance No. 1407 be placed on second and final passage by title only.

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE ORDINANCE BY TITLE:

**ORDINANCE NO. 1407**

**ORDINANCE OF THE BOROUGH OF WILDWOOD CREST  
AMENDING AND SUPPLEMENTING ARTICLE I OF CHAPTER 37  
GARBAGE, RUBBISH, SOLID WASTE MANAGEMENT OF THE CODE  
OF THE BOROUGH OF WILDWOOD CREST REGULATING THE  
ENCLOSING OF COMMUNITY RECEPTACLES, DUMPSTERS AND  
CONTAINERS**

Mr. Franco motioned and Mr. Schiff seconded that a public hearing be held on Ordinance No. 1407.

Vote: Schiff - Franco – Cabrera – YES

After hearing nothing from the public, Mr. Franco motioned and Mr. Schiff seconded that the public hearing on Ordinance No. 1407 now be closed.

Vote: Schiff - Franco – Cabrera – YES

Mr. Franco motioned and Mr. Schiff seconded that Ordinance No. 1407 be passed on second and final reading and advertised according to law.

Vote: Schiff - Franco – Cabrera – YES

Mr. Franco motioned and Mr. Schiff seconded that Ordinance No. 1408 be placed on second and final passage by title only.

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE ORDINANCE BY TITLE:

**ORDINANCE NO. 1408**

**ORDINANCE OF THE BOROUGH OF WILDWOOD CREST  
AMENDING AND SUPPLEMENTING THE CODE OF THE BOROUGH  
OF WILDWOOD CREST REGARDING THE REQUIREMENT FOR  
INSPECTION OF LEAD-BASED PAINT IN CERTAIN RESIDENTIAL  
DWELLINGS**

Mr. Franco motioned and Mr. Schiff seconded that a public hearing be held on Ordinance No. 1408.

Vote: Schiff - Franco – Cabrera – YES

After hearing nothing from the public, Mr. Franco motioned and Mr. Schiff seconded that the public hearing on Ordinance No. 1408 now be closed.

Vote: Schiff - Franco – Cabrera – YES

Mr. Franco motioned and Mr. Schiff seconded that Ordinance No. 1408 be passed on second and final reading and advertised according to law.

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

**RESOLUTION NO. 23-243**

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF  
WILDWOOD CREST AUTHORIZING APPROVAL OF CHANGE ORDER NUMBER 2 –  
FINAL AND ACCEPTING WORK PERFORMED AND AUTHORIZING RELEASE OF  
PERFORMANCE BOND AND ACCEPTING MAINTENANCE BOND FOR  
RENOVATIONS TO THE OLD LIBRARY (FY 2019 NJDCA SMALL CITIES PROGRAM)  
DECREASING THE CONTRACT AMOUNT BY \$18,015.80 FOR A REVISED CONTRACT  
AMOUNT OF \$1,904,359.57**

**WHEREAS**, JOSEPH PORRETTA BUILDERS, INC., 551 Anderson Avenue, Hammonton, New Jersey, 08037 was awarded the contract known as RENOVATIONS TO THE OLD LIBRARY (FY 2019 NJDCA SMALL CITIES PROGRAM) via Resolution No. 21-317 on December 8, 2021 for \$1,571,884.00; and

**WHEREAS**, on March 17, 2022, Borough Engineer Marc DeBlasio of DeBlasio & Associates has reviewed and recommended the removal of interior door #114 from the current contract, which decreases the contract amount by \$25,200; and

**WHEREAS**, on April 13, 2022, Borough Engineer Marc DeBlasio of DeBlasio & Associates has reviewed and recommended a reduction of tile pattern from the current contract, which decreases the contract amount by another \$1,491.40; and

**WHEREAS**, Borough Engineer Marc DeBlasio of DeBlasio & Associates has reviewed the quantity additions for various items and approves Change Order No 1 – FY2019 NJDCA SMALL CITIES PROGRAM– RENOVATIONS TO THE OLD LIBRARY to reflect added Armstrong Wood Ceiling System with an increased amount of \$30,353.77 all of which is detailed in the attachment to the Change Order and revising the Contract Price to \$1,922,375.37.

**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 2 **FY2019 NJDCA SMALL CITIES PROGRAM– RENOVATIONS TO THE OLD LIBRARY – FINAL: INSTALLATION OF ELECTRICITY FOR SIGNS, RELOCATION OF UTILITY CONDUIT AND MODIFIED COUNTER TOP AND AS BUILT ADJUSTMENTS** decreasing the AMENDED contract of \$1,922,375.37 by \$18,015.80 making the REVISED contract amount \$1,904,359.57 and

**WHEREAS, JOSEPH PORRETTA BUILDERS, INC.,** posted a **Performance Bond No. ASA1791-25-1103** from **Hudson Insurance Company** in the amount of **\$1,918,713.00** ensuring the Borough of Wildwood Crest; and

**WHEREAS,** the Borough's Engineer, Marc DeBlasio, P.E., P.P., C.M.E., of DeBlasio & Associates, P.C., by letter dated August 24, 2023 which is incorporated herein, reports to the Borough that **JOSEPH PORRETTA BUILDERS, INC** has completed the project in substantial conformance with the contract documents including all approved change orders, field modifications and accepted as built plans; and

**WHEREAS,** the Borough's Engineer recommends that the Borough release the Performance Bond and accept the submitted **Maintenance Bond No. ASA1791-25-1103M** from **Hudson Insurance Company** in the amount of **\$1,904,359.57**.

**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. The Mayor and the Borough Clerk of the Borough of Wildwood Crest are hereby authorized and directed to execute and attest said Change Order #2 FINAL on behalf of the Borough of Wildwood Crest.
3. That the plan and design as set forth in the Specifications prepared by DeBlasio & Associates, P.C. as modified by approved change orders, field modifications and as depicted in the accepted as-built plans for the **RENOVATIONS TO THE OLD LIBRARY (FY 2019 NJDCA SMALL CITIES PROGRAM)** are hereby approved and accepted.
4. That the above improvements performed by **JOSEPH PORRETTA BUILDERS, INC.,** are hereby approved and accepted.
5. That the Clerk is hereby authorized to release the performance bond conditioned upon acceptance of the appropriate maintenance bond.

Mr. Schiff motions, and Mr. Franco seconds that the foregoing resolution be adopted. Prior to the vote, Mr. Cabrera noted that the project came under budget and this was confirmed by the Engineer.

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

**RESOLUTION NO. 23-244**

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING ADVERTISEMENT OF A REQUEST FOR PROPOSAL (RFP) NOTICE TO BIDDERS FOR AUTHORIZED ON-SITE INSPECTIONS AND PLAN REVIEW AGENCIES FOR THE FOLLOWING SUB-CODES: PLUMBING AND ELECTRICAL, (ONE (1) YEAR CONTRACT WITH 2 ONE (1) YEAR OPTIONS)**

**NOW THEREFORE, 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 13, 2023.

**BE IT FURTHER RESOLVED** that the plan and design as set forth in the Specifications on file in the Borough for the **AUTHORIZED ON-SITE INSPECTIONS AND PLAN REVIEW AGENCIES FOR THE FOLLOWING SUB-CODES: PLUMBING AND ELECTRICAL, (ONE (1) YEAR CONTRACT WITH 2 ONE (1) YEAR OPTIONS)** 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 11, 2023 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:

**AUTHORIZED ON-SITE INSPECTIONS AND PLAN REVIEW AGENCIES FOR THE FOLLOWING SUB-CODES: PLUMBING AND ELECTRICAL, (ONE (1) YEAR CONTRACT WITH 2 ONE (1) YEAR OPTIONS)**

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

**RESOLUTION NO. 23-245**

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING AWARD OF CONTRACT FOR SEAVIEW AVENUE INTERSECTION IMPROVEMENTS**

**WHEREAS**, a Notice to Bidders was authorized for advertisement by Resolution No. 23-222 on August 2, 2023 for the Borough of Wildwood Crest contract for the SEAVIEW AVENUE INTERSECTION IMPROVEMENTS; and

**WHEREAS**, Notice to Bidders was advertised in the *Herald of Cape May County* on August 9, 2023 with receipt of sealed bids on August 29, 2023 at 10:00 a.m.; and

**WHEREAS**, one sealed bid proposal was received, opened and reviewed on August 29, 2023 by the Bid Opening Committee who reviewed the bid proposal and determined that Diehl Electric, Inc., 190 B S. 2<sup>nd</sup> Road, Hammonton, New Jersey 08037 was the lowest responsive bidder in the amount of \$647,607.92 for the SEAVIEW AVENUE INTERSECTION IMPROVEMENTS; and

**WHEREAS**, the Board of Commissioners of the Borough of Wildwood Crest has reviewed the recommendations made by the Bid Opening Committee as well as the bid tabulation and recommendation, and the opinion letter of the Engineer (Collier's Engineering & Design) dated August 30, 2023 and Borough Solicitor recommending the award in a letter dated August 31, 2023 to Diehl Electric, Inc., 190 B S. 2<sup>nd</sup> Road, Hammonton, New Jersey 08037; and

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

Account Number(s) \_\_\_\_\_ Amount \$647,607.92 Signature \_\_\_\_\_

**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. The above recital paragraphs are incorporated herein as if set forth at length.
2. The SEAVIEW AVENUE INTERSECTION IMPROVEMENTS is hereby awarded to Diehl Electric, Inc., 190 B S. 2<sup>nd</sup> Road, Hammonton, New Jersey 08037 the lowest responsive bidder.
3. The award of this contract is contingent upon compliance with all terms, conditions and requirements set forth in the Notice to Bidders; Bid Specifications and Information Packet and other Bid Documents and certification from the Chief Financial Officer as to the availability of funds.
4. The Mayor and the Borough Clerk are hereby authorized and empowered to enter into a formal contract with Diehl Electric, Inc., 190 B S. 2<sup>nd</sup> Road, Hammonton, New Jersey 08037 in accordance with this Resolution, Notice to Bidders, Bid Specifications and Information Packet and the submitted bid proposal.
5. That a Notice of Award shall be published in The Herald of Cape May County as required by law within ten (10) days of passage of this Resolution, which notice shall state that this Resolution and the contract are on file and available for public inspection in the office of the Borough Clerk.

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

**RESOLUTION NO. 23-246**

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING THE ADOPTION OF THE FIXED ASSET POLICY**

**WHEREAS**, the Board of Commissioners of the Borough of Wildwood Crest have determined to adopt a Fixed Asset Policy to ensure that all Borough assets are properly identified for audit; and

**WHEREAS**, the CFO, Francine Springer, has reviewed and recommended the procedures detailed in the Fixed Asset Policy.

**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 the Purchasing Procedure Guide is now adopted.

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

**RESOLUTION NO. 23-247**

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST WAIVING MARRIAGE CEREMONY OFFICIANT COMPENSATION FEE FOR MELANIE REINHARDT WEDDING CEREMONY SEPTEMBER 15, 2023**

**WHEREAS**, Melanie Reinhardt has requested performance of a wedding ceremony by Mayor Don Cabrera on September 15, 2023; and

**WHEREAS**, Chapter 32A-2 establishes fees for the performance of marriage and civil union ceremonies by the Mayor or Deputy Mayor in the amount of \$300 (\$50 administrative fee and \$250 officiate compensation fee); and

**WHEREAS**, Mayor Don Cabrera desires to waive the portion of the fee allocated to his compensation in the amount of \$250.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey, that the portion of wedding ceremony fee for compensation of Mayor Don Cabrera be waived for Melanie Reinhardt.

Mr. Schiff motions, and Mr. Franco seconds that the foregoing resolution be adopted. Prior to the vote, Mayor Cabrera indicated that he would like to see the officiant fee be removed from the ordinance and Deputy Mayor Franco agreed. It was noted that the borough fee must remain. The Clerk indicated she would prepare the ordinance amendment.  
Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:  
RESOLUTION NO. 23-248

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING APPROVAL OF CHANGE ORDER NO. 1 – BEACH PATROL HEADQUARTERS RENOVATIONS – TO REFLECT ADDITIONAL DEMOLITION, ADDITIONAL HELICAL PILES, REVISED FOUNDATION DESIGN AND VARIOUS MASONRY INFILLS - AT THE NTE SUM OF \$81,563.00**

**WHEREAS**, Straga Brothers, Inc., PO Box 216, Glassboro, New Jersey 08028 was awarded the contract known as BEACH PATROL HEADQUARTERS RENOVATIONS -via Resolution No. 23-101 on March 8, 2023 for \$2,054,334.00; and

**WHEREAS**, Borough Engineer Marc DeBlasio of DeBlasio & Associates has reviewed the request for additional work [additional demolition, additional helical piles, revised foundation design and various masonry infills] and approves BEACH PATROL HEADQUARTERS RENOVATIONS Change Order No 1 to reflect additional demolition, additional helical piles, revised foundation design and various masonry infills - with an increase amount of \$81,563.00 all of which is detailed in the attachment to the Change Order and revising the Contract Price to \$2,135,897.00; and

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

Account Number: \_\_\_\_\_ 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, as follows:

1. That the above recital paragraphs are incorporated herein by reference as if set forth at length.
2. That said Change Order Number 1- increasing the total contract amount by \$81,563.00 and revising the contract price to \$2,135,897.00 is hereby approved.
3. That the Mayor and Borough Clerk of the Borough of Wildwood Crest are hereby authorized and directed to execute and attest said Change Order documents on behalf of the Borough of Wildwood Crest.

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

**BILLS:** Mr. Franco motions, and Mr. Schiff seconded that all bills properly authorized, as submitted, be paid.  
Vote: Schiff - Franco – Cabrera – YES

**CORRESPONDENCE:** Mayor Cabrera added that we are two days out from Labor Day and he thanked department heads and staff for a safe and clean summer. He thanked residents and vacationers as well.

**PUBLIC COMMENTARY:**

Maria Murphy asked for the street end at Atlanta Avenue to be checked as there appears to be a drainage problem with stagnant water. The Mayor asked the Engineer and Public Works Assistant Superintendent to review.

**NEW BUSINESS:**

**OLD BUSINESS:**

- Potentially amending Borough Hall Hours:** The Mayor asked the Administrator to add this to the department head meeting for one last discussion and to provide a formal recommendation.
- Crest Pier – capital planning for generators-** The Engineer and Concord Engineering are working on this for several scenarios.
- Traffic Calming** – The Mayor indicated they all received packets to review and asked the governing body to do so and follow up with the Engineer. He also would like to have the Engineer present this at an upcoming meeting.
- Code Enforcement Personnel-** No movement.
- Back Beach Excavation:** On hold until US Army Corps of Engineers embarks on the dune.
- Dredging:** No movement.
- NJ Avenue infrastructure pre-county:** The Engineer is working on things.
- PW roof:** This is in design phase.
- Bayside outfalls and capacity / bulkhead repairs / replacement:** Filing for permit.
- Arts Pavilion Exterior – with CMCOS:** Waiting on the county for formal approval after the recent postponement.
- Washington / Seaview – beach outfalls and capacity:** The Engineering report is complete and now it is with Jim Rutala to apply for funding.
- Update Landscaping and add lighting in Business district -NJ-** The county is trying to firm up designs from Heather Road to Columbine Road, but in the short term, the borough has been gradually adding planters.
- **Lightning Detection System:** On hold.

**PUBLIC COMMENTARY:**

Hearing nothing further from the public,

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 23-249

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING EXECUTIVE/CLOSED SESSION IN ACCORDANCE WITH THE PROVISIONS OF THE OPEN PUBLIC MEETINGS ACT, SPECIFICALLY N.J.S.A. 10:4-12(B)**

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

Vote: Schiff - Franco – Cabrera – YES

After returning from Closed Session and hearing nothing further from the public and, Mr. Schiff motioned and Mr. Franco seconded that the meeting be adjourned. All were in favor. The time was 10:34 a.m.

Dated: September 20, 2023

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Patricia A. Feketics, Borough Clerk

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