

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

August 21, 2024

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

The meeting of the Board of Commissioners, Borough of Wildwood Crest, Cape May County, New Jersey, was held at Borough Hall at 5:00 p.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 on October 4, 2023 and The Press on December 13, 2023.

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

THE CLERK READS THE FOLLOWING ORDINANCE BY TITLE:

**ORDINANCE NO. 1436**

**AN ORDINANCE TO AMEND SECTION 59-3 OF THE CODE OF THE BOROUGH OF WILDWOOD CREST, KNOWN AS THE "SALARY ORDINANCE," FIXING AND DETERMINING SALARIES AND COMPENSATIONS OF THE BOROUGH OF WILDWOOD CREST, AND PROVIDING FOR THE RAISING OF THE AMOUNTS THEREOF BY TAXATION AND FOR THE TIME AND METHOD OF PAYMENT**

Mr. Franco motioned and Mr. Schiff seconded that Ordinance No. 1436 be passed on first reading, advertised according to law, be brought up for second and final reading and public hearing on September 4, 2024 at 9:30 a.m.

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

**RESOLUTION NO. 24-248**

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING WAIVING ALL FEES REQUIRED BY APPLICATION TO LUNCH WITH LYNCH FOR 1 MILE FOOT RACE ON SEPTEMBER 7, 2024 FROM 5:00 -9:00 PM ON THE BIKE PATH**

**WHEREAS**, LUNCH WITH LYNCH FOUNDATION, INC. has made a Special Events Application to hold 1 mile walk with proceeds to benefit the Evalice Brain Cancer Fund on September 7, 2024 from 5:00-9:00 pm; and

**WHEREAS**, in the spirit of supporting our community and this charitable event, the Board of Commissioners have agreed to waive all of the fees associated with this Special Events Application.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey, that the fee required by application from the LUNCH WITH LYNCH FOUNDATION, INC for a 1-mile footrace September 7, 2024 from 5:00-9:00 pm on the Bike Path is hereby waived.

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. 24-249**

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING INCREASE OF CONTRACT IN THE AMOUNT OF \$23,000.00 TO STARR SEPTIC LLC FOR PORTABLE TOILETS CONTRACT**

**WHEREAS**, the Board of Commissioners of the Borough of Wildwood Crest awarded a contract, via Resolution No. 24-115 adopted March 27, 2024, to STARR SEPTIC LLC, for portable toilets contract at the NTE sum of \$73,305.00; 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 \$23,000.00; 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, 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 SEPTIC LLC, authorized by Resolution No. 24-115 adopted March 27, 2024 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 \$96,305.00 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.

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. 24-250  
RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF  
WILDWOOD CREST AUTHORIZING THE BOROUGH OF WILDWOOD CREST TO  
ESTABLISH AN INSURANCE REVIEW COMMITTEE**

**WHEREAS**, the Mayor and the Governing Body of the Borough of Wildwood Crest (the “Borough”) believe that it is in the best interests of the residents of the Borough to formally create a “Wildwood Crest Insurance Review Committee” (also referenced herein as the Committee”) for the purpose(s) set forth below; and

**WHEREAS**, the purpose(s) of the Committee shall be to review all claims against the borough after each quarterly Safety Meeting; and

**WHEREAS**, it is intended that the Committee shall be advisory in nature, and that the Committee shall report its findings and recommendations to the Mayor and Governing Body for further action, as the Governing Body deems appropriate; and

**WHEREAS**, the Committee shall keep the Mayor and the Governing Body informed of its work and shall report to the Governing Body at the Governing Body’s request; and

**WHEREAS**, the Committee shall be comprised of the Borough Administrator / Fund Commissioner; the Borough Clerk / Alternate Fund Commissioner; the Chief Financial Officer; the Human Resources Specialist and the Commissioner of Revenue and Finance and they shall be appointed by the Governing Body and serve, without compensation, at the pleasure of the Governing Body; and

**WHEREAS**, the Committee members will be indemnified for actions that are performed in the good faith performance of their duties.

**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. A “Wildwood Crest Insurance Review Committee” is hereby established in and for the Borough, in accordance with the terms and conditions referenced above.
2. The names of the individuals appointed to the “Wildwood Crest Insurance Review Committee” shall be provided to the Municipal Clerk and remain on file for inspection.
3. A copy of this Resolution shall remain in the office of the 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. 24-251  
RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF  
WILDWOOD CREST AUTHORIZING WAIVING ALL FEES REQUIRED BY  
APPLICATION TO UKRAINIAN CONGRESS COMMITTEE OF AMERICA, INC. ON**

**AUGUST 24, 2024 FROM 1:30 -2:00 PM ON THE BEACH BETWEEN CROCUS AND ASTER ROADS**

**WHEREAS**, UKRAINIAN CONGRESS COMMITTEE OF AMERICA, INC. has made a Special Events Application to hold a brief Ukrainian Independence celebration on August 24, 2024 from 1:30-2:00 pm on the beach between Crocus and Aster roads; and

**WHEREAS**, the Board of Commissioners have agreed to waive all of the fees associated with this Special Events Application.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey, that the fee required by application from the UKRAINIAN CONGRESS COMMITTEE OF AMERICA, INC. for their Ukrainian Independence celebration on August 24, 2024 from 1:30-2:00 pm is hereby waived.

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. 24-252**

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING REFUND OF PROPERTY TAXES OR UTILITIES OVERPAYMENT MADE PAYABLE TO KH NJ VENTURES LLC**

**WHEREAS**, the Tax Collector of the Borough of Wildwood Crest collected from the property owner or it's designee an excess amount on 2024 property taxes and/or utility payments; and

**WHEREAS**, an overpayment was created for the reason listed above, and

**WHEREAS**, the Tax Collector of the Borough of Wildwood Crest has determined the said overpayment should be refunded accordingly as indicated below.

		<b>Amount</b>
68.01-17	KH NJ Ventures LLC	
2024 Taxes	204 East Primrose Road	
	Prior owner overpaid 2024 Q1 taxes	
	Refund overpayment to	
	KH NJ Ventures LLC	1,709.00
	5406 New Jersey Ave, Unit 207	
	Wildwood Crest, NJ 08260	

**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 should mark the records accordingly to reflect said refund as per the meeting on August 21, 2024.

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. 24-253**

**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 71% Totally Disabled Veteran Exemption on June 3, 2024; and

**WHEREAS**, the homeowner became eligible for a Totally Disabled Veteran Exemption on May 28, 2024; and

**WHEREAS**, the property has been granted a 71% exemption from taxes prorated for 211 days, and said exemption has resulted in an overpayment,

<b>Block /Lot Amount</b>	<b>Name</b>
140-4 \$736.84	Mussachio, Albert J and Annette C 8506 New Jersey Avenue 71% Totally Disabled Veteran Exemption granted as of June 3, 2024. 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, the Chief Financial Officer is hereby authorized to execute said refund as soon as practicable and the Tax Collector should mark the records accordingly to reflect said refund as per the meeting on August 21, 2024.

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. 24-254**

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING AWARD OF PROFESSIONAL SERVICES CONTRACT TO CONCORD ENGINEERING FOR CONSTRUCTION MANAGEMENT AND PROFESSIONAL ENGINEERING SERVICES FOR ROOFTOP AIR HANDLING UNIT REPLACEMENT AT CREST PIER AT THE NTE SUM OF \$10,160**

**WHEREAS**, the Board of Commissioners of the Borough of Wildwood Crest has determined that there exists the need for construction management and engineering services to be provided to the Borough of Wildwood Crest for Rooftop Air Handling Unit Replacement for Crest Pier at the NTE sum of \$10,160; and

**WHEREAS**, the Borough Clerk received a proposal from Concord Engineering dated August 2, 2024 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 Concord Engineering and based upon the review criteria, has recommended that the proposal of Concord Engineering best meets the Borough's needs and that Concord Engineering has the professional credentials and abilities to perform the services required to prepare and submit one application for the Rooftop Air Handling Unit Replacement for Crest Pier; and

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

1. Professional services of the type herein sought are of such a nature as to require a high degree to trust and confidence in the individual providing the service and may require the creation of a confidential or fiduciary relationship between that individual and the Borough;
2. The services required are highly specialized or technical in nature;
3. The services require peculiar ability and skill, and demand a high degree of specialized knowledge or expertise;
4. The services are such that their relative worth must be judged by subjective considerations that are not susceptible of valuation by competitive bidding;
5. The individual or entity who will provide these services has demonstrated competence and particular expertise in the services required;
6. The individual or entity who will perform these services is held to and fully adheres to the strict ethical standards that govern the involved profession;
7. The services include advise to and consultation with the municipality that require both knowledge and judgment on the part of the individual or entity providing services, as well as the confidence of the municipal officials, such that competitive bidding is not feasible or practical;
8. The services to be provided are such that their nature, scope and duration are not capable of precise measurement, but rather require a flexibility and discretion that render competitive bidding impractical and inefficient; and

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

**WHEREAS**, the Commissioners of the Borough of Wildwood Crest concur with the Review Committee's recommendation to award the contract to Concord Engineering; and

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

Account Number(s) \_\_\_\_\_ Amount \$10,160.00

Signature \_\_\_\_\_

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

1. The above recital paragraphs are incorporated herein as if set forth at length.
2. That the contract for the specified Services for work in the **PROPOSAL dated August 2, 2024 for Rooftop Air Handling Unit Replacement for Crest Pier** in Wildwood Crest be awarded to Concord Engineering.
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 Concord Engineering, who shall be compensated pursuant to attached Proposal which is incorporated herein, at the billable rates set forth therein not to exceed \$10,160.00.
5. That a Notice of Award shall be published in *The Herald of Cape May County* as required by law within ten (10) days of passage of this Resolution, which notice shall state that this Resolution and the contract are on file and available for public inspection in the office of the Borough Clerk.

Mr. Schiff motions, 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. 24-255  
RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF  
WILDWOOD CREST REVISING THE AUTHORIZATION FOR PARTICIPATION IN  
ALTERNATE ROUTE APPOINTMENTS FOR POLICE OFFICERS**

**WHEREAS**, the Wildwood Crest Police Department intends to utilize the Alternate Route Appointments Program through the Civil Service Commission to hire police officers; and

**WHEREAS**, the Board of Commissioners authorized the Borough of Wildwood Crest Police Department to participate in the Alternate Route Appointment Program by its adoption of Resolution No. 22-266 on August 24, 2022; and

**WHEREAS**, in July 2022 the requirements for the Alternate Route Appointment Program were revised, prompting the Administration to recommend the adoption of the within resolution to incorporate the revised requirements; and

**WHEREAS**, as a condition to hiring a candidate through the Alternate Route Appointment Program, the Borough of Wildwood Crest will certify that the candidate has successfully completed or will complete a full Basic Course for Police Officers training course at a school approved and authorized by the New Jersey Police Training commission; and

**WHEREAS**, the Borough of Wildwood Crest certifies that the appointments through the Alternate Route Appointment Program will comply with all applicable State and Federal law governing Equal Employment Opportunity; and

**WHEREAS**, the Borough of Wildwood Crest has adopted a conflict of interest and nepotism policy; and

**WHEREAS**, the Civil Service Commission requires a Resolution utilizing the Alternate Route Appointments Program.

**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 authorization for the Borough of Wildwood Crest Police Department to participate in the Alternate Route Appointment Program is hereby confirmed, as revised herein.

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. 24-256  
RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF  
WILDWOOD CREST AUTHORIZING EXPENDITURE TO PURCHASE TASERS AND  
SOFTWARE FOR THE POLICE DEPARTMENT UNDER STATE CONTRACT IN THE  
AMOUNT OF \$39,295.90 OVER FIVE YEARS**

**WHEREAS**, pursuant to N.J.S.A 40A:11-12A and N.J.A.C. 5:34-7.29(c), the Borough may, by resolution and without advertising for bids, purchase goods or services under the State of New Jersey Cooperative Purchasing

Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

**WHEREAS**, the Borough of Wildwood Crest is in need of Tasers and Software; and

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

**WHEREAS**, Axon Enterprise Inc. (State Contract # 17-FLEET-00738) 17800 N. 85<sup>th</sup> Street, Scottsdale, AZ 85255 for all Government Non lethal weapons/riot control equipment; and

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

Account Number(s) \_\_\_\_\_ Amount \$9,024.98

Signature \_\_\_\_\_

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Commissioners of the Borough of Wildwood Crest, in the County of Cape May, that the Borough is authorized to fund the expenditure to purchase a Tasers and Software based upon the price quote from Axon Enterprise Inc. (State Contract # 17-FLEET -00738) in an amount not to exceed \$39,295.90; and

Year One (2024) \$9,024.98  
Year Two (2025) \$7,567.73  
Year Three (2026)\$7,567.73  
Year Four (2027) \$7,567.73  
Year Five (2028) \$7,567.73

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. 24-257**

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING AMENDMENT TO THE 2024 MUNICIPAL BUDGET TO ACCOUNT FOR ADDITIONAL FUNDING FROM THE NEW JERSEY URBAN ENTERPRISE ZONE AUTHORITY FOR THE 2024 URBAN ENTERPRISE ZONE PROGRAM GRANT**

**WHEREAS**, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by any public or private funding source and the amount thereof shall not have been determined at the time of the adoption of the budget; and

**WHEREAS**, said Director may also approve the insertion of any item of appropriation for equal amount; and

**WHEREAS**, the Borough of Wildwood Crest received \$ 74,876.00 from the New Jersey Urban Enterprise Zone Authority for the 2024 Urban Enterprise Zone Program Grant and desires to amend its 2024 Municipal Budget to include the difference between the original award of \$72,422.00 in the amount of \$2,454.00 as revenue.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey, does hereby request the Director of the Division of Local Government services to approve the insertion of an item of revenue in the municipal budget of the Borough of Wildwood Crest for the year 2024 in the sum of \$ 2,454.00 which is now available as a revenue from:

Miscellaneous Revenues  
Special Items of General Revenue Anticipated with  
Prior Written Consent of the Director of the Division  
of Local Government Services - Public and Private  
Revenues Offset with Appropriations:  
New Jersey Urban Enterprise Zone Authority:  
2024 Urban Enterprise Zone Program  
Grant \$ .....2,454.00

**BE IT FURTHER RESOLVED** that a like sum of \$ 2,454.00 be and the same is hereby appropriated under the caption of:

**GENERAL APPROPRIATIONS**

- (a) Operations Excluded from Caps  
Public and Private Programs Offset by Revenues:  
New Jersey Urban Enterprise Zone Authority:  
2024 Urban Enterprise Zone Program Grant

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

Mr. Schiff motions, 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. 24-258**

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING AWARD OF PROFESSIONAL SERVICES CONTRACT WITH SCOTT TAYLOR OF TAYLOR DESIGN GROUP, INC. FOR FINAL DESIGN PHASE FEE SERVICES (TASKS 2.0-2.3 AND 3.0) FOR NEW JERSEY AVENUE STREETScape AT NTE SUM OF \$123,775**

**WHEREAS**, there exists the need for “Professional Services” for Professional Planner for **FINAL DESIGN PHASE FEE SERVICES (TASKS 2.0-2.3 AND 3.0)** for New Jersey Avenue Streetscape, 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**, under the Local Public Contracts Law, N.J.S.A. 40A:11-1, et. seq., the subject contract would be a contract for professional services because:

1. Professional services of the type herein sought are of such a nature as to require a high degree to trust and confidence in the individual providing the service and may require the creation of a confidential or fiduciary relationship between that individual and the Borough;
2. The services required are highly specialized or technical in nature;
3. The services require peculiar ability and skill, and demand a high degree of specialized knowledge or expertise;
4. The services are such that their relative worth must be judged by subjective considerations that are not susceptible of valuation by competitive bidding;
5. The individual or entity who will provide these services has demonstrated competence and particular expertise in the services required;
6. The individual or entity who will perform these services is held to and fully adheres to the strict ethical standards that govern the involved profession;
7. The services include advise to and consultation with the municipality that require both knowledge and judgment on the part of the individual or entity providing services, as well as the confidence of the municipal officials, such that competitive bidding is not feasible or practical;
8. The services to be provided are such that their nature, scope and duration are not capable of precise measurement, but rather require a flexibility and discretion that render competitive bidding impractical and inefficient; and

**WHEREAS**, Scott Taylor, LLA, AICP, PP, LEEP, AP and Vice President of Taylor Design Group, and Taylor Design Group, is experienced and capable of providing the necessary planning for **FINAL DESIGN PHASE FEE SERVICES (TASKS 2.0-2.3 AND 3.0)** for New Jersey Avenue Streetscape in the Borough of Wildwood Crest and has submitted all required documents:

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

Account Number(s) \_\_\_\_\_ Amount \_\_\_\_\_

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 are hereby authorized and empowered to execute the attached agreement effective immediately through August 20, 2025, Taylor Design Group and Scott Taylor, Vice President of Taylor Design Group, who shall be compensated pursuant to attached proposal, but in no case shall the compensation exceed One Hundred Twenty-Three Thousand Seven Hundred Seventy Five (\$123,775.00) Dollars.

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.

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

**REPORTS:** Mr. Franco motions, and Mr. Schiff seconded that all reports received from the Court Administrator, Chief Financial Officer, Tax Collector, Chief of Police, Supervisor of the Recreation Department, Construction Official, Emergency Services Coordinator for the EMS and the Wildwood Crest Volunteer Fire Company for the month ending July 31, 2024 be accepted as presented.

Vote: Schiff - Franco – Cabrera – YES

**MINUTES:** Mr. Franco motions, and Mr. Schiff seconded that all minutes from the regularly scheduled meetings dated July 25, 2024 and August 7, 2024 be approved as presented.

Vote: Schiff - Franco – Cabrera – YES

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

#### **Capital Projects**

1. **FY 2023 NJDOT Municipal Aid Program – Reconstruction of Orchid Road**
  - The Borough has been allotted a \$170,085.00 grant from the NJDOT.
  - The contractor has completed all the work, and the project is in the closeout phase.
2. **Beach Patrol Headquarter Renovations-Readvertised**
  - The project was re-advertised for public bid on March 1, 2023 and the apparent low bidder was Straga Brothers in the amount of \$2,054,334.00 for the Base Bid plus Alternate Bid 1 and Alternate Bid 2.
  - The project is near completion and a Temporary Certificate of Occupancy.
3. **Bayside Bulkhead Replacement and Flood Mitigation Improvements**
  - The NJDEP permits for the bulkhead replacements have been obtained.
  - The project is scheduled to be advertised for public bid on July 31, 2024 and the bid opening is scheduled for August 28, 2024.
4. **FY2023 NJDCA Small Cities Program-Municipal Building Bathroom Improvements**
  - The project is in the design phase and construction is scheduled for Fall, 2024.
5. **FY 2024 NJDOT Municipal Aid Program-Reconstruction of Toledo Avenue**
  - The survey and base mapping are complete, and the project is in the design phase.
  - The project is scheduled for public bidding in October, 2024.

#### **Grant Applications**

1. **FEMA Flood Mitigation Assistance (BRIC) & (HMA)**
  - The Borough is proposing to submit to FEMA BRIC for two (2) bayside storm sewer pump stations and associated storm sewer improvements in the northwest section of the Borough.
  - The Borough is proposing to submit to FEMA HMA for the Washington Avenue storm sewer improvements as outlined in the recently completed study.

- Grant applications are due by February 2024.
2. FY 2024 NJDCA Boardwalk Preservation Fund
    - The Borough has selected to submit the Reconstruction of the Heather Road fishing pier.
    - The grant application requests \$3,600,000.00 for the replacement and extension of the fishing pier including ADA accessible walkways, fishing nodes and pavilion.
    - The Borough was notified by NJDCA that a \$1,087,425.00 grant was allocated for the project.
  3. Federal Funding Grant Opportunity-Congressman Van Drew
    - Our office has been in contact with Congressman Jeff Van Drew's office to discuss federal funding opportunities for Borough capital projects.
    - On December 28, 2023, our office submitted a funding request for bayside flood mitigation improvements.
    - On March 12<sup>th</sup>, our office and the Borough met with representatives of Congressman Van Drew's office and were informed that the project was selected for special funding consideration.
  4. NJDOT Local Transportation Project Fund
    - On a rolling basis, the NJDOT is accepting grant applications for bikeway, pedestrian and roadway improvement projects.
    - Our office has been authorized by the Borough to submit the Reconstruction of Stockton Road as the grant application.
    - The grant application was submitted on April 2, 2024.
    - Our office received notification from the NJDOT that this grant application has not been approved.
  5. FY2025 NJDOT Municipal Aid Program
    - The NJDOT is accepting grant applications for Bikeway, Pedestrian and Roadway Improvement Projects. The application deadline is July 1, 2024.
    - Our office has been authorized by the Borough to submit the Reconstruction of Stockton Road as the grant application.
    - The grant application was submitted on May 28, 2024.
  6. FY2024 NJDCA Small Cities Program – Crest Pier Bathroom Improvements
    - The Borough was notified that a \$400,000.00 grant was allocated by the New Jersey Department of Community Affairs for Crest Pier ADA Bathroom Improvements.
  7. NJ IBank – Sanitary Sewer and Roadway Improvements
    - Pursuant to our conversations with the New Jersey Infrastructure Bank, the Borough is eligible for a \$2,000,000.00 principal forgiveness grant.
    - A preplanning-application meeting is scheduled for September 5<sup>th</sup> at 1:45 PM.

The Mayor reminded everyone that the CFO and Engineer previously gave a brief presentation on using I-Bank and the Engineer indicated that Park Blvd could possibly qualify and raising the roadway.

**Report from William Cripps:**

EMS: Total Calls: 165  
 Patients transported to hospital: 67  
 Patients refused treatment: 32  
 Mutual Aid Given: 15; Mutual Aid Received: 1

**WC Volunteer Fire Company rundown given by Chief Cortese:**

<b>Fires</b> (Including building fires, cooking fires, rubbish/Mulch, vehicles fires)	<b>4</b>
<b>Over Pressure Rapture, Explosion, Overheated</b> (No fire)	<b>0</b>
<b>Rescue/EMS</b> (MVA's, medical assists, elevator entrapments, water rescues)	<b>11</b>
<b>Hazardous Conditions</b>	<b>7</b>

(gas leaks, electrical hazards, aircraft stand-by (No Fire))	
<b>Service Calls</b> (animal rescues, assist police department, public assists)	<b>5</b>
<b>Good Intent Calls</b> (smoke scares, odor of smoke, investigations with no incident)	<b>1</b>
<b>False Alarm &amp; False Calls</b> (malfunctioning alarm systems, malicious alarms, unintentional)	<b>23</b>
<b>Severe Weather, Natural Disaster, Lightning Strike (No Fire)</b>	<b>1</b>
<b>Total Runs</b>	<b>52</b>

**Report from Chief Lloyd:**

**Calls for Service: 3,258**

**Criminal Investigations: 389**

**Service Calls: 625**

**Traffic: 1,345**

**Arrests: 43**

**WCBP REPORT 8/21/2024 (COMMISSIONER MONTHLY MEETING) – Sr. Lt. Bick Murphy**

- LAST LIFEGUARDING DAY IS SUNDAY, SEPT 8
- EMERGENCY RESPONSE TEAMS WILL BE AVAILABLE ON THE WEEK-ENDS OF SEPT 14-15 AND SEPT 21-22 FROM 10AM-5PM
- DUE TO LIMITED AVAILABLE STAFF, ONLY SIX BEACHES WILL BE PROTECTED BY LIFEGUARDS THE FOUR DAYS AFTER LABOR DAY FROM TUESDAY SEPT 3-FRIDAY SEPT 6. THOSE BEACHES INCLUDE LAVENDER, COLUMBINE, PRIMROSE, NASHVILLE, SYRACUSE AND TRENTON
- 103<sup>rd</sup> ANNUAL LG BALL AND AWARDS CEREMONY WAS HELD AT ICONA IN DIAMOND BEACH ON MONDAY, AUGUST 12<sup>TH</sup>
- JRLG AND FUTURES PROGRAMS HAD 187 REGISTERED PARTICIPANTS THIS SEASON. LAST CLASS WAS HELD AT MOREY’S WATER PARK ON JULY 25<sup>TH</sup>
- WCBP HAD ANOTHER SUCCESSFUL LIFEGUARD RACING SEASON THIS SUMMER. THE MEN AND WOMEN OF THE BEACH PATROL COMPETED IN 16 OUT OF TOWN RACING EVENTS IN SOUTH JERSEY FROM BRIGANTINE TO CAPE MAY POINT.
- WCBP WILL HAVE TWO BOATS ENTERED IN THE ANNUAL “AROUND THE ISLAND ROW” SPONSORED BY THE NWBP ON TUESDAY, AUGUST 20<sup>TH</sup>.
- CALL BEACH PATROL HQ AT 609-522-3825 FOR INFORMATION, QUESTIONS OR CONCERNS

**ADMINISTRATOR’S REPORT:**

**Hereford Inlet to Cape May Inlet Beach and Dune Construction**

DeBlasio and Associates has completed the surveying work on the beach parcels as required by our State Aid Agreement. We will be reimbursed for this work through the DCA and HUD. According to Coastal Engineering, construction of this Army Corps project is still expected to commence in 2025. The Mayor, Engineer and I will be meeting with representatives of Coastal Engineering and USACE to discuss the impact of this project on our fishing pier this week or next.

**New Jersey Avenue**

Planning work is ongoing in advance of the county’s roadway diet project. This project will be bid as one project with the Crest being responsible for lighting, parking lots, landscaping, and beautification upgrades. It is expected to commence with sewer infrastructure improvements in early 2025 and continue through 2026. The Taylor Design Group was awarded a professional services contract this evening to complete final drawings while Triad is completing the informational piece for the public.

**Sunset Lake- State Channel Dredging**

I spoke to NJDOT’s Office of Maritime Resources last week regarding their Wildwood Channel Complex maintenance dredging project. Due to an impending change in personnel at NJDOT we will be holding a transition meeting in the next week or two to ensure a smooth transition and keep this project on target.

**CAFRA Applications**

We have satisfied all information requests from DEP to date and are still awaiting word on the outcome of our ADR meeting a few months ago. Updates are requested bi-weekly.

### **Bayside Pump Station Flood Mitigation Project**

Bids will be received by the Bid Opening Committee on Wednesday, August 28, 2024 at 11:00 am.

### **Washington Avenue Flood Mitigation Project**

We applied to FEMA for a Flood Mitigation (FMA) grant for this area. This area was previously the subject of a study. The recommendations from that study made for the basis of mitigation efforts incorporated into this application. We are eagerly anticipating word on this grant.

### **FY2023 DCA-Small Cities ADA Grant**

We are currently awaiting final design drawings and a bid schedule for the renovations of municipal building bathrooms on the first and second floor to make them handicapped accessible. Another walkthrough was held on August 16<sup>th</sup> to ensure that the plans are correct. As previously reported, we received a FY2023 DCA Small Cities Grant in the amount of \$342,720.

### **CMC Local Road Safety Plan (LSRP)**

The County's draft plan is available on the SJTPO's webpage.

Several meetings have been held with Collier's Engineering in order to prepare a grant application for a Safe Streets for All federal grant. This application is due on August 29<sup>th</sup>. I requested that Collier's Engineering provide a draft for your review prior to tonight.

### **Middle Thorofare Bridge Closure**

Temporary repairs have been made to the Middle Thorofare Bridge which was reopened last evening. Although it may take a little longer to open and close the bridge, traffic is now flowing. For the public's information, we worked closely with Lower Township's officials to ensure the public's safety. Contingency plans were in place during the closure.

### **CORRESPONDENCE:**

-5900 New Jersey Avenue- The Mayor gave a brief background on the property that the borough purchased about five years ago. It is a vacant home and Public Works maintains the lawns, but the property is showing signs of wear. There are no firm decisions on what to do with the property (keep as is, demo for parking lot, sell it) and it will be placed under Old Business.

### **DISCUSSION:**

#### **NEW BUSINESS:**

##### **-Police Composition – Possible Ordinance Amendment –**

The Mayor gave an overview of the proposed need for the ordinance amendment. The police will replace the 7 Class II seasonal workers with 3 FT officers and use a "Power Shift" and that they will have added duties. The Class II program is no longer a sustainable and there won't be added OT. The Chief added that Class II problem is both countywide and statewide. The hourly rate of a Class II has increased more over four years than the past 20 years and the number of candidates has gone down. This will now allow for more highly trained officers. The mayor added that the police are under scrutiny and that we must keep our resort community safe. The governing body agreed to introduce the ordinance at the next meeting in September.

**-Junior Firefighter Auxiliary-**The mayor indicated that the WC Volunteer Fire Co #1 wants to start this program and the borough must pass a resolution for insurance coverage. There will be a resolution ready at the next meeting and the Solicitor and Fire Chief Cortese are fine tuning the Standard Operating Guidelines. The Chief indicated that two members interested so far.

**-Street Lights-** Comm. Franco had some questions regarding how electric poles are reported and if we are keeping an active roster and following up when they are reported. The ACE website has a user-friendly webpage for reporting and it is time stamped and shows the location. In order for a more streamlined process, the mayor asked for the police to keep an active roster with following up and the Chief indicated they would.

#### **OLD BUSINESS:**

**-Rental Occupancy Issues:** The Solicitor is working with department heads to amend the ordinance.

**-Lightning Detection System:** There is a quote and the governing body needs to weigh in on it and discuss with the budget.

**-Artificial Grass – PB review:** The PB is not interested in amending the ordinance with respect to "artificial grass" and are looking at cleaning up the landscaping ordinance and lot coverage, etc.

**-UEZ 5 Year Plan:** This is being discussed with Wildwood and developed with Triad Associates and due at end of September.

**-250<sup>th</sup> birthday committee-** Volunteers are needed; Mike Marino expressed interest.

**-WC Municipal App-** This is a 2025 item.

**-Old Tourism building use – 2025-** This is a 2025 item.

**-Historical museum - 2025 –** This is a 2025 item.

**-Proposed Amendment to Ord. 1432 – Ch. 79 – Time Limit Parking –** The Mayor indicated the Chief and the Solicitor were working on this along with parking on New Jersey Avenue.

**-Concession agreement hotel zone / beach chairs –** hold.

**-Traffic Calming –** The Administrator touched on in her report and several areas are: Park Blvd from Cresce to New Jersey as well as the intersections of Sweet Briar Road / Park Blvd and Ocean Avenue / Myrtle Road.

- Back Beach Excavation:** There is an upcoming meeting with USACE.
- Dredging:** The Administrator touched on and Scott Douglass is retiring so they need to meet to transition to the replacement.
- NJ Avenue infrastructure pre-county:** This should commence in 2026 and will be budgeted.
- PW roof:** Met with COOP manager and Engineer (Czar) and are looking to potentially start right after Labor Day.
- Bayside outfalls and capacity / bulkhead repairs / replacement:** Bid opening is August 28, 2024 at 11:00 a.m. with a robust interest being shown.
- Washington / Seaview – beach outfalls and capacity:** The Mayor indicated that we are awaiting word from Jim Rutala.

**PUBLIC COMMENTS:**

Mike Marino had several questions about the potential increase for the number of F/T officers ranging from the driving need, cost per employee, additional equipment / vehicles /guns, etc., the cost to the taxpayers for the salary/benefits, retirement costs, etc. The Mayor asked that Mr. Marino meet with the CFO and the Chief to go over the costs. The chief indicated that additional vehicles are not needed and the officers will start out at the lowest step in the salary guide and they recruit at the local colleges.

Commissioner Comments:

Mr. Franco – n/a

Mr. Schiff – n/a

Mayor Cabrera – Labor Day will be here in the next two weeks and he thanked everyone for coming to the meeting and thanked the staff for their hard work. A special shout out to Cape May County Bridge Commission and Kevin Lare from the county for getting the Middle Thorofare bridge open.

There being nothing further, Mr, Schiff motioned and Mr. Franco seconded that the meeting be adjourned. The time was 6:09 p.m.

Dated: September 18, 2024

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Patricia A. Feketics, Borough Clerk

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