

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

July 9, 2025

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 of Atlantic City on October 15, 2024.

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

Mr. Franco motioned and Mr. Schiff seconded that Ordinance No. 1462 be placed on second reading and final passage by title only.

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING ORDINANCE BY TITLE:

ORDINANCE NO. 1462

**ORDINANCE OF THE BOROUGH OF WILDWOOD CREST
REPEALING ARTICLE I PUBLIC CONDUCT, SECTION 48-12
THROUGH SECTION 48-12.4 OF CHAPTER 48 PEACE AND GOOD
ORDER**

Mr. Franco motioned and Mr. Schiff seconded that a public hearing be held on Ordinance No. 1462.

Vote: Schiff - Franco – Cabrera – YES

Joyce Gould asked for clarification on what part was being repealed and the Solicitor indicated the reason for the repeal was the NJ Legislature and Gov. Murphy repealed the statute that authorized the prohibition of possession and consumption of alcohol by minors on public property and the borough could no longer enforce the local ordinance and therefore needed to clean up the language to align with state statutes.

After hearing nothing further from the public, Mr. Franco motioned and Mr. Schiff seconded that a public hearing now be closed on Ordinance No. 1462.

Vote: Schiff - Franco – Cabrera – YES

Mr. Franco motioned and Mr. Schiff seconded that Ordinance No. 1462 be passed on second and final reading and advertised by law.

Vote: Schiff - Franco – Cabrera – YES

Mr. Franco motioned and Mr. Schiff seconded that Ordinance No. 1463 be placed on second reading and final passage by title only.

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING ORDINANCE BY TITLE:

ORDINANCE NO. 1463

**BOND ORDINANCE PROVIDING FOR THE
ACQUISITION OF LANDS (201 WEST PITTSBURG
AVENUE) IN AND BY THE BOROUGH OF WILDWOOD
CREST, IN THE COUNTY OF CAPE MAY, NEW JERSEY,
APPROPRIATING \$775,000 THEREFOR AND
AUTHORIZING THE ISSUANCE OF \$738,000 BONDS OR
NOTES OF THE BOROUGH FOR FINANCING SUCH
APPROPRIATION.**

Mr. Franco motioned and Mr. Schiff seconded that a public hearing be held on Ordinance No. 1463.

Vote: Schiff - Franco – Cabrera – YES

David Thompson asked about the purpose of the acquisition and the Mayor added it is for the odd shaped parcel adjacent to the pool and the borough was selling 5900 New Jersey and the Planning Board planners indicated the parking schematic for New Jersey Avenue is sufficient and with the new road diet, there are additional parking spots.

After hearing nothing from the public, Mr. Franco motioned and Mr. Schiff seconded that a public hearing now be closed on Ordinance No. 1463.

Vote: Schiff - Franco – Cabrera – YES

Mr. Franco motioned and Mr. Schiff seconded that Ordinance No. 1463 be passed on second and final reading and advertised by law.

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 25-218

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST APPROVING A SETTLEMENT AGREEMENT WITH THE COMPLAINANT IN THE GOVERNMENTAL RECORDS COUNCIL COMPLAINT ROTIMI OWOH, ESQ. (O/B/O AFRICAN AMERICAN DATA & RESEARCH INSTITUTE & BAFFI OBAFEMI) V. BOROUGH OF WILDWOOD CREST -GRC COMPLAINT NO. 2022-197

WHEREAS, the Borough of Wildwood Crest is the respondent in the Government Records Council complaint entitled Rotimi Owoh, Esq. (o/b/o/ African American Data & Research Institute & Baffi Obafemi) v. Borough of Wildwood Crest under GRC Complaint No. 2022-197 (the “Complaint”); and

WHEREAS, the Board of Commissioners, based upon the recommendation by its Solicitor, Ronald J. Gelzunas, Esquire, has determined to settle the Complaint in accordance with the terms and conditions of the FINAL DECISION attached hereto as Exhibit “A” (the “Final Decision”); which settlement is in the best interest of the Borough.

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 decision to settle the Complaint in the amount of \$2,000.00 payable to Rotimi Owoh, Esq. is hereby memorialized and approved.

BE IT FURTHER RESOLEVED, that the Chief Financial Officer is hereby authorized to make the payment in the amount of \$2,000.00 to Rotimi Owoh, Esq. and the Borough Solicitor is further authorized to take any and all other necessary action and to execute such documents so as to effectuate the settle of the Complaint.

**EXHIBIT “A”
Final Decision**

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. 25-219

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING ABATEMENT OF FEE TO BIG TIME VENDING FOR LOSS OF REVENUES IN THE AMOUNT OF \$3,000 RESULTING FROM LOSS OF CONCESSION AREAS IN 2024 AND 2025

WHEREAS, the Borough of Wildwood Crest requested Big Time Vending remove three vending machines near the Beach Patrol Headquarters for the summer of 2023 due to construction and renovations; and

WHEREAS, Big Time Vending received an abatement in 2024 for loss of revenue in 2023 in the amount of \$1,600.00; and

WHEREAS, the three machines have not been able to be placed back at the Wildwood Crest Beach Patrol Headquarters; and

WHEREAS, the Borough recognizes the financial impact of the ongoing renovations and therefore is desirous of authorizing an abatement in the amount of \$3,000 to Big Time Vending for loss of revenues for 2024 and 2025.

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 abatement for loss of revenues in the amount of \$3,000 is authorized to Big Time Vending.

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. 25-220

EXTRACT from the minutes of a regular meeting of the Board of Commissioners of the Borough of Wildwood Crest, in the County of Cape May, New Jersey, held at the Municipal Building, 6101 Pacific Avenue, Wildwood Crest, New Jersey, on July 9, 2025.

PRESENT: SCHIFF – FRANCO- CABERA

ABSENT:NONE

* * *

SCHIFF introduced and moved the adoption of the following resolution and **FRANCO** seconded the motion:

RESOLUTION AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$12,000,000 BOND ANTICIPATION NOTES OF THE BOROUGH OF WILDWOOD CREST, IN THE COUNTY OF CAPE MAY, NEW JERSEY.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST, IN THE COUNTY OF CAPE MAY, NEW JERSEY, AS FOLLOWS:

Section 1. Pursuant to a bond ordinance of the Borough of Wildwood Crest, in the County of Cape May (the “Borough”), entitled: “Bond ordinance appropriating \$4,500,000 and authorizing the issuance of \$4,275,000 bonds or notes of the Borough for various improvements or purposes authorized to be undertaken by the Borough of Wildwood Crest, in the County of Cape May, New Jersey”, finally adopted on November 1, 2023 (#1411), bond anticipation notes of the Borough in a principal amount not exceeding \$4,000,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor, and any action heretofore had or taken with respect to said notes is hereby approved, ratified and confirmed.

Pursuant to a bond ordinance of the Borough entitled: “Bond ordinance appropriating \$8,000,000, and authorizing the issuance of \$7,558,070 bonds or notes of the Borough, for various improvements or purposes authorized to be undertaken by the Borough of Wildwood Crest, in the County of Cape May, New Jersey”, finally adopted on April 24, 2024 (#1430), bond anticipation notes of the Borough in a principal amount not exceeding \$7,500,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor, and any action heretofore had or taken with respect to said notes is hereby approved, ratified and confirmed.

Pursuant to a bond ordinance of the Borough entitled: “Bond ordinance providing for the acquisition of new equipment by the Borough of Wildwood Crest, in the County of Cape May, New Jersey, appropriating \$700,000 therefor and authorizing the issuance of \$665,000 bonds or notes of the Borough for financing such appropriation”, finally adopted on August 7, 2024 (#1435), bond anticipation notes of the Borough in a principal amount not exceeding \$500,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any

bond anticipation notes heretofore issued therefor, and any action heretofore had or taken with respect to said notes is hereby approved, ratified and confirmed.

All bond anticipation notes (the “notes”) issued hereunder shall mature at such times as may be determined by the treasurer, the chief financial officer or the acting chief financial officer of the Borough (the “Chief Financial Officer”), provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer and shall be signed and sealed by officials and officers of the Borough in any manner permitted by N.J.S.A. §40A:2-25. The Chief Financial Officer shall determine all matters in connection with the notes issued hereunder, and the Chief Financial Officer’s signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. §40A:2-8. The Chief Financial Officer is hereby authorized to sell part or all of the notes at not less than par from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price. The Chief Financial Officer is directed to report in writing to the governing body of the Borough at the meeting next succeeding the date when any sale or delivery of the notes hereunder is made. Such report must include the principal amount, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.

Any note issued pursuant to this resolution shall be a general obligation of the Borough, and the Borough’s faith and credit are hereby pledged to the punctual payment of the principal of and interest on the notes and, unless otherwise paid or payment provided for, an amount sufficient for such payment shall be inserted in the budget and a tax sufficient to provide for the payment thereof shall be levied and collected.

The Chief Financial Officer is hereby authorized and directed to do all other matters necessary, useful, convenient or desirable to accomplish the delivery of the notes to the purchasers thereof as promptly as possible, including (i) the preparation, execution and dissemination of a Preliminary Official Statement and Final Official Statement with respect to the notes, (ii) the preparation, distribution and publication, if necessary, of a Notice of Sale with respect to the notes, (iii) the execution of a Continuing Disclosure Undertaking, with respect to the notes in accordance with Rule 15c2-12 promulgated by the Securities and Exchange Commission, (iv) the execution of an arbitrage and use of proceeds certificate certifying that, among other things, the Borough, to the extent it is empowered and allowed under applicable law, will do and perform all acts and things necessary or desirable to assure that interest paid on the notes is not included in gross income under Section 103 of the Internal Revenue Code of 1986, as amended, and (v) the application to a credit rating agency for a rating on the notes.

All action heretofore taken by officials and professionals of the Borough with regard to the sale and award of the notes is hereby ratified, confirmed, adopted and approved.

This resolution shall take effect immediately.

Upon motion of **SCHIFF**, seconded by **FRANCO**, the foregoing resolution was adopted by the following vote:

AYES: SCHIFF – FRANCO - CABRERA
NOES: NONE

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. 25-221

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST CANCELING ERRONEOUS 2025 SEWER RENTS IN THE AMOUNT OF \$124.00 AND REFUNDING PAYMENTS OF \$62.16 FOR PROPERTY LOCATED AT 117 EAST SYRACUSE AVENUE

WHEREAS, it has been determined by the Tax Collector of the Borough of Wildwood Crest, that a sewer account has been billed erroneous sewer rents for 2025; and

WHEREAS, sewer account 2234-0, at 117 East Syracuse Avenue had no water meter installed for the year 2024, the sewer rents levied in 2025 should be canceled; and

WHEREAS, the owner of 117 East Syracuse Avenue paid \$62.16 for 2025 first and second quarter sewer payments; and

WHEREAS, the Tax Collector of the Borough of Wildwood Crest has determined the said erroneous sewer rents should be canceled and refunded accordingly as indicated below.

Block/Lot Sewer ID#	Name	Amount
136/8 2234-0	Tom Clancy Development Group LLC 117 East Syracuse Avenue 2025 Sewer Rents	\$62.16

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. 25-222

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING BOROUGH ENGINEER WORK ORDER FOR SUNSET LAKE PARK SURVEY (TASKS 1-3) AT THE NTE SUM OF \$7,500

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest desires to authorize issuance of a Work Order to the Borough Engineer, Marc DeBlasio and the Firm of DeBlasio & Associates for the **SUNSET LAKE PARK SURVEY (TASKS 1-3)** for engineering costs which are more specifically set forth in the attached Proposal from Marc DeBlasio and the Firm of DeBlasio & Associates, dated **June 27, 2025** which is made a part hereof by reference as if fully set forth at the billable rates set forth in the professional services agreement between Marc DeBlasio and Borough not to exceed **\$7,500.00**; 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, in the County of Cape May, New Jersey, as follows:

1. The above recital paragraphs are incorporated herein as if set forth at length.
2. The Mayor and Borough Clerk are hereby authorized and empowered to execute the attached Work Order authorizing MARC DEBLASIO and DEBLASIO & ASSOCIATES to perform the professional engineering costs as described in the Proposal which is hereby approved, at the billable rates set forth in the professional services agreement between Marc DeBlasio and Borough not to exceed **\$7,500.00**.

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. 25-223

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING A MASTER LICENSE AGREEMENT WITH CROWN CASTLE FIBER, LLC FOR THE PLACEMENT OF WIRELESS COMMUNICATIONS FACILITIES IN THE PUBLIC RIGHTS-OF-WAY

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest adopted Ordinance No. 1305 Amending and Supplementing Chapter 85 of the Borough of Wildwood Crest Land Use Ordinance to Regulate Wireless Communication Facilities in the Public Rights-of-Way on June 19, 2019; and

WHEREAS, Ordinance No. 1305 requires, among other conditions and requirements, a Master License Agreement with the Borough for use of the Public Rights-of-Way for the placement of wireless communication facilities; and

WHEREAS, Crown Castle Fiber, LLC desires to enter a Master License Agreement in the form attached hereto as **EXHIBIT “A”**, with the Borough of Wildwood Crest to utilize the Public Rights-of-Way for the installation of wireless communications facilities; and

WHEREAS, pursuant to 47 U.S.C. §253(a) and (c), of the Federal Telecommunications Act which preserves a local municipality’s ability to “manage the public rights-of-way” and to control and regulate the “placement, construction and modification of personal wireless service facilities;” and

WHEREAS, consent is required from New Jersey municipalities for the placement of small cell equipment and wireless cabinets in the public rights-of-way pursuant to N.J.S.A. §48:3-19, and for the erection of wireless poles within the public rights-of-way pursuant to N.J.S.A. §48:17-10; and

WHEREAS, the Board of Commissioners desires to approve the Master License Agreement and grant its consent pursuant to the above referenced authority, and further subject to all of the terms and conditions of this Resolution, the Master License Agreement and Ordinance No. 1460, which are incorporated herein.

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. That the Mayor and Borough Clerk are hereby authorized and empowered to execute the attached Master License Agreement with **Crown Castle Fiber, LLC** for the purposes set forth therein.
3. The Master License Agreement and the consent granted herein, is further contingent upon compliance with all terms and conditions of Ordinance No. 1305, and compliance with the terms and conditions set forth in the Master License Agreement.

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. 25-224
RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING RESOLUTION NO. 25-168 TO BE RESCINDED IN TOTALITY

WHEREAS, on May 14, 2025, the Board of Commissioners of the Borough of Wildwood Crest adopted Resolution No. 25-168, which authorized Expenditure to Purchase SECURITY BARRICADES WITH FORK SLOTS under Somerset County Cooperative Purchasing Program in the amount of \$64,732.40; and

WHEREAS, Resolution No. 25-168 authorized a Purchase Order to National Highway Products (Contract # CC-0099-24) 301 Riverside Drive, Building D, Millville, NJ 08332; and

WHEREAS, the Borough of Wildwood Crest decided that the barricades are not needed.

Mr. Schiff motions, and Mr. Franco seconds that the foregoing resolution be adopted.
Prior to the vote, Commissioner Franco inquired about the previous quote upwards of \$300k and that Centennial Park would remain as is for 2025 and to move the topic to Old Business. Commissioner Franco added that the Recreation Department should also weigh in.
Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 25-225
RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING COMPLIANCE WITH THE ANNUAL AUDIT REQUIREMENTS AND DIRECTING MEMBERS OF THE GOVERNING BODY TO EXECUTE THE GROUP AFFIDAVIT IN ACCORDANCE THEREWITH

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts, and financial transactions; and

WHEREAS, the Annual Report of Audit for the year 2024 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled:

GENERAL COMMENTS

RECOMMENDATIONS

and

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

GENERAL COMMENTS

RECOMMENDATIONS

as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the governing body no later than forty-five (45) days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5, as per the regulations of the Local Finance Board; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52 – “A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand (\$1,000.00) dollars or imprisoned for not more than one year, or both, in addition shall forfeit his office.”

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to demonstrate evidence of said compliance.

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. 25-226

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST CANCELING ERRONEOUS 2025 SEWER RENTS IN THE AMOUNT OF \$124.00 FOR PROPERTY LOCATED AT 103-105 WEST ASTER ROAD

WHEREAS, it has been determined by the Tax Collector of the Borough of Wildwood Crest, that a sewer account has been billed erroneous sewer rents for 2025; and

WHEREAS, sewer account 581-0, at 103-105 West Aster Road had no water meter installed for the year 2024, the sewer rents levied in 2025 should be canceled; and

WHEREAS, the Tax Collector of the Borough of Wildwood Crest has determined the said erroneous sewer rents should be canceled accordingly as indicated below:

Block / Lot Sewer ID#	Name	Amount
28-3 581-0	105 W Aster LLC and EC Pro Build LLC 103-105 West Aster Road 2025 Sewer Rents	\$124.00

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, State of New Jersey, hereby authorize the Tax Collector of the Borough of Wildwood Crest to cancel said sewer amounts for 2025.

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. 25-227

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING REFUND FOR PIER PLAYMATES CAMP FEE FOR \$500.00 FOR 2025

WHEREAS, Deb Lowry enrolled her child in the First Session of Pier Playmates day camp for the 2025 season; and

WHEREAS, Deb Lowry submitted payment in the amount of \$500.00 for Session 1 via Check #144; and

WHEREAS, Deb Lowry has indicated that there is a family emergency and is not able to attend Session 1 and has requested the \$500.00 for Session 1 as he cannot attend camp.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, State of New Jersey, that the Chief Financial Officer is hereby authorized to execute said refund in the amount of \$500.00 to: Deb Lowry, 34 Colonial Avenue, C.M.C.H., NJ 08210

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. 25-228

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING AN INCREASE IN THE BID THRESHOLD PURSUANT TO N.J.S.A. 40A:11-3(c)

WHEREAS, the recent changes to the Local Public Contracts Law have given local contracting units the ability to increase their bid thresholds up to \$53,000.00 effective July 1, 2025; and

WHEREAS, N.J.S.A. 40A:11-3(a) and N.J.S.A. 40A-9(b), permit an increase in the bid threshold if a Qualified Purchasing Agent is appointed as well grant the authorization to negotiate and award such contracts below the established bid threshold; and

WHEREAS, N.J.A.C. 5:34-5 es seq. establishes the criteria for a Qualified Purchasing Agent; and

WHEREAS, Robert Osborn possesses the designation of Qualified Purchasing Agent as issued by the Director of the Division of Local Government Services in accordance with N.J.A.C. 5:34-5 et seq; and

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest desires to increase the bid and quotation thresholds as adjusted on July 1, 2025 by Governor Philip D. Murphy pursuant to Local Public Finance Notice #2025-8 dated July 1, 2025.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, State of New Jersey hereby increases its bid threshold to \$53,000.00.

BE IT FURTHER RESOLVED, that in accordance with N.J.A.C. 5:34-5.4, the Borough Clerk of the Borough of Wildwood Crest is hereby authorized and directed to forward a certified copy of this Resolution and a copy of Robert Osborn's certification to the Director of Local Government Services.

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. 25-229

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING CONTRACTS WITH CERTAIN APPROVED STATE AND NATIONAL CONTRACT VENDORS FOR CY2025

WHEREAS, the Borough of Wildwood Crest, pursuant to N.J.S.A. 40A:11-12(a) and N.J.A.C. 5:34-7.29(c), may by Resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any 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 has the need, on a timely basis, to purchase goods or

services utilizing New Jersey State and National Contract vendors; and

WHEREAS, the Borough of Wildwood Crest may enter into contractual agreements with the attached referenced State and National Contract Vendors through this Resolution and properly executed contracts/purchase orders, which shall be subject to all the conditions applicable to the current New Jersey Local Public State Contracts Law.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of the Borough of Wildwood Crest, in the County of Cape May, New Jersey authorizes the Borough Qualified Purchasing Agent to purchase certain goods or services from those approved New Jersey State and National Contract Vendors on the attached list, pursuant to all conditions of the individual State Contracts.

BE IT FURTHER RESOLVED, that the named State Contract vendors and their corresponding numbers may change during the time frame indicated below and that Borough Qualified Purchasing Agent is hereby authorized to make the necessary adjustments to the attached list as may be required for the Borough to continue its routine procurement practices throughout the indicated time frame.

BE IT FURTHER RESOLVED, by the Board of Commissioners of the Borough of Wildwood Crest, pursuant to N.J.A.C. 5:30-5.5(b), that no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order and a certification of availability of funds is made by the Chief Financial Officer.

BE IT FURTHER RESOLVED, that the duration of the contracts between the Borough of Wildwood Crest and the referenced State and National Contract Vendors shall be from January 2, 2025 and continuing through December 31, 2025 or until the expiration of the referenced vendor's New Jersey State Contract, whichever shall occur first.

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. 25-230

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST APPROVING A FOURTH ROUND AFFORDABLE HOUSING TRUST FUND SPENDING PLAN AND REQUESTING PROGRAM AND COURT APPROVAL OF THE SPENDING PLAN

WHEREAS, the Borough of Wildwood Crest (hereinafter "Borough" or "Wildwood Crest") has an approved Development Fee Ordinance, which established standards for the collection, maintenance, and expenditure of development fees; and

WHEREAS, the Borough's Round 3 Affordable Housing Trust Fund Spending Plan was approved by the Court in the Third Round; and

WHEREAS, on March 20, 2024, Governor Murphy signed into law P.L. 2024, c.2, which amended the 1985 New Jersey Fair Housing Act (hereinafter the "Amended FHA") which governs how municipalities will comply with their affordable housing obligations for the Fourth Round (2025-2035); and

WHEREAS, the Borough has prepared a Fourth Round Spending Plan consistent with the Amended FHA and other applicable regulations, which projects anticipated revenues to the Borough's Affordable Housing Trust Fund and describes the anticipated expenditures of funds;

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 Board of Commissioners of the Borough of Wildwood Crest hereby approves the Fourth Round Spending Plan that is attached hereto as Exhibit A, and requests that the Program and the Court review and approve the Borough's Fourth Round Spending Plan.
2. Borough of Wildwood Crest shall promptly submit the Fourth Round Spending Plan to the Program and Court for its approval.
3. This Resolution shall take effect immediately upon adoption, according to law.

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: N/a

DISCUSSION:

NEW BUSINESS:

I Bank I – 2 million in principle forgiveness and work should begin sometime in September and be complete before June. This is for a Change Order for some additional work by the Kayak Launch to Public works, there are a few streets before Syracuse Avenue that have the roadway, curbing and sidewalks in poor shape and there is a parcel of land that the borough owns that needs to be cleaned up and improved.

I Bank II – this would be hopefully be 3 million in principle forgiveness and paperwork needs to begin soon and it would address Park Boulevard from Cresse to New Jersey Avenue and the Mayor asked Marc to get a proposal and estimate ready and asked the Clerk to place a resolution on the next meeting.

Ch. 11 Brush Maintenance- There is a draft ordinance in circulation to clean up and simplify the current language and adds an additional article for regulations which will give Code Enforcement the ability to order work done and then the borough can place a lien on the property. All agreed to have this introduced at the next meeting (July 30).

OLD BUSINESS:

-Box Truck Ordinance – Under review; the mayor indicated that New Jersey Avenue will be getting skinnier with the new plans for New Jersey Avenue and asked the Commissioner of Public Safety and the police to address.

-250th birthday committee- Volunteers are still being solicited.

-WC Municipal App- On hold.

-Historical museum - 2025 – On hold; there may be a potential volunteer to catalog and inventory items.

-Traffic Calming – There is a grant out there and the borough is just waiting to hear.

-Back Beach Excavation: Completed first emergency excavation. Keep on agenda for updating streets and bid specs for 2026. Plans to build up the low lying areas in the off season.

-Dredging: Comm. Franco indicated that he has heard from the DOT and heard they made an offer to acquire a parcel of land and just waiting to hear if it will be accepted.

-Washington / Seaview – beach outfalls and capacity: The borough received a positive correspondence from FEMA (29 million with 25% match) for pumps. One project for the west side of the borough and one to address the outfall lines to increase the capacity.

-US ACE / NJ DEP Dune: There is a meeting scheduled July 31st between the three municipalities and the USACE and NJDEP.

-Borough Hall Renovations- There has been an initial meeting and walk through with the architect and looking at getting concept designs and the take away notes from the architect.

PUBLIC COMMENTS: (Five minutes maximum)

Commissioner Comments:

Commissioner Franco announced the LEAP Grant the borough received for the Shared Services Agreement with Stone Harbor for UCC and Wildwood Crest will be receiving \$125k for 2025 which will offset salaries, purchase a vehicle and savings for the borough. Congrats to Francine and Code Enforcement for getting this accomplished.

Mayor Cabrera hoped everyone had a great Fourth of July and commended WCBP, PW, the portable toilets were well maintained and overall great job by all.

Commissioner Schiff thanked all departments and congratulated the WCBP for winning the race last night and that WCBP Headquarters is running efficiently.

PUBLIC:

Joe Viscomi asked about the outfalls and if they were being eliminated and the Mayor added that there are currently 6 and the idea is to get to 1 (similar to Wildwood) and we need to identify a borough property to be used for a pump station. Mr. Viscomi also commended the governing body for a positive result from decision made several years earlier. He mentioned that the beaches seem cigarette butt free and thanked the governing body for making sure cigarette smoking remained banned on the beach.

David Thompson asked about the land acquisition of 201 W Pittsburgh Avenue and asked the governing body to reconsider spending \$800k. The Mayor added that the borough would be purchasing the lot and selling the 5900 New Jersey property and it was essentially a flip and the investment now would yield buildable lots and in the future they could be sold and the property could be expanded upon.

Lastly, the Mayor introduced Pat Moran, who would be assisting in the Human Resources department.

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 25-231

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)**

WHEREAS, the Open Public Meetings Act (N.J.S.A. 10:4-6 et. seq.) requires all meetings of the Board of Commissioners of the Borough of Wildwood Crest to be held in public, except that N.J.S.A. 10:4-12(b) sets forth nine (9) types of matters that may lawfully be discussed in "Executive or Closed Session," i.e., without the public being permitted to attend; and

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest has determined that two () issue(s) is/are permitted by N.J.S.A. 10:4-12(b) to be discussed without the public in attendance to be discussed during the Executive or Closed Session to be held on **Wednesday, July 9, 2025 at 9:30 A.M.**; and

WHEREAS, the nine (9) exceptions to public meetings set forth in N.J.S.A. 10:4-12(b) are listed below, and next to each exception is a box within which the number of issues to be privately discussed that fall within that exception shall be written, and after each exception is a space where additional information that will disclose as much information about the discussion as possible without undermining the purpose of the exception shall be written:

_____ **"(1) Any matter which, by express provision of Federal law, State statute or rule of court shall be rendered confidential or excluded from public discussion."** The legal citation to the provision(s) at issue is: _____ and the nature of the matter, described as specifically as possible without undermining the need for confidentiality is _____

_____ **"(2) Any matter in which the release of information would impair a right to receive funds from the state or federal government."** The nature of the matter, described as specifically as possible without undermining the need for confidentiality is _____

_____ **"(3) Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly."** The nature of the matter, described as specifically as possible without undermining the need for confidentiality is _____

_____ **"(4) Any collective bargaining agreement, or the terms and conditions of which are proposed for inclusion in any collective bargaining agreement, including the negotiation of terms and conditions with employees or representatives of employees of the public body."** The collective bargaining contract(s) discussed are between the Borough and _____.

_____ **"(5) Any matter involving the purchase, lease or acquisition of real property with public funds, the setting of bank rates or investment of public funds where it could adversely affect the public interest if discussion of such matters were disclosed."** The nature of the matter, described as specifically as possible without undermining the need for confidentiality is _____

_____ **"(6) Any tactics and techniques utilized in protecting the safety and property of the public provided that their disclosure could impair such protection. Any investigations of violations or possible violations of the law."** The nature of the matter, described as specifically as possible without undermining the need for confidentiality is _____

 x **"(7) Any pending or anticipated litigation or contract negotiation in which the public body is or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer."** The parties to and docket numbers of each item of litigation and/or the parties to each contract discussed and the nature of the discussion, described as specifically as possible without undermining the need for confidentiality is potential contract negotiations and more specifically is potential litigation in two cases: Hempton and Polini.

_____ **"(8) Any matter involving the employment, appointment, termination of employment, terms and conditions or employment, evaluation of the performance, promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all individual employees or appointees whose rights could be adversely affected request, in writing, that such matter or matters be discussed at a public meeting."** Subject to the balancing of the public's interest and the employee's privacy rights under *South Jersey Publishing Co. v. New Jersey Expressway Authority*,

124 N.J. 478, the employee(s) and nature of the discussion, described as specifically as possible without undermining the need for confidentiality are **Borough Administrator position.**

“(9) Any deliberation of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party as a result of an act or omission for which the responding party bears responsibility.” The nature of the matter, described as specifically as possible without undermining the need for confidentiality is

WHEREAS, the Board of Commissioners shall reconvene the public meeting at the conclusion of the authorized closed or executive session, which may or may not include formal action as a result of the discussion(s) held.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, assembled in public session on the date of the meeting of the governing body set forth herein above, that a closed session shall be held for the discussion of matters relating to the specific items designated above involving the Borough of Wildwood Crest. The governing body shall convene a closed session discussion immediately upon passage of this resolution and it is anticipated that the deliberations conducted in closed session shall be disclosed to the public upon conclusion of the matter and/or after determination of the Board of Commissioners that the public interest will no longer be served by such confidentiality and that the meeting will return to open session at the conclusion of the discussion and formal action may be taken if/as authorized.

BE IT FURTHER RESOLVED that the Municipal Clerk, at the present public meeting, shall read aloud enough of this resolution so that members of the public in attendance can understand, as precisely as possible, the nature of the matters that will be privately discussed.

BE IT FURTHER RESOLVED that the Municipal Clerk, on the next business day following this meeting, shall furnish a copy of this resolution to any member of the public who requests one at the fees authorized by N.J.S.A. 47:1A-1, et. seq.

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

Vote: Schiff - Franco – Cabrera – YES

After returning to Open Session and hearing nothing from the public, Mr. Schiff motioned and Mr. Franco seconded that the meeting be adjourned. The time was 11:06 a.m.

Dated: July 30, 2025

Patricia A. Feketics, Borough Clerk

