

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

August 26, 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 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 **CHANGE OF 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 August 4, 2025.

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. 1467 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. 1467

**AN ORDINANCE OF THE BOROUGH OF WILDWOOD CREST
AUTHORIZING THE ACQUISITION OF REAL PROPERTY BY THE
BOROUGH OF WILDWOOD CREST KNOWN AS 201 WEST PITTBURG
AVENUE, AND DESIGNATED AS LOT 1 IN BLOCK 158 ON THE
MUNICIPAL TAX MAP**

Mr. Franco motioned and Mr. Schiff seconded that a public hearing be held on Ordinance No. 1467.

Vote: Schiff - Franco – Cabrera – YES

After hearing nothing from the public, Mr. Franco motioned and Mr. Schiff seconded that a public hearing now be closed on Ordinance No. 1467.

Vote: Schiff - Franco – Cabrera – YES

Mr. Franco motioned and Mr. Schiff seconded that Ordinance No. 1467 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. 25-250

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF
WILDWOOD CREST DESIGNATING THE CHIEF OF POLICE OR DESIGNEE AS THE
POLICE PUBLIC RECORDS CUSTODIAN FOR OPEN PUBLIC RECORDS REQUESTS**

WHEREAS, N.J.S.A. 47: 1A-1.1 of the Open Public Records Act names the Municipal Clerk as the Records Custodian of the Municipality; and

WHEREAS; N.J.S.A. 47:1A-1 of the Open Public Records Act (OPRA) does not preclude the Municipality from developing reasonable and practical measures for responding to OPRA requests, which measures may include the designation of another Custodian of Records for particular types of records; and

WHEREAS, the Borough of Wildwood Crest receives numerous requests for police related records under OPRA; and

WHEREAS, to expeditiously and accurately respond to OPRA requests for police records, and in accordance with the applicable rules and statues governing same, the Borough of Wildwood Crest shall designate the Chief of Police or his designee as the Police Public Records Custodian for the police department; and

WHEREAS, the governing body has determined that the designation of a Police Public Records Custodian is in the best interests of the Borough.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Wildwood Crest, County of Cape May and State of New Jersey, that the Chief of Police or his designee shall be designated as the Police Public Records Custodian effective September 1, 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. 25-251

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING WAIVING ALL FEES REQUIRED BY APPLICATION TO TJ HUNT MEMORIAL FOUNDATION 5K / 1 MILE FOOT RACE ON NOVEMBER 27, 2025 FROM 8:00 -11:00 AM

WHEREAS, TJ Hunt Memorial Foundation has made a Special Events Application to hold 5k run / 1 mile walk with proceeds to benefit the foundation on November 27, 2025 from 8:00-11:00 am; and

WHEREAS, in the spirit of supporting our community and this fun filled family event, the Board of Commissioners have agreed to waive 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 TJ Hunt Memorial Foundation for a 5k / 1 mile footrace November 27, 2025 from 8:00-11:00 am 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. 25-252

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING REFUND FOR SEAFARERS WEEKEND CRAFT FEE TO LESLIE PAULINE IN THE AMOUNT OF \$125.00

WHEREAS, on February 21, 2025 Leslie Pauline purchased a spot for the Seafarers Weekend Craft Show for the 2025 season; and

WHEREAS, Leslie paid \$125.00 with check #2298 on February 21, 2025; and

WHEREAS, on August 13, 2025 the Borough received a request to refund the fee in the amount of \$125.00 for medical reasons.

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 a refund in the amount of \$125.00 to Leslie Pauline.

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. 25-253

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING REFUND FOR FIREFIGHTER'S WEEKEND CRAFT FEE TO LESLIE PAULINE IN THE AMOUNT OF \$125.00

WHEREAS, on February 21, 2025 Leslie Pauline purchased a spot for the Firefighter's Weekend Craft Show for the 2025 season; and

WHEREAS, Leslie paid \$125.00 with check #2297 on February 21, 2025; and

WHEREAS, on August 13, 2025 the Borough received a request to refund the fee in the amount of \$125.00 for medical reasons.

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 a refund in the amount of \$125.00 to Leslie Pauline.

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. 25-254

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF
WILDWOOD CREST AUTHORIZING REFUND FOR FIREFIGHTER’S WEEKEND
CRAFT FEE TO DONNA BRADLEY IN THE AMOUNT OF \$125.00**

WHEREAS, on March 25, 2025 Donna Bradley purchased a spot for the Firefighter’s Weekend Craft Show for the 2025 season; and

WHEREAS, Donna paid \$125.00 with check #347 on March 25, 2025; and

WHEREAS, on August 13, 2025 the Borough received a request to refund the fee in the amount of \$125.00 for medical reasons.

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 a refund in the amount of \$125.00 to Donna Bradley.

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. 25-255
**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF
WILDWOOD CREST AUTHORIZING REFUND FOR SEAFARERS WEEKEND CRAFT
FEE TO DONNA BRADLEY IN THE AMOUNT OF \$125.00**

WHEREAS, on March 25,, 2025 Donna Bradley purchased a spot for the Seafarers Weekend Craft Show for the 2025 season; and

WHEREAS, Donna Bradley paid \$125.00 with check #348 on March 25, 2025; and

WHEREAS, on August 20, 2025 the Borough received a request to refund the fee in the amount of \$125.00 for medical reasons.

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 a refund in the amount of \$125.00 to Donna Bradley.

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. 25-256
**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF
WILDWOOD CREST AUTHORIZING EXPENDITURE TO PURCHASE COMPUTER
SOFTWARE FOR CONSTRUCTION/CODE MANAGEMENT UNDER STATE
CONTRACT #20-TELE-01510 AT THE SUM NTE \$28,973.90**

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 Computer Software *for Construction/Code Management*; 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, Dell Technologies (State Contract #20-TELE-01510) One Dell Way, Mail Stop 8129, Round Rock, TX 78682 has provided a quote for \$28,973.90; and

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

Account Number(s) G-02-41-640-025 Amount \$ 28,973.90

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 Computer Software for Construction/Code Management based upon the price quote from Dell Technologies (State Contract #20-TELE-01510) in an amount not to exceed \$28,973.90.

BE IT FURTHER 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 Computer Software for Construction/Code Management based upon the price quote from Dell Technologies (State Contract #20-TELE-01510) in an amount not to exceed \$28,973.90; and

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. 25-257

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST ACCEPTING WORK PERFORMED AND AUTHORIZING RELEASE OF PERFORMANCE BOND AND ACCEPTING MAINTENANCE BOND FOR THE JOSEPH VON SAVAGE MEMORIAL POOL HVAC EQUIPMENT REPLACEMENT CONTRACT

WHEREAS, the contract for the **JOSEPH VON SAVAGE MEMORIAL POOL HVAC EQUIPMENT REPLACEMENT** was awarded to LGB Mechanical, Inc. 555 North Route 73, West Berlin, New Jersey via Resolution No. 23-93 on February 22, 2023; and

WHEREAS, **LGB Mechanical, Inc.** posted a **Performance Bond No.: GRNJ60390** from **Granite Re, Inc.** in the amount of **\$391,316.00** ensuring the Borough of Wildwood Crest; and

WHEREAS, the Borough's project engineer, Michael Toy of Concord Engineering by email dated August 15, 2025 which is incorporated herein, reports to the Borough that **LGB Mechanical, 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 project engineer further indicated that there is a final credit of \$5,000 for unused Owner's Allowance thus making the final contract price of \$386,316.00; and

WHEREAS, the project engineer further recommends that the Borough release the performance bond and accept the submitted **Maintenance Bond No.: GRNJ60390** from **Granite Re, Inc.** in the amount of **\$386,316.00**.

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 plan and design as set forth in the Specifications prepared by Michael Toy of Concord Engineering as modified by field modifications and as depicted in the accepted as-built plans for the **JOSEPH VON SAVAGE MEMORIAL POOL HVAC EQUIPMENT REPLACEMENT** are hereby approved and accepted.
3. That the above improvements performed by **LGB Mechanical, Inc.** are hereby approved and accepted with revised contract amount of \$386,316.00.
4. 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.

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 25-258

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING A CONTRACT WITH KDI FOR 60 MONTH LEASE CONTRACT FOR SEVEN COPIERS FROM OCTOBER 2025 – SEPTEMBER 2030

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

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

WHEREAS, the Borough wishes to evidence an Agreement with the attached Vendor – KDI - referenced under NJ State Contract (# 25-COMG-99562), which Agreement shall be in the not to exceed amount of \$1,037.63 per month for the 60 month contract lease subject to all the conditions applicable to the current State Contract.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May and State of New Jersey, that this Resolution shall constitute an Agreement between the

Borough and the attached referenced State Contract Vendor, KDI of New Jersey, subject to all conditions applicable to the current State Contract.

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

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

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. 25-259

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST URGING THE NEW JERSEY GOVERNOR AND LEGISLATURE TO ENACT REGULATIONS GOVERNING THE OPERATION OF ELECTRIC BICYCLES AND SCOOTERS ON PUBLIC STREETS, SIDEWALKS, BIKE PATHS, AND OTHER PUBLIC AREAS TO ENHANCE PUBLIC SAFETY

WHEREAS, pursuant to N.J.S.A. 39:4-14.16, electric bicycles and electric scooters are permitted to be operated on the streets, highways, roadways, and bicycle paths of this State; and

WHEREAS, the Borough of Wildwood Crest, and municipalities throughout the State of New Jersey, have experienced a marked increase in the operation of electric bicycles and scooters on public streets, sidewalks, bike paths, boardwalks, and other shared public spaces, often in close proximity to pedestrians, children, seniors, and motor vehicles; and

WHEREAS, while electric bicycles and scooters offer environmentally friendly and cost-effective modes of transportation, their rapid acceleration, higher maximum speeds, and nearly silent operation can present significant safety risks, including collisions with pedestrians and motor vehicles, loss of rider control, and a heightened risk of serious injury in connection with accidents in general; and

WHEREAS, the Wildwood Crest Police Department, along with law enforcement agencies throughout the State, has reported difficulties in achieving consistent enforcement due to the absence of uniform statewide regulations governing the operation, minimum age limits, helmet use, insurance requirements, licensing, equipment safety, permitted areas of operation, and enforcement procedures, thereby creating inconsistent rules and potential safety risks across municipalities; and

WHEREAS, the establishment of clear, consistent, and enforceable statewide regulations would help ensure the safe and responsible operation of electric bicycles and scooters, while still promoting their use as an alternative means of transportation; and

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest believes that statewide legislation should, at a minimum, address:

- 1) Minimum age requirements for operation;
- 2) Maximum allowable speeds for different classifications of electric bicycles and scooters;
- 3) Rules governing operation on sidewalks, bike lanes, and roadways;
- 4) Equipment safety standards including lights, reflectors, and braking systems;
- 5) Enforcement authority for local police departments; and
- 6) Penalties for violations to promote compliance and accountability.

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest further recognizes the need for public education programs to ensure that riders and the general public are aware of their rights, responsibilities, and the potential hazards associated with these devices;

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 respectfully urges the Governor of the State of New Jersey and the New Jersey Legislature to promptly enact legislation establishing uniform statewide regulations governing the operation of electric bicycles and electric scooters, with the goal of enhancing public safety and ensuring consistent enforcement across all municipalities.
2. The Board of Commissioners of the Borough of Wildwood Crest hereby authorizes the Borough Clerk of the Borough of Wildwood Crest to send copies of this Resolution to the Offices of the Governor of the State of New Jersey, the president of the New Jersey Senate, the Speaker of the New Jersey Assembly, the

Office of New Jersey’s Legislative District 1 – Senator Testa, Assemblyman Simonsen, and Assemblyman McClellan, and all 16 Municipal Clerks of Cape May County.

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. 25-260
RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING AWARD OF CONTRACT FOR NEW JERSEY AVENUE SANITARY SEWER AND WATER MAIN IMPROVEMENTS PROJECT

WHEREAS, a Notice to Bidders was authorized for advertisement by Resolution No. 25-216 on June 25, 2025 for the Borough of Wildwood Crest contract for the New Jersey Avenue Sanitary Sewer and Water Main Improvements; and

WHEREAS, Notice to Bidders was advertised in the *Herald of Cape May County* on July 2, 2025 with receipt of sealed bids on July 23, 2025 at 11:00 a.m.; and

WHEREAS, four sealed bid proposals were received, opened and reviewed on July 23, 2025 by the Bid Opening Committee who reviewed the bid proposals; and

WHEREAS, the low bidder, Fred Schiavone Construction, submitted a defective bid which failed to meet the requirements of N.J.S.A. 40A:11-23.2 (d) and both the Borough Solicitor and the Borough Engineer recommended rejecting the bid and awarding the bid in the amount of (\$3,345,500.00) for the **NEW JERSEY AVENUE SANITARY SEWER AND WATER MAIN IMPROVEMENTS** to the next lowest responsive bidder, which is **Asphalt Paving Systems**, PO Box 530, Hammonton, New Jersey 0807; and

WHEREAS, Wildwood Water Utility has participating items, which tabulate in the amount of \$1,051,126.50 and the Borough of Wildwood Crest’s participating items tabulate in the amount of \$2,294,373.50; 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 Borough Engineer and Borough Solicitor recommending the award of the Borough’s participating items in the Bid (\$2,294,373.50) to **Asphalt Paving Systems**, PO Box 530, Hammonton, NJ 08037; 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:

5. The above recital paragraphs are incorporated herein as if set forth at length.
6. The bid received by Fred Schiavone Construction is hereby rejected.
7. **NEW JERSEY AVENUE SANITARY SEWER AND WATER MAIN IMPROVEMENTS** is hereby awarded to Asphalt Paving Systems, PO Box 530, Hammonton, New Jersey 08037 the lowest responsive bidder.
8. The award of this contract in the amount of \$2,294,373.50 is contingent upon compliance with the Notice to Bidders; Bid Specifications and Information Packet; 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 certification from the Chief Financial Officer as to the availability of funds.
9. The Mayor and the Borough Clerk are hereby authorized and empowered to enter into a formal contract with Asphalt Paving Systems, PO Box 530, Hammonton, NJ 08037 in accordance with this Resolution, Notice to Bidders, Bid Specifications and Information Packet and the submitted bid proposal.
10. 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. 25-261

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING SUBMISSION OF THE APPLICATION TO THE CAPE MAY COUNTY OPEN SPACE BOARD AND COMMITMENT TO CORRESPONDING FUNDING PROGRAM MATCH FOR THE WILDWOOD CREST FISHING PIER REPLACEMENT AND EXPANSION

WHEREAS, in 1997, the State of New Jersey passed a number of laws which expanded the potential function of the Open Space and Farmland Preservation Trust Fund programs to include recreation and historic preservation; and

WHEREAS, the decision to expand the Open Space Program into the realms of recreation and historic preservation beginning in 2013 has helped to enhance and protect our collective community assets; and

WHEREAS, the description of the Wildwood Crest Fishing Pier Replacement and Expansion is as follows:

“ Due to the history of sand accretion in the area, the existing pier structure no longer extends into the ocean and has become land locked by sand. The pier can no longer function as a fishing pier. It is the desire of the Borough of Wildwood Crest to replace the existing pier in its entirety and expand the length of the pier into the ocean so that the pier can once again serve as a location to be utilized by recreational fisherman”

WHEREAS, “Exhibit A” shows the signed and sealed engineer’s cost estimate of the total project costs; and

WHEREAS, the Borough of Wildwood Crest acknowledges and is committed to a cash match; and

WHEREAS, the Borough of Wildwood Crest acknowledges and is committed to long-term maintenance of Wildwood Crest Fishing Pier Replacement and Expansion; and

WHEREAS, the Borough of Wildwood Crest confirms the funding category of **2B** and the Borough of Wildwood Crest plans to use the Open Spaces Creative Placemaking Plan in the design of the facility; and

WHEREAS, the Board of Commissioners recognize the value of safe public access in Cape May County and the potential to enhance tourism and economic development while also promoting usage of the beachfront amenities with the Fishing Pier Replacement and Expansion; and

WHEREAS, the Board of Commissioners desire to apply to the Cape May County Open Space Board for Wildwood Crest Fishing Pier Replacement and Expansion funding for the purposes stated herein; and

WHEREAS, the Total Grant Request is: \$ 2,500,000.00.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Borough of Wildwood Crest, County of Cape, State of New Jersey, hereby authorize the Borough Engineer to make application to the Cape May County Open Space Board for the project known as: **WILDWOOD CREST FISHING PIER REPLACEMENT AND EXPANSION**.

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

Report from Capt. D’Amico:

Calls for Service: 3,121

Calls Requiring Multiple Officers: 1559

Criminal Investigations: 238

Service Calls: 554

Traffic: 1,350

Motor Vehicle Stops: 461

Traffic Summons Issued: 129

Accidents: 25

Arrests: 26

Training Hours: 340

Property Checks: 511

Capt. D’Amico reminded all that school reopens next week and to drive safely. He indicated that with the recent storm, there was flooding on both the beaches and back bay and thanked all the departments for their efforts and assistance.

Lisa Rippo asked the captain about the number of vehicles towed and the number of contracts there are for towing and the Captain indicated he did not have the numbers with him and the number of towing companies is four and is available to any who apply. Ms. Rippo asked why vehicles were towed and the Captain indicated it is case and fact specific.

Commissioner Schiff read the following from the WCBP:

- LAST LIFEGUARDING DAY IS SUNDAY, SEPT 7
- EMERGENCY RESPONSE TEAMS WILL BE AVAILABLE ON THE WEEK-ENDS OF SEPT 13-14 AND SEPT 20-21 FROM 10AM-5PM
- DUE TO LIMITED AVAILABLE STAFF, ONLY FOUR BEACHES WILL BE PROTECTED BY LIFEGUARDS THE FOUR DAYS AFTER LABOR DAY FROM TUESDAY SEPT 2-FRIDAY SEPT 5. THOSE BEACHES INCLUDE CROCUS, LOTUS, LOUISVILLE, AND PITTSBURGH.
- 104TH ANNUAL LG BALL AND AWARDS CEREMONY WAS HELD AT ICONA IN DIAMOND BEACH ON MONDAY, AUGUST 11TH
- JRLG AND FUTURES PROGRAMS HAD 250 REGISTERED PARTICIPANTS THIS SEASON. LAST CLASS WAS HELD AT MOREY'S WATER PARK ON JULY 22ND
- CALL BEACH PATROL HQ AT 609-522-3825 FOR INFORMATION, QUESTIONS OR CONCERNS

Lisa Rippo brought up emergency services and county dispatch once again.

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, Fire Prevention, Emergency Services Coordinator for the EMS and the Wildwood Crest Volunteer Fire Company for the month ending July 31, 2025 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 30, 2025 and August 13, 2025 be approved as presented.

Vote: Schiff - Franco – Cabrera – YES

ENGINEER'S REPORT:

Date: August 26, 2025

Capital Projects

1. **Bayside Bulkhead Replacement and Flood Mitigation Improvements**
 - The contractor has completed all of the underground storm sewer system piping and has completed the bulkhead installation at Primrose, Myrtle, Lotus, Fern, Forget-Me-Not, Columbine, Sweetbriar Road and Cardinal Road.
 - Concrete work and base paving were completed on the above streets. The contractor demobilized on June 13th per the contract, and plans to return to complete the work starting September 2nd.
2. **FY2023 NJDCA Small Cities Program-Municipal Building Bathroom Improvements**
 - The bid opening occurred on October 30, 2024, and the lowest responsible bidder was Capri Construction Company in the amount of \$270,549.00.
 - All work is complete and it is in the closeout phase.
3. **FY 2024 NJDOT Municipal Aid Program-Reconstruction of Toledo Avenue**
 - The bid opening occurred on October 30, 2024, and the apparent low bidder was Asphalt Paving Systems, Inc in the amount of \$2,174,400.00.
 - All work is complete and it is in the closeout phase.
4. **2025 Road Resurfacing Program**
 - The bid opening occurred on April 23, 2025 and the apparent low bidder was South State, Inc. in the amount of \$154,202.40.
 - A preconstruction meeting was held on May 7, 2025 and the contractor completed the paving work and roadway striping. The project is in the closeout phase.
5. **NJ IBank (NJIB) – Sanitary Sewer and Roadway Improvements**
 - The NJIB advised the Borough that approximately \$3,000,000.00 in grant forgiveness is available along with grant funding for engineering services.
 - The bid opening occurred on June 24, 2025 and the apparent low bidder is Charles Marandino, LLC in the amount of \$2,573,600.00. The preconstruction meeting was held on July 24th and construction will begin on September 2nd.

6. New Jersey Avenue Sanitary Sewer and Water Main Improvements
 - The bid opening occurred on July 23, 2025 and the lowest responsible bidder is Asphalt Paving Systems, Inc in the amount of \$3,345,500.00. Please note that this project contains Wildwood Water Utility participating items in the amount of \$1,051,126.50 and Borough participating items in the amount of \$2,294,373.50.

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.
 - Both grant applications have secured initial selection from FEMA.
 - Additional information was provided to NJOEM on November 14th.
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 – FY2024
 - 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 12th, 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. 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.
 - The Borough was notified that a \$158,190.00 grant was allocated for this project.
5. 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.
6. Cape May County Open Space Board (CMCOSB) Application – Crest Fishing Pier
 - Our office was authorized on May 14, 2025 to prepare and submit a grant application to the CMCOSB.
 - We are currently working on the grant application.
7. Federal Funding Grant Opportunity – Congressman Van Drew – FY2025
 - Our office has been in contact with Congressman Jeff Van Drew's office to discuss federal funding opportunities for Borough capital projects.
 - On March 13, 2025, our office submitted a funding request for Crest Fishing Pier Reconstruction.
8. FY2026 NJDOT Municipal Aid Program
 - The NJDOT is accepting grant applications for Bikeway, Pedestrian and Roadway Improvement Projects. The application deadline is June 30, 2025.
 - Our office was authorized by the Borough to submit the Reconstruction of Denver Avenue as the grant application.
 - The application was submitted to the State on June 12, 2025.

CORRESPONDENCE: N/a

DISCUSSION:

NEW BUSINESS: N/A

OLD BUSINESS:

-Box Truck Ordinance – Visions are being worked on.

-250th birthday committee- Volunteers are still being solicited; looking to set up a fall meeting.

-WC Municipal App- On hold.

- Historical museum - 2025** – A volunteer will catalog and inventory items with a presentation at a later time.
- Traffic Calming** – Waiting to hear back on SS4A grant submitted on behalf of the borough by Colliers Engineering.
- Back Beach Excavation:** on hold pending finances and will review after the season.
- Dredging:** There is a meeting scheduled next week.
- Washington / Seaview – beach outfalls and capacity:** Waiting to hear about a paperwork clarification.
- US ACE / NJ DEP Dune:** There are no developments from the July 31st meeting.
- Borough Hall Renovations-** OSK Architects have been through the building and are working on design concepts.

PUBLIC COMMENTS: (Five minutes maximum)

PUBLIC:

Lisa Rippo asked about the Ocean Holiday property and for an update. The Mayor indicated at the last meeting that it was in litigation due to an appeal and it is up to the courts. Ms. Rippo then mentioned that she wanted clarification for the resolution with OPRA requests for police records and she was told that starting September 1st all police related OPRA requests will go directly to the Chief. The Clerk clarified that many municipalities are doing this and regardless if there is a conflict, all police related OPRA requests will be directed over there. Ms. Rippo then referenced a lawsuit the borough currently has.

Dave McWilliams had several comments:

1. E Bikes -Capt. D’Amico indicated that electric bikes are regulated like regular bicycles and there needs to be a change at the state level. He further added that the borough currently has an ordinance in effect that prohibits e bikes on our bike path and there are signs on the bike path.
2. Fishing Pier – He asked for clarification on scope and price. The Mayor explained the borough owns the Fishing pier and it is need of repair and they would like to see it extended so it is over the water...rough estimate today comes in around 6 million (1.1 million from state boardwalk preservation fund; 2.5 million hopefully from Open Space)
3. Dunes – the lawsuit of NWW v WC is still pending (no date set) and the Army Corp gave the DEP until the end of August to convey real estate rights to proceed with the project or they may opt out.
4. Vegetation at the house adjacent to Mr. McWilliams – he thanked the borough for all of the efforts put forth cleaning up the property...he indicated there are still multiple containers in the back yard and he was told that the borough is going back one more time.
5. Change of dates for meetings – Mr. McWilliams requested that if we need to move meeting dates that we do on a Thursday. The Clerk indicated it was changed at the beginning of August so she could move her daughter into college.

Fred Mettler asked about the 250th committee and he was told if he wanted to join, send a letter of interest to the Clerk. He suggested that July 4, 2026 falls on a Saturday and he thinks people would love to see fireworks on the bay. They could be launched from a barge.

Commissioner Schiff extended thanks to the Police, EMS, Public Safety, Beach Patrol, Public Works for all of their efforts during and after the recent storm.

After hearing nothing further from the public,

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 25-262
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 **Tuesday, August 26, 2025 at 5:00 P.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 _____.
- _____ x “(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 Sale of real property – 5900 New Jersey Avenue.
- _____ “(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 s _____
- _____ “(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 _____.
- _____ “(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 _____.
- _____ “(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 from Closed Session, Mr. Schiff motioned and Mr. Franco seconded that the meeting be adjourned. The time was 6:12 p.m.

Dated: September 24, 2025

Patricia A. Feketics, Borough Clerk

