

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

March 6, 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 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 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 Mayor indicated that the meeting currently had no audio or streaming ability and that it was being addressed.

Mr. Franco motioned and Mr. Schiff seconded that Ordinance No. 1424 be passed on second reading and final passage by title only.

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING ORDINANCE BY TITLE:

**ORDINANCE NO. 1424**

**ORDINANCE OF THE BOROUGH OF WILDWOOD CREST  
AMENDING AND SUPPLEMENTING CHAPTER 47 PARKING METERS  
OF THE CODE OF THE BOROUGH OF WILDWOOD CREST TO  
CONSOLIDATE PARKING METER ZONES TO A SINGLE PAID  
PARKING ZONE AND TO FURTHER DEFINE AND REGULATE THE  
USE OF WEB-BASED PARKING SYSTEMS**

Mr. Franco motioned and Mr. Schiff seconded that a public hearing be held on Ordinance No. 1424.

Vote: Schiff - Franco – Cabrera – YES

Joe (sp?) wanted clarification on the hours of operation of the meters and time limits and how the borough code points back a resolution. He requested the hours of operation for meters to align with the resolution. The governing body agreed to review. After hearing nothing further from the public, Mr. Franco motioned and Mr. Schiff seconded that the public hearing be held on Ordinance No. 1424 now be closed.

Vote: Schiff - Franco – Cabrera – YES

Mr. Franco motioned and Mr. Schiff seconded that Ordinance No. 1424 be passed on second reading and advertised according to law.

Vote: Schiff - Franco – Cabrera – YES

Mr. Franco motioned and Mr. Schiff seconded that Ordinance No. 1425 be passed on second reading and final passage by title only.

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING ORDINANCE BY TITLE:

**ORDINANCE NO. 1425**

**ORDINANCE OF THE BOROUGH OF WILDWOOD CREST  
AMENDING AND SUPPLEMENTING ARTICLE XI OF CHAPTER 79  
VEHICLES AND TRAFFIC, OF THE CODE OF THE BOROUGH OF  
WILDWOOD CREST TO REGULATE PUBLICLY ACCESSIBLE  
ELECTRIC VEHICLE CHARGING STATIONS**

Mr. Franco motioned and Mr. Schiff seconded that a public hearing be held on Ordinance No. 1425.

Vote: Schiff - Franco – Cabrera – YES

Katherine Hughes asked about the location and types of chargers and the Administrator indicated they will be located at the Crest Arts Pavilion and there will be four and they are FAST chargers and can be used on all cars. After hearing nothing from the public, Mr. Franco motioned and Mr. Schiff seconded that the public hearing be held on Ordinance No. 1425 now be closed.

Vote: Schiff - Franco – Cabrera – YES

Mr. Franco motioned and Mr. Schiff seconded that Ordinance No. 1425 be passed on second reading and advertised according to law.

Vote: Schiff - Franco – Cabrera – YES

Mr. Franco motioned and Mr. Schiff seconded that Ordinance No. 1426 be passed on second reading and final passage by title only.

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING ORDINANCE BY TITLE:

**ORDINANCE NO. 1426**  
**ORDINANCE TO ESTABLISH CAP BANK FOR**  
**CY2024 PURSUANT TO N.J.S.A. 40A:4-45.14**

Mr. Franco motioned and Mr. Schiff seconded that a public hearing be held on Ordinance No. 1426.

Vote: Schiff - Franco – Cabrera – YES

After hearing nothing from the public, Mr. Franco motioned and Mr. Schiff seconded that the public hearing be held on Ordinance No. 1426 now be closed.

Vote: Schiff - Franco – Cabrera – YES

Mr. Franco motioned and Mr. Schiff seconded that Ordinance No. 1426 be passed on second reading and advertised according to law.

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

**RESOLUTION NO. 24-95**  
**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF**  
**WILDWOOD CREST OPPOSING THE STATE OF NEW JERSEY'S NEW PROPOSED**  
**SHORE PROTECTION RULE**

**WHEREAS**, the State of New Jersey is proposing a new shore protection rule that would allow for the State Department of Environmental Protection (DEP) to restrict access to tidal waters and adjacent shorelines to protect threatened and endangered species of wildlife and their critical habitats; and

**WHEREAS**, while the Borough recognizes and understands the importance of the Department's service to protect critical habitat areas and endangered species throughout the State, the Borough has concern, for reasons including but not limited to public safety and recreational public access, that the DEP's proposed new rule would expand seasonal closures of beaches, tidal waterways, and beach entranceways during the peak tourism season in shore communities in the County; and

**WHEREAS**, according to the State of New Jersey website, the DEP promotes public access and use of tidal waterways and their shores based on the common law of the Public Trust Doctrine, which provides for public rights to tidal waterways and their shores and further establishes the right of the public to fully utilize these lands and waters for a variety of public activities; and

**WHEREAS**, in the DEP's stakeholder presentation on September 19, 2023 that outlined the new proposed rule, there is a reference to a series of pictures to serve as examples of "injurious uses" that would trigger the restriction for access; and

**WHEREAS**, those references to "injurious uses" include pictures of footsteps on the beach, walking along the shoreline, shoreline access by boat, and accessing the beach with an unleashed dog; and

**WHEREAS**, expanding the DEP’s ability to restrict access to the public and municipal public safety departments to our waterways seems to be in conflict with the Public Trust Doctrine on which the State of New Jersey bases all of its public access rules; and

**WHEREAS**, with Cape May County’s #1 industry being tourism and the Borough of Wildwood Crest beach being one of the main attractions for visitors to our Borough, restricting access to our public beaches may result in an adverse impact on the local economy and consequently a decrease in the hundreds of millions of State tourism tax dollars that Cape May County and its municipalities generate for the State annually; and

**WHEREAS**, according to the Federal Department of Homeland Security’s Emergency Response Plan, the actions taken in the initial minutes of an emergency are critical; and

**WHEREAS**, while the Borough does its best to support the needs for emergency water response during the peak summer season, due to the seasonality and coastal geographical location of our area in combination with coastal storms that cause rough water conditions, water rescues and sadly, occasional fatal drownings, are a common occurrence throughout the Cape May County area; and

**WHEREAS**, if the State is to establish this new rule with no changes, the proposed restriction of access to local and County public safety departments including but not limited to Police Departments, Fire Departments, and Beach Patrols, for the purposes of emergency response, will put life and safety of the general public at risk; and

**WHEREAS**, historically, new rules issued by the NJDEP have been promulgated pursuant to legislation; and

**WHEREAS**, in this case, similar to the case with the State’s proposed NJPACT rules, there is no legislation that has authorized NJDEP to require more stringent requirements and restrictions on public lands; and

**WHEREAS**, Cape May County has requested its Environmental Consultant, Lomax Environmental to analyze the proposed rule and prepare a more detailed report of the detrimental impacts that this proposed new rule may have on Cape May County and its local communities, which is attached to this Resolution for reference as Exhibit A.

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

1. All of the allegations of the preamble are incorporated herein by this reference thereto as though the same were set forth at length.
2. A true copy of this Resolution and Report shall be submitted to the Offices of the State Representatives of Legislative District One, the Governor and DEP Commissioner of the State of New Jersey for their review and consideration in advance of release of the proposed new rule for public comment.
3. The New Jersey Legislature is urged to exercise its legislative oversight authority to review and approve the new proposed shore protection rule prior to adoption that may have significant impacts on coastal communities statewide, so as to ensure the fairness and the maximum public acceptance of those new proposed regulations.

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 24-96

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST CANCELING ERRONEOUS 2024 SEWER RENTS IN THE AMOUNT OF \$124.00 FOR PROPERTY LOCATED AT 7201 OCEAN 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 2024.

**WHEREAS**, sewer account 1386-2, at 7201 Ocean Avenue had no water meter installed for the year 2023, the sewer rents levied in 2024 should be canceled.

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

<b>Block / Lot Sewer ID#</b>	<b>Name</b>	<b>Amount</b>
94.03/1 1386-2	Madison Wildwood Crest RE LLC 7201 Ocean Avenue 2024 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 2024.

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 24-97

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING EXPENDITURE TO RESURFACE TENNIS COURTS CONTRACT UNDER THE SOURCEWELL COOPERATIVE PURCHASING PROGRAM FOR THE PUBLIC WORKS DEPARTMENT**

**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 Resurfacing of Borough Tennis Courts; and

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

**WHEREAS**, Nickolaus Construction Inc. (#031022-AST) P.O. Box 2322, Vincentown, NJ 08088 has provided a quote for \$38,500.00; and

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

Account Number(s) C-04-55-138-8C2

Amount \$38,500.00

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 for the Resurfacing of Borough Tennis Courts contract based upon the quote received from Nickolaus Construction Inc. (#031022-AST) in an amount not to exceed \$38,500.00.

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 24-98

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING APPROVAL OF CHANGE ORDER NUMBER 3 – FINAL AND ACCEPTING WORK PERFORMED AND AUTHORIZING RELEASE OF PERFORMANCE BOND AND ACCEPTING MAINTENANCE BOND FOR RECONSTRUCTION OF SYRACUSE AVENUE (FY2022 NJDOT MUNICIPAL AID) DECREASING THE CONTRACT AMOUNT BY \$8,813.89 FOR A REVISED CONTRACT AMOUNT OF \$2,236,722.36**

**WHEREAS**, **Asphalt Paving Systems Inc.**, PO Box 530, Hammonton, New Jersey 08037 was awarded the contract known as RECONSTRUCTION OF SYRACUSE AVENUE (FY 2022 NJDOT MUNICIPAL AID) - via Resolution No. 22-315 on October 26, 2022 for \$2,193,300.00 with the Borough's portion being \$1,873,566.25; and

**WHEREAS**, the Board of Commissioners authorized Change Order No 1 - RECONSTRUCTION OF SYRACUSE AVENUE (FY 2022 NJDOT MUNICIPAL AID) TO REFLECT ADDITIONAL WORK FROM BAYVIEW DRIVE FROM HOLLYWOOD AVENUE TO SYRACUSE AVENUE with an increase amount of \$340,472.00 all of which is detailed in the attachment to the Change Order and revising the Contract Price to \$2,533,772.00, with the Borough's portion being \$2,214,038.25; and

**WHEREAS**, Borough Engineer Marc DeBlasio of DeBlasio & Associates has reviewed the request for additional work for Bayview Drive from Hollywood Avenue to Syracuse Avenue and approves Change Order No 2 - RECONSTRUCTION OF SYRACUSE AVENUE (FY 2022 NJDOT MUNICIPAL AID) TO REFLECT ADDITIONAL WORK AT BAYVIEW DRIVE, PRESTON PARK AND INLET REPAIR WITH CONTRACTUAL REDUCTIONS with an increase amount of \$31,498.00 all of which is detailed in the attachment to the Change Order and revising the Contract Price to \$2,245,536.25; and

**WHEREAS**, upon recommendation from Marc DeBlasio of DeBlasio & Associates (the Borough Engineer), the Board of Commissioners of the Borough of Wildwood Crest wish to authorize Change Order No 3 – RECONSTRUCTION OF SYRACUSE AVENUE (FY 2022 NJDOT MUNICIPAL AID) to reflect As Built Quantity Reductions with a decreased amount of \$8,813.389 all of which is detailed in the attachment to the Change Order and revising the Contract Price to \$2,236,722.36.

**WHEREAS, Asphalt Paving Systems Inc.,** PO Box 530, Hammonton, New Jersey 08037 posted a **Performance Bond No. 0823314** from **Harco National Insurance Company** in the amount of **\$1,873,566.25** ensuring the Borough of Wildwood Crest; and

**WHEREAS,** the Borough's Engineer, Marc DeBlasio, P.E., P.P., C.M.E., of DeBlasio & Associates, P.C., by letter dated **August 31, 2023** which is incorporated herein, reports to the Borough that **Asphalt Paving Systems Inc.,** has completed the project in substantial conformance with the contract documents including all approved change orders, field modifications and accepted as built plans; and

**WHEREAS,** the Borough's Engineer recommends that the Borough release the Performance Bond and accept the submitted **Maintenance Bond No. 0823314 from Harco National Insurance Company** in the amount of **\$2,236,722.36.**

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

1. That the above recital paragraphs are incorporated herein by reference as if set forth at length.
2. The Mayor and the Borough Clerk of the Borough of Wildwood Crest are hereby authorized and directed to execute and attest said Change Order #3 FINAL on behalf of the Borough of Wildwood Crest.
3. That the plan and design as set forth in the Specifications prepared by DeBlasio & Associates, P.C. as modified by approved change orders, field modifications and as depicted in the accepted as-built plans for the **RECONSTRUCTION OF SYRACUSE AVENUE (FY 2022 NJDOT MUNICIPAL AID)** are hereby approved and accepted.
4. That the above improvements performed by **Asphalt Paving Systems Inc.,** PO Box 530, Hammonton, New Jersey 08037 are hereby approved and accepted.
5. That the Clerk is hereby authorized to release the performance bond conditioned upon acceptance of the appropriate maintenance bond.

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 24-99

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING AWARD OF PROFESSIONAL SERVICES CONTRACT FOR SPECIAL COUNSEL FOR GENERAL LEGAL SERVICES PERTAINING TO PUBLIC UTILITY LAW AT THE NTE SUM OF \$5,000**

**WHEREAS,** the Board of Commissioners of the Borough of Wildwood Crest has determined that there exists the need for a Special Counsel for general legal advice concerning public utility law for the Borough of Wildwood Crest, 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**, the Commissioners of the Borough of Wildwood Crest desire to appoint Joseph P. Baumann, Jr., of McManimon Scotland Baumann, LLC, to serve as special counsel to the Borough of Wildwood Crest to handle all legal work necessary and as may be assigned by the Borough to represent the interests of the Borough of Wildwood Crest.

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

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

Signature \_\_\_\_\_

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

1. The above recital paragraphs are incorporated herein as if set forth at length.
2. That a contract for Special Counsel is awarded to Joseph P. Baumann, Jr., of McManimon Scotland Baumann, LLC.
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 the Mayor and Borough Clerk are hereby authorized and empowered to enter into a contract effective immediately through March 5, 2025, with Joseph P. Baumann, Jr., of McManimon Scotland Baumann, LLC who shall be compensated at the not to exceed sum of \$5,000.00.
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.

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 24-100

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING AWARD OF PROFESSIONAL SERVICES CONTRACT FOR SPECIALIZED LEGAL SERVICES TO CHRISTOPHER ORLANDO AND THE LAW FIRM OF PARKER MCCAY, P.A. AT THE NTE SUM OF \$5,000**

**WHEREAS**, the Borough of Wildwood Crest requires the professional services of a law firm specializing in a legal issues associated with a dredge project; and

**WHEREAS**, it is desired to employ a professional, pursuant to law, who is duly trained, experienced and specialized in the area of specialized counsel; and

**WHEREAS**, the Local Public Contracts Law provides for the entering into of a contract for professional services pursuant to R.S.40A:11-5(1)(a), without advertising for competitive bidding; and

**WHEREAS**, the Borough has determined that **CHRISTOPHER ORLANDO AND THE LAW FIRM OF PARKER MCCAY, P.A.** are qualified to perform said work and it is desired to enter a professional contract with them for said services pursuant to law, and to provide for the advertising of a notice pursuant to law; 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

**CHRISTOPHER ORLANDO AND THE LAW FIRM OF PARKER MCCAY, P.A.** has completed and submitted a Business Entity Disclosure Certification which certifies that **CHRISTOPHER ORLANDO AND THE LAW FIRM OF PARKER MCCAY, P.A.** will not make any reportable contributions pursuant to N.J.S.A. 19:44A-1 commencing March 5, 2024 to any political committee or candidate through the term of this contract; and

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

Account Number(s) \_\_\_\_\_ Amount: at NTE \$5,000.00 Signature \_\_\_\_\_

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

1. **CHRISTOPHER ORLANDO AND THE LAW FIRM OF PARKER MCCAY, P.A.** is hereby retained as Special Counsel to provide specialized professional services for legal issues associated with a dredge project for the period ending March 5, 2025.

2. The Mayor and Borough Clerk are hereby authorized and empowered to enter into a contract with **CHRISTOPHER ORLANDO AND THE LAW FIRM OF PARKER MCCAY, P.A.** for specialized professional services in the field of litigation for a term of the period indicated above, which contract shall provide for payment at **not to exceed sum of \$5,000.**

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.

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

**RESOLUTION NO. 24-101**

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING APPROVAL OF CHANGE ORDER NO. 1 – SEAVIEW AVENUE INTERSECTION IMPROVEMENTS – TO REFLECT UPS BATTERY BACK UP UPGRADE - AT THE NTE SUM OF \$4,945.00**

**WHEREAS**, Diehl Electric, Inc., 190 B S. 2<sup>nd</sup> Road, Hammonton, New Jersey 08037 was awarded the contract known as SEAVIEW AVENUE INTERSECTION IMPROVEMENTS- via Resolution No. 23-245 on September 6, 2023 for \$647,607.92; and

**WHEREAS**, Colliers Engineering & Design has reviewed the request for additional work for UPS BATTERY BACK UP UPGRADE and approves Change Order No 1 –**SEAVIEW AVENUE INTERSECTION IMPROVEMENTS** with an increase amount of \$4,945.00 all of which is detailed in the attachment to the Change Order and revising the Contract Price to \$652,552.92; and

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

Account Number: \_\_\_\_\_ Amount: \$4,945.00 Signature: \_\_\_\_\_

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

1. That the above recital paragraphs are incorporated herein by reference as if set forth at length.

2. That said Change Order Number 1- increasing the total contract amount by \$4,945.00 and revising the contract price to \$652,552.92 is hereby approved.

3. That the Mayor and Borough Clerk of the Borough of Wildwood Crest are hereby authorized and directed to execute and attest said Change Order documents on behalf of the Borough of Wildwood Crest.

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 24-102

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING ADVERTISEMENT OF A NOTICE TO BIDDERS FOR 2024 ROAD RESURFACING PROGRAM**

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Borough of Wildwood Crest, in the County of Cape May, New Jersey, that the Borough Clerk is hereby authorized to advertise a Notice to Bidders in *The Herald of Cape May County* on March 13, 2024.

**BE IT FURTHER RESOLVED** that the plan and design as set forth in the Specifications on file in the Borough for **2024 ROAD RESURFACING PROGRAM** is hereby approved.

**BE IT FURTHER RESOLVED** Sealed bids will be received by the Bid Opening Committee in the Commissioner’s Meeting Room, Wildwood Crest Borough Hall, on **Wednesday, April 3, 2024 at 10:00 a.m.**, prevailing time, for furnishing the items hereinafter set forth in accordance with the Specifications on file in the Borough Hall. Said items are as follows:

**2024 ROAD RESURFACING PROGRAM**

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 24-103

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST ESTABLISHING A NEW BANK ACCOUNT WITH CREST SAVINGS BANK FOR DISBURSEMENT ACCOUNT AND AUTHORIZING SIGNATORIES FOR THE ACCOUNT**

**WHEREAS**, the Borough of Wildwood Crest has closed Disbursement Account #54-901557-9 and established Disbursement Account #990199838; and

**WHEREAS**, authorizing resolution must be provided to Crest Savings Bank in order to establish a new bank account number.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Borough of Wildwood Crest, in the County of Cape May and State of New Jersey, that the municipal officials listed hereinbelow are hereby designated as signatories on the above listed account when necessary or required as follows:

\_\_\_\_\_  
Francine B. Springer or \_\_\_\_\_  
Alexa Campilango

and

\_\_\_\_\_  
Don Cabrera or \_\_\_\_\_  
Joseph Franco, Jr. or \_\_\_\_\_  
Joseph M. Schiff

and

\_\_\_\_\_  
Patricia A. Feketics or \_\_\_\_\_  
Victoria L. Mason

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:**

Safety on the Agenda – Steve Shearer, Safety Coordinator

Announcement of Safety Meetings for 2024:

All meeting to be held at Borough Hall – Conference Room - with Department Heads or designee representative required to attend.



Dates / Times:

March 13<sup>th</sup> @ 9:00am

June 12<sup>th</sup> @ 10:00am

September 11<sup>th</sup> @ 10:00am

December 11<sup>th</sup> @ 10:00am

STATISTICS:

September 2023 – March 2024 (Current) Accident/Worker Comp/Claims report:

Great news we have 3 reports that have been filed. Awesome !!

On December 19, 2023 a Safety Celebration was hosted at the Wildwood Crest Recreation Center.

The luncheon was a reward for achieving the maximum allowance of funds in the amount of \$2,500.00 - in recognition of all borough employees safe actions.

The award is provided by the JIF/MEL organizations that provide the Risk Management-Insurances for the Borough and the award has been achieved over the last few (5-6) years > Let keep up the great work!

**PUBLIC COMMENTARY:**

Michael Gericke, asked the governing body if there was any consideration to address Master Plan with respect to view corridor so Planning Board can not deviate from the plan. The Mayor added the Master Plan already addresses it but a function of the Planning Board is to grant variances and deviate from the plan if the benefits outweigh the detriments. The Planning Board made their decision and granted variances and there is the ability to appeal the decision.

On a second note, Mr. Gericke requested the borough address the feral cat problem along the bike path and that the situation is out of control. The Administrator indicated that we would contact Animal Control of South Jersey to address the problem. Lastly, Mr. Gericke added that current ordinance fines seem to be excessive.

**NEW BUSINESS: N/A**

**OLD BUSINESS:**

**-Street Openings Ordinance** – The Mayor indicated that there are currently two drafts circulating that address Chapter 67 (Street Excavations) and Chapter 63(Sidewalks, Curbs and Alleyways) and that another meeting would be forthcoming. Hopefully, both would be ready for introduction on March 27<sup>th</sup>.

**-Lot at Rosemary and Seaview Avenues** – On hold.

**-Concession agreement hotel zone / beach chairs-** On Hold.

**-Traffic Calming** – Task 1 was awarded.

**-Back Beach Excavation:** Subject to USACE dune.

**-Dredging:** The Administrator indicated that 90 % of the plans will be complete by August with 95% by January 1<sup>st</sup>. 45% title searches complete and dune should be under way in 2025.

**-NJ Avenue infrastructure pre-county:** The borough needs to do infrastructure prior to the County beginning in 2025-26. Capital planning needs to occur and infrastructure planning needs to be addressed.

**-PW roof:** Public works roof is on hold, waiting on funding.

**-Bayside outfalls and capacity / bulkhead repairs / replacement:** Per the Engineer, permits were submitted and hopefully they will get word on the pump station soon subject to funding. Triad for Bayside and Mr. Rutala for Washington.

**-Washington / Seaview – beach outfalls and capacity:** Waiting on grant application outcome from Mr. Rutala.

**PUBLIC COMMENTARY:**

Katherine Hughes questioned if the borough knew what the fines were for 2023 dumpsters in violation of not being covered and if habitual developers were made aware. The Administrator indicated that those numbers are not currently known, but it could be answered after the meeting. The Chief added that he spoke to Code Enforcement and they spoke to contractors and they check construction sites and if it is after hours, to please let the police know.

Commissioner Comments:

Mr. Franco – None.

Mr. Schiff – Congrats to Wildwood Basketball Team on their Championship run and they are playing this evening. Secondly, Mr. Cripps detailed that the Wildwood Crest Volunteer Fire Company received a grant for the American Rescue Plan for Firefighters in the amount of \$75,000 (which is the highest in the county). The money will be used for Personal Protective Equipment.

Mayor Cabrera – CAP Center this weekend, Saturday at 2:00 pm and Dorothy Kulisek will be speaking on the Crest history.

After hearing nothing further from the public, Mr. Schiff motioned and Mr. Franco seconded that the meeting be adjourned. All were in favor. The time was 10:04 a.m.

Dated: March 27, 2024

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Patricia A. Feketics, Borough Clerk

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