

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

September 4, 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.

Mr. Franco motioned and Mr. Schiff seconded that Ordinance No. 1436 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. 1436

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

Mr. Franco motioned and Mr. Schiff seconded that a public hearing now be held on Ordinance No. 1436.

Vote: Schiff - Franco – Cabrera – YES

Hearing nothing from the public, Mr. Franco motioned and Mr. Schiff seconded that a public hearing now be closed on Ordinance No. 1436.

Vote: Schiff - Franco – Cabrera – YES

Mr. Franco motioned and Mr. Schiff seconded that Ordinance No. 1436 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. 24-259

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST ESTABLISHING A JUNIOR FIREFIGHTER AUXILIARY PROGRAM FOR PERSONS WHO ARE 16 TO 17 YEARS OF AGE FOR THE WILDWOOD CREST VOLUNTEER FIRE COMPANY #1 IN THE BOROUGH OF WILDWOOD CREST PURSUANT TO N.J.S.A. 40A:14-95 ET SEQ.

WHEREAS, it is the desire of the Board of Commissioners of the Borough of Wildwood Crest to establish a Junior Firefighter Auxiliary for persons who are 16 to 17-years of age in the Borough of Wildwood Crest; and

WHEREAS, pursuant to N.J.S.A. 40A:14-95 et seq., a governing body, by Resolution may establish an auxiliary to a volunteer fire company to be known as the Junior Firefighter Auxiliary; and

WHEREAS, the Wildwood Crest Volunteer Fire Company #1 has requested that the governing body establish a Junior Firefighter Auxiliary for persons who are 16 to 17 years of age; and

WHEREAS, N.J.S.A. 40A:14-98(a) requires rules and regulations must be formulated to govern the activities of the Junior firefighter Auxiliary; and

WHEREAS, the Wildwood Crest Volunteer Fire Company #1 has created a set of Standard Operating Guidelines to establish the rules and regulations for the Junior Firefighter Auxiliary which are attached hereto and made a part of this Resolution.

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. That the Rules and Regulations to govern the activities of the Junior Firefighter Auxiliary formulated by the Wildwood Crest Volunteer Fire Company #1 which are attached hereto are hereby approved and adopted.

2. That a Junior Firefighter Auxiliary for persons who are 16 to 17 years of age to the Wildwood Crest Volunteer Fire Company #1 is hereby established in the Borough of Wildwood Crest in accordance with and pursuant to N.J.S.A. 40A:14-95 et seq.

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 24-260

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING AWARD OF CONTRACT FOR THE BAYSIDE BULKHEAD REPLACEMENT AND FLOOD MITIGATION IMPROVEMENTS CONTRACT

WHEREAS, a Notice to Bidders was authorized for advertisement by Resolution No. 24-215 on July 25, 2024 for the Borough of Wildwood Crest contract for the BAYSIDE BULKHEAD REPLACEMENT AND FLOOD MITIGATION IMPROVEMENTS CONTRACT; and

WHEREAS, Notice to Bidders was advertised in *The Herald of Cape May County* on July 31, 2024 and *Press of Atlantic City* on August 1, 2024 with receipt of sealed bids on August 28, 2024 at 11:00 a.m.; and

WHEREAS, six sealed bid proposals were received, opened and reviewed on August 28, 2024 by the Bid Opening Committee who reviewed the bid proposal and determined that South State, Inc., P.O. Box 68, 202 Reeves Road, Bridgeton, New Jersey 08302, was the lowest responsive bidder in the amount of \$ 5,377,187.00 for the BAYSIDE BULKHEAD REPLACEMENT AND FLOOD MITIGATION IMPROVEMENTS CONTRACT; 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 contract in the amount of \$ 5,377,187.00 to South State, Inc., P.O. Box 68, 202 Reeves Road, Bridgeton, New Jersey 08302; and

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

Account Number(s) _____ Amount _____

Signature _____

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

1. The above recital paragraphs are incorporated herein as if set forth at length.

2. The BAYSIDE BULKHEAD REPLACEMENT AND FLOOD MITIGATION IMPROVEMENTS CONTRACT in the amount of \$ 5,377,187.00 is hereby awarded to South State, Inc., P.O. Box 68, 202 Reeves Road, Bridgeton, New Jersey 08302 the lowest responsive bidder.

3. The award of this contract is contingent upon compliance with all terms, conditions and requirements set forth in the Notice to Bidders; Bid Specifications and Information Packet and other Bid Documents and certification from the Chief Financial Officer as to the availability of funds.

4. The Mayor and the Borough Clerk are hereby authorized and empowered to enter into a formal contract with South State, Inc., P.O. Box 68, 202 Reeves Road, Bridgeton, New Jersey 08302 in accordance with this Resolution, Notice to Bidders, Bid Specifications and Information Packet and the submitted bid proposal.

5. That a Notice of Award shall be published in *The Herald of Cape May County* as required by law within ten (10) days of passage of this Resolution, which notice shall state that this Resolution and the contract are on file and available for public inspection in the office of the Borough Clerk.

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

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 24-261

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST ADOPTING A FORM REQUIRED TO BE USED FOR THE FILING OF OPEN PUBLIC RECORDS ACT (OPRA) REQUESTS WITH THE BOROUGH OF WILDWOOD CREST IN ACCORDANCE WITH THE PROVISIONS OF THE NEW JERSEY OPEN PUBLIC RECORDS ACT, N.J.S.A. 47: 1A-1 ET SEQ.

WHEREAS, pursuant to N.J.S.A. 47:1A-5(f) (effective September 3, 2024), "the custodian of a public agency shall adopt the form established by the Government Records Council pursuant to subsection b. of section 8 of P.L.2001, c.404 (C.47:1A-7), for the use of any person who requests access to a government record held or controlled by the public agency;" and

WHEREAS, the Borough of Wildwood Crest is a public agency which abides by the provisions of the New Jersey Open Public Records Act (OPRA); and

WHEREAS, the Board of Commissioners deems it prudent and in the public interest to adopt an Open Public Records Act (OPRA) Request form in the form attached hereto and made a part hereof.

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, that the attached Open Public Records Act (OPRA) Request form be and hereby is adopted as the official Open Public Records Act (OPRA) Request form for the Borough of Wildwood Crest.

BE IT FURTHER RESOLVED, that all persons filing Open Public Records Act (OPRA) Request with the Borough of Wildwood Crest pursuant to the New Jersey Open Public Records Act, N.J.S.A. 47:1A-1 *et. seq.*, be required to complete the form herein or otherwise comply with the provisions of said Act.

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

DISCUSSION:

NEW BUSINESS: n/a

OLD BUSINESS:

- Police Composition – Possible Ordinance Amendment – No movement.
- Rental Occupancy Issues: The Solicitor is working with department heads to amend the ordinance and a draft ordinance has been circulating.
- Lightning Detection System: Waiting on neighboring municipalities.
- Artificial Grass – PB review: Can be removed from Old Business.
- UEZ 5 Year Plan: Can be removed from Old Business.
- 250th birthday committee- Volunteers are needed.
- WC Municipal App- This is a 2025 item.
- Old Tourism building use – 2025- This is a 2025 item.
- Historical museum - 2025 – This is a 2025 item.
- Proposed Amendment to Ord. 1432 – Ch. 79 – Time Limit Parking – The Solicitor is working on and getting information from department heads.
- Concession agreement hotel zone / beach chairs – hold.
- Traffic Calming – The grant application has been submitted.
- Back Beach Excavation: Waiting on a start date from USACE.
- Dredging: The Administrator said Scott Douglass retired so they need to meet to transition to the replacement.
- NJ Avenue infrastructure pre-county: A new proposal has been submitted by the Engineer and this will be discussed at Capital meeting for 2025.
- PW roof: This project should be starting soon.
- Bayside outfalls and capacity / bulkhead repairs / replacement: Can be removed since it was just awarded.
- Washington / Seaview – beach outfalls and capacity: The Mayor indicated that we are awaiting word from Jim Rutala.

PUBLIC COMMENTS:

Mike Marino indicated that he met with the Chief and the CFO last week and provided a sheet with updated numbers on a five year projection and that he also provided the same sheet to the governing body and administrator.

Tony Mirabello wanted to discuss with the Chief and the Commissioner of Public Safety about getting a handicapped spot out front of his home. He indicated that he was 100 % disabled and had two heart surgeries and parking on his street is difficult with his neighbors having so many cars. The Chief indicated that he would meet with him after the meeting.

James McGinty asked about the police composition and how they determine the proper number of officers needed to patrol the borough. The Chief indicated that the call volume has increased, the time to process an arrest has increased and the level of service needed to handle the calls have contributed to it. Commissioner Schiff asked the CFO approximately how much it costs the taxpayers to have 7 Class II officers and she indicated about penny on the taxrate and then he asked what it would be for 3 F/T officers and she indicated a little over a penny. Lastly, Commissioner Schiff indicated that the Chief didn't want to pay more per hour to Class II officers than what the F/T officers make.

Mike Marino asked what the cost is to the taxpayers. His calculation was almost half a million dollars over 5 years. Furthermore, he added that the numbers should be well known before an ordinance is adopted and the taxpayers have to pay. The Chief pointed out that the Class II officers' salaries have increased more over the past four years than the previous twenty and there is no end in sight.

The Mayor added that potentially there should be another meeting to discuss the actual number breakdown and the impact on the taxpayer.

Commissioner Comments:

Mr. Franco – n/a

Mr. Schiff – It was a great Labor Day and thank you to all the staff.

Mayor Cabrera – Hoped everyone had a Happy Labor Day.

There being nothing further, Mr, Schiff motioned and Mr. Franco seconded that the meeting be adjourned. The time was 10:04 a.m.

Dated: September 18, 2024

Patricia A. Feketics, Borough Clerk

