

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

October 2, 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 CLERK READS THE FOLLOWING ORDINANCE BY TITLE:

ORDINANCE NO. 1437

**ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER 56A RENTAL PROPERTIES, SECTION 56A-2
DEFINITIONS, SECTION 56A-15(A)(2)(c) AND 56A-20
REDUCING THE NUMBER OF COMPLAINTS REQUIRED
FOR REVOCATION OR SUSPENSION OF LICENSE, AND
CREATING SECTION 56A-12.1 OCCUPANCY
LIMITATIONS FOR RENTAL UNITS**

Mr. Franco motioned, Mr. Schiff seconded that Ordinance No. 1437 be passed on first reading, advertised according to law, be brought up for second and final reading and public hearing on October 15, 2024 at 9:30 a.m.

Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING ORDINANCE BY TITLE:

ORDINANCE NO. 1438

**ORDINANCE AMENDING, SUPPLEMENTING, AND RESTATING
CHAPTER 53 – POLICE DEPARTMENT – ARTICLE I,
ESTABLISHMENT OF THE CODE OF THE BOROUGH OF
WILDWOOD CREST**

Mr. Franco motioned, Mr. Cabrera seconded that Ordinance No. 1438 be passed on first reading, advertised according to law, be brought up for second and final reading and public hearing on October 15, 2024 at 9:30 a.m.

Vote: Schiff - ABSTAIN Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 24-275

**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
2024 ROAD RESURFACING PROGRAM FOR A REVISED CONTRACT AMOUNT OF
\$182,885.51**

WHEREAS, South State, Inc., PO Box 68, Bridgeton, NJ 08302 was awarded the contract known as **2024 ROAD RESURFACING PROGRAM-** via Resolution No. 24-131 on April 9, 2024 for \$179,863.00; and

WHEREAS, Borough Engineer Marc DeBlasio of DeBlasio & Associates has reviewed the request for Removal of Heather Road and the Addition of Columbine Road and Wisteria Road from Ocean Avenue to Beach Avenue and As-Built Quantity Adjustments and approves Change Order No 1 – **2024 ROAD RESURFACING PROGRAM** with an increase amount of \$3,049.51 and revising the Contract Price for the Borough of Wildwood Crest's to \$182,885.51; and

WHEREAS, South State, Inc., PO Box 68, Bridgeton, NJ 08302 posted a **Performance Bond No. 107971961** from **Travelers Casualty and Surety Company of America** in the amount of **\$179,836.00** 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 **September 5, 2024** which is incorporated herein, reports to the Borough that **South State, 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. 107971961M from Travelers Casualty and Surety Company of America** in the amount of **\$182,885.51**.

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 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 **2024 ROAD RESURFACING PROGRAM** are hereby approved and accepted.
3. 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. 24-276

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING EXPENDITURE TO PURCHASE ONE (1) 2024 LP AND TWO (2) REAR DUMPING COMPACTOR BOXES CONTRACT UNDER THE FLORIDA SHERIFFS ASSOCIATION 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 One (1) 2024 LP and Two (2) Rear Dumping Compactor Boxes; 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, Broyhill Equipment (#FSA23-VEH21.0) One North Market Square, P.O. Box 475, Dakota City, NE 68731 has provided a quote for \$253,671.00; and

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

Acct Number(s) C-04-55-143-5A1 Amount \$253,671.00 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 One (1) 2024 LP and Two (2) Rear Dumping Compactor Boxes contract based upon the quote received from Broyhill Equipment (#FSA23-VEH21.0) in an amount not to exceed \$253,671.00.

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. 24-277

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST REDUCING SPECIAL EVENTS APPLICATION ADDITIONAL FEES AND BOROUGH SUPPORT FEES TO WILDWOOD MOTOR EVENTS FOR MONSTER TRUCK MEET AND GREET RETROACTIVE TO SEPTEMBER 27, 2024

WHEREAS, Wildwood Motor Events applied for a Special Events permit to hold a Monster Truck Meet and Greet on September 27, 2024; and

WHEREAS, in the spirit of supporting tourism for the Wildwoods and the Wildwood Crest Community, the Commissioners have agreed to reduce any additional special event fees and Borough support fees.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, County of Cape May, New Jersey, that Special Events application additional fees and Borough support fees be reduced to Wildwood Motor Events for Monster Truck Meet and Greet effective September 27, 2024.

Mr. Schiff motions, and Mr. Franco seconds that the foregoing resolution be adopted.
Vote: Schiff - Franco – Cabrera – YES

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 24-278

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING ADVERTISEMENT FOR NOTICE TO BIDDERS FOR NJDCA WILDWOOD CREST MUNICIPAL BUILDING BATHROOM RENOVATIONS

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, Cape May County, New Jersey, that the Borough Clerk is hereby authorized to advertise a Notice to Bidders in *The Herald of Cape May County* and *The Press of Atlantic City* on October 9, 2024.

BE IT FURTHER RESOLVED that the plan and design as set forth in the Specifications on file in the Borough for the NJDCA WILDWOOD CREST MUNICIPAL BUILDING BATHROOM RENOVATIONS is hereby approved.

BE IT FURTHER RESOLVED Sealed bids will be received by the Bid Opening Committee in the Commissioners Meeting Room, Wildwood Crest Borough Hall, on **Wednesday, October 30, 2024 at 10:00am**, 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:

**NJDCA WILDWOOD CREST
MUNICIPAL BUILDING BATHROOM RENOVATIONS**

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. 24-279

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING ADVERTISEMENT FOR NOTICE TO BIDDERS FOR FY2024 NJDOT MUNICIPAL AID RECONSTRUCTION OF TOLEDO AVENUE

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Wildwood Crest, Cape May County, New Jersey, that the Borough Clerk is hereby authorized to advertise a Notice to Bidders in *The Herald of Cape May County* and *The Press of Atlantic City* on October 9, 2024.

BE IT FURTHER RESOLVED that the plan and design as set forth in the Specifications on file in the Borough for the FY2024 NJDOT MUNICIPAL AID RECONSTRUCTION OF TOLEDO AVENUE is hereby approved.

BE IT FURTHER RESOLVED Sealed bids will be received by the Bid Opening Committee in the Commissioners Meeting Room, Wildwood Crest Borough Hall, on **Wednesday, October 30, 2024 at 10:30am**, 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:

**FY2024 NJDOT MUNICIPAL AID
RECONSTRUCTION OF TOLEDO AVENUE**

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. 24-280

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST SUPPORTING THE CALL FOR A PUBLIC HEARING AND INVESTIGATION INTO UNEXPECTED INCREASES IN ENERGY BILLS ISSUED BY ATLANTIC CITY ELECTRIC AND CALLING FOR A MORATORIUM ON ALL UTILITY SHUT OFFS AND RATE INCREASES UNTIL AN INVESTIGATION HAS CONCLUDED

WHEREAS, numerous residents in Wildwood Crest, Cape May County and the broader South Jersey region have reported substantial increases in their energy bills issued by Atlantic City Electric (AC Electric), with some constituents experiencing increases of over 400% compared to the same period last summer; and

WHEREAS, Congressman Jeff Van Drew and his congressional office have compiled substantial data from thousands of residents which indicated that their energy bills have in some cases, tripled or more, contributing to the severe economic challenges faced by families in our region; and

WHEREAS, the current affordability crisis is exacerbated by these unexpected and unexplainable rate hikes, which place an additional financial burden on our residents during a financially distressing time; and

WHEREAS, it is the mission of the New Jersey Board of Public Utilities (NJBP) to protect ratepayers and ensure fair and reasonable utility rates, yet these recent actions appear contrary to that mission; and

WHEREAS, the Board of Commissioners shares the same sentiments and concerns of Congressman Van Drew, and believes that immediate action is necessary to address these concerns and to protect the financial wellbeing of Wildwood Crest residents; and

WHEREAS, Cape May County has offered to host a public hearing and should NJBP decide to hold a public hearing to address the recent AC Electric rate hikes with concerned ratepayers, the Cape May County would offer County facilities to the NJBP at no cost.

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:

1. All of the statements of the preamble are incorporated herein by this reference thereto as though the same were set forth at length.
2. The Borough of Wildwood Crest requests that the NJBP conduct a thorough investigation into the recent rate increases, including, but not limited to, examining the potential impact of smart meters and any possible connections between the rate increases and the ongoing offshore wind development in our region.
3. The Borough of Wildwood Crest calls on the NJBP to hold a public hearing in Cape May County as soon as possible, in order to provide an opportunity for residents to voice their concerns and seek answers regarding these unexpected and unexplainable rate hikes.
4. The Borough of Wildwood Crest requests an immediate moratorium on all electric utility shut offs issued by AC Electric, and further requests a moratorium on future rate increases, until the NJBP's investigation is complete and AC Electric provides satisfactory explanations for these rate hikes.
5. The Borough Clerk shall transmit copies of this executed Resolution to the Governor of the State of New Jersey, President of the Board of Public Utilities, Congressman Van Drew's Office, and the Office of Legislative District 1.

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. 24-281

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING REFUND IN THE AMOUNT OF \$600.00 FOR PUBLIC WORKS SUPPORT FEES MADE PAYABLE TO CREST COMMUNITY CHURCH

WHEREAS, Crest Community Church paid \$600.00 for Public Works Support (check #0009) for an event at Centennial Park on July 28, 2024; and

WHEREAS, the department of Public Works did not provide support.

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 refund of \$600.00 to Crest Community Church, 5901 Pacific Avenue, Wildwood Crest, NJ 08260.

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. 24-282

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AMENDING RULES AND REGULATIONS ESTABLISHED FOR THE JUNIOR FIREFIGHTER AUXILIARY PROGRAM FOR THE WILDWOOD CREST VOLUNTEER FIRE COMPANY #1 IN THE BOROUGH OF WILDWOOD CREST

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest has established a Junior Firefighter Auxiliary for persons who are 16 to 17-years of age in the Borough of Wildwood Crest and has approved the Junior Firefighter Auxiliary Rules and Regulations required by N.J.S.A. 40A:14-98(a); and

WHEREAS, the Municipal Joint Insurance Fund has recommended a revision to the Rules and Regulations which is herein approved and adopted.

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 shall be amended to include and incorporate the provisions of the Borough's Personnel Policies & Procedures Manual Section entitled: Protection and Safe Treatment of Minors, as may be amended from time to time.
2. The following Section shall be added to the Junior Firefighter Auxiliary Rules and Regulations which shall read as follows:

12.2 Borough's Personnel Policies & Procedures Manual; Protection and Safe Treatment of Minors.

All supervisors and Junior Advisors of the Fire Company shall be provided with a copy of the Borough of Wildwood Crest Personnel Policies & Procedures Manual Section entitled: Protection and Safe Treatment of Minors which shall be incorporate into the Rules and Regulations as if fully set forth therein. Each supervisor and Junior Advisor shall fully familiarize themselves with the content therein.

3. The Borough Clerk shall provide a copy of this Resolution and the Personnel Policies & Procedures Manual Section entitled: Protection and Safe Treatment of Minors to the Wildwood Crest Volunteer Fire Company # 1.

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. 24-283

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING ACCEPTANCE OF THE CY2024 BEST PRACTICES INVENTORY AND AUTHORIZING THE APPROPRIATE BOROUGH OFFICIALS TO EXECUTE SAME

WHEREAS, the State of New Jersey requires municipalities, on an annual basis, to complete a Best Practices Inventory to encourage municipalities to implement practices to promote financial accountability and transparency; and

WHEREAS, the Borough of Wildwood Crest has completed the CY2024 Best Practices Inventory, and it is the desire of the governing body to accept the CY2024 Best Practices Inventory as presented.

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 CY2024 Best Practices Inventory is hereby accepted as presented.

BE IT FURTHER RESOLVED that the appropriate Borough Officials are hereby authorized and instructed to execute said CY2024 Best Practices Inventory on behalf of the Borough of Wildwood Crest, and to file it with the State of New Jersey, Division 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. 24-284

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING THE AUCTION OF ABANDONED VEHICLES ON AN ONLINE AUCTION WEBSITE

WHEREAS, the procedure for disposition of abandoned vehicles in the possession of a municipality is set forth in N.J.S.A. 39:10A-1 et seq.; and

WHEREAS, N.J.S.A. 39:10A-1 provides that when such vehicles remain unclaimed by the owner of record or security interest holder for more than 20 days they may be sold at public auction; and

WHEREAS, the Wildwood Crest Police Department has requested that the abandoned vehicles in Schedule A, attached to this resolution, be sold at auction and proper notice of sale advertised.

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 said items be forthwith advertised for public sale pursuant to the provisions of N.J.S.A. 39:10A-1 et seq.

BE IT FURTHER RESOLVED that said vehicles be sold at a public sale to the highest bidder through a contracted government on-line auction service, GovDeals, Inc., the auction site being accessible at www.govdeals.com with the terms and conditions of said contract being available for public view on the GovDeals, Inc. website and in the Office of the Borough Clerk. The Borough will reserve the right to reject any and all bids.

Schedule A

1. 2007 CUMMINS Diesel Generator
Model# DSFAE5861805
Serial#E070064724
Hours: 1,683
Condition: Not running in years
Base bid: \$150.00
NO TITLE or CERTIFICATE OF ORIGIN
2. 2007 John Deere Bucket Loader
Model#644J
Hours/Mileage: 4,046.9
Condition: As is/Rusty/ Usable
Base bid: \$1,500.00
3. 2006 RHODES Tandem Aluminum End Dump Trailer
VIN: 1A9AD28246P432394
Mileage: 28,062
Condition: As is/ Good/ Usable/ New tarp
Base bid: \$1,000.00
4. 1991 MACK Tandem Tractor
VIN: 1M2AA12YOMW013050
Mileage: 80,820
Condition: As is/ Runs well/ Usable
Base bid: \$1,000.00
5. Jet Ski Float Dock
Model# EZ Port 3
Manufacturer: EZ Dock
Base Bid: \$1.00
NO TITLE or CERTIFICATE OF ORIGIN
6. Jet Ski Float Dock
Model# EZ Port 3
Manufacturer: EZ Dock
Base Bid: \$1.00
NO TITLE or CERTIFICATE OF ORIGIN
7. Jet Ski Float Dock
Model# EZ Port 3
Manufacturer: EZ Dock
Base Bid: \$1.00
NO TITLE or CERTIFICATE OF ORIGIN
8. Water Pump 2”
Manufacturer: Homelite #41
Model# 2 ½ 208 GPM 221432
Serial#961106YD
Condition: Complete- AS IS
Base Bid: \$5.00
NO TITLE or CERTIFICATE OF ORIGIN
9. Tiller
Manufacturer: SNAPPER
Model#1695577
Serial# 201325B547
Condition: Complete-AS IS
Base Bid:\$5.00
NO TITLE or CERTIFICATE OF ORIGIN
10. 2009 FORD Crown Victoria
VIN: 2FAHP71V29X135177
Mileage: 87,589
Condition: Runs/ AS IS
Base bid: \$150.00
11. 2009 FORD Crown Victoria
VIN: 2FAHP71VX9X124511
Mileage: 99,718
Condition: Runs/ AS IS
Base bid: \$150.00
12. 2009 FORD Crown Victoria
VIN: 2FAHP71V29X123191
Mileage: Unknown

Condition: Runs/ AS IS
Base Bid: \$150.00

13. 2014 CHEVROLET TAHOE
VIN: 1GNSK2E08ER188168
Mileage: N/A
Condition: Blown Engine/ Rusty/ AS IS
Base bid: \$50.00
14. 2013 GMC SIERRA PICK UP TRUCK
VIN: 1GT22ZCG3DZ200548
Mileage: N/A
Condition: Blown Transmission/ Rusty/ AS IS
Base Bid: \$50.00
15. 2012 John Deere Backhoe
Model# 310SJ
Serial#IT0310SJABD211344
Condition: Runs/ Rusted Badly/ AS IS
Base bid: \$1,150.00
16. 2018 John Deere Gator XUV
Model# XUV590M
Serial# 1MO590MBVJM010664
Condition: Worn out/Rusty/ AS IS
Base bid: \$50.00
NO TITLE or CERTIFICATE OF ORIGIN

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. 24-285

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF
WILDWOOD CREST SUPPORTING SUSTAINABLE JERSEY’S SUSTAINABLE LAND
USE PLEDGE**

WHEREAS, land use is an essential component of overall sustainability for a municipality; and

WHEREAS, poor land-use decisions can lead to and increase societal ills such as decreased mobility, high housing costs, increased greenhouse gas emissions, loss of open space and the degradation of natural resources; and

WHEREAS, well planned land use can create transportation choices, provide for a range of housing options, create walkable communities, preserve open space, provide for adequate recreation, and allow for the continued protection and use of vital natural resources; and

WHEREAS, Given New Jersey’s strong tradition of home rule and local authority over planning and zoning, achieving a statewide sustainable land use pattern will require municipalities to take the lead.

NOW THEREFORE, BE IT RESOLVED, that the Board of Commissioners of the Borough of Wildwood Crest, in the County of Cape May and State of New Jersey, shall take the following steps with regard to our municipal land-use decisions with the intent of making the Borough of Wildwood Crest a truly sustainable community. It is our intent to include these principles in the next master plan revision and reexamination report and to update our land-use zoning, natural resource protection, and other ordinances accordingly.

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:

DISCUSSION:

NEW BUSINESS:

-Estimated Tax Bills- The Tax Collector addressed the governing body about doing estimated tax bills for the 3rd quarter of 2025 to prevent extending the August grace period. This will help the homeowners and will allow for the bills to go out before the end of June. The governing body was in agreement with passing a resolution in 2025.

-Nesbitt Request- Chief Johnson- Chief Johnson sent a correspondence to the governing body requesting use of Nesbitt for female locker rooms. It was already determined to use the Nesbitt Center to generate revenue and to lease out the building for 2025. The governing body was in agreement.

OLD BUSINESS:

- Bicycle safety – bike path: This was previously discussed to have Public Safety handle or possibly go out to bid.
- Lightning Detection System: No movement.
- 250th birthday committee- No movement.
- WC Municipal App- This is a 2025 item.
- Old Tourism building use – 2025- The governing body agreed to have modifications done to the building in anticipation of a business leasing the building. Bid specs are currently being drafted.
- Historical museum - 2025 – This is a 2025 item.
- Proposed Amendment to Ord. 1432 – Ch. 79 – Time Limit Parking – The Solicitor and Public Safety are working on.
- Concession agreement hotel zone / beach chairs – On hold pending USACE dune.
- Traffic Calming – The Local Road Safety draft report is online and the comment period ended October 1st and will be finalized in November.
- Back Beach Excavation: On hold pending USACE dune.
- Dredging: There is a new DOT contact and the Administrator will keep us in the loop.
- NJ Avenue infrastructure pre-county: No movement.
- PW roof: This project has started.
- Washington / Seaview – beach outfalls and capacity: The Mayor indicated that we are awaiting word from Jim Rutala and that preliminarily, it appears there may be potentially 21 million for both Washington Avenue Flood Mitigation and the Bayside Bulkhead projects. Big Thanks to the Administrator and the Engineer on their help.

PUBLIC COMMENTS:

Mike Marino asked the governing body to commence the striping and to implement the strategies suggested by the Engineer.

Commissioner Comments:
Mr. Franco – None.
Mr. Schiff – Good luck to all of the participants in the Crest race this weekend.
Mayor Cabrera – Reminded everyone the lights are now blinking and the Run the Crest event will have the Lower Township bridge closed on Saturday from 7-10 am and there are approximately 350-400 participants.

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 three (3) 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, October 2, 2024 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 Bayside Bulkhead Replacement and Flood Mitigation Improvements Project.
- _____

x

“(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 is the 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

The time was 9:54 a.m. and the meeting adjourned for three minutes to go into Closed Session.

After returning to Open Session,

THE CLERK READS THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 24-287

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF WILDWOOD CREST AUTHORIZING THE MAYOR TO OVERSEE THE BAYSIDE BULKHEAD REPLACEMENT AND FLOOD MITIGATION IMPROVEMENTS PROJECT

WHEREAS, in accordance with the provisions of N.J.S.A. 40:70-76 “Commission Form of Government Law”, the executive, administrative, judicial and legislative powers and duties are to be exercised by the Board of Commissioners who shall have complete control over the affairs of this municipality; and

WHERAS, for the purpose of acting as a liaison for all inquiries and authorization to enter into agreements with individual homeowners relating to the Bayside Bulkhead Replacement and Flood Mitigation Improvements Project, the Board of Commissioners desire to authorize the Mayor to oversee and to act on behalf of the Borough for the following:

BAYSIDE BULKHEAD REPLACEMENT AND FLOOD MITIGATION IMPROVEMENTS PROJECT TO EXECUTE AGREEMENTS WITH PROPERTY OWNERS PERMITTING WORK TO BE PERFORMED ON PRIVATE PROPERTY AND TO DETERMINE DISPOSITION OF PRIVATE PROPERTY WITHIN PUBLIC RIGHT OF WAY; ALL SUCH AGREEMENTS SHALL BE RATIFIED BY THE BOARD OF COMMISSIONERS, BUT SHALL BE EFFECTIVE AT THE TIME OF EXECUTION BY THE MAYOR.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor is hereby authorized to oversee the Bayside Bulkhead Replacement and Flood Mitigation Improvements Project, and to enter into agreements with private property owners adjoining the project work to effect the purposes of the project.

Mr. Schiff motions, and Mr. Franco seconds that the foregoing resolution be adopted.
Vote: Schiff - Franco – Cabrera – YES

There being nothing further, Mr, Schiff motioned and Mr. Franco seconded that the meeting be adjourned. The time was 11:30 a.m.

Dated: November 20, 2024

Patricia A. Feketics, Borough Clerk	