

**MEETING  
MINUTES  
SEPTEMBER  
2013**

**REGULAR  
MEETING**

# *Borough of West Wildwood*

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*"Small town Charm on the Back Bay"*

## **AGENDA**

**REGULAR MEETING – SEPTEMBER 6, 2013**

**7:00 PM ACTION MEETING**

### **CALL TO ORDER**

### **PLEDGE OF ALLEGIANCE**

### **OPEN PUBLIC MEETINGS ACT ANNOUNCEMENT**

THIS REGULAR MEETING WAS CALLED PURSUANT TO THE PROVISIONS OF THE OPEN PUBLIC MEETING LAW. NOTICE OF THIS MEETING HAS BEEN ESTABLISHED IN AN ANNUAL MEETING NOTICE RESOLUTION NO. 2012-106 ADOPTED ON DECEMBER 7, 2012. NOTICE OF THIS MEETING WAS SENT TO THE ATLANTIC CITY PRESS AND THE CAPE MAY COUNTY HERALD ELECTRONICALLY AND POSTED CONTINUOUSLY ON THE OFFICIAL CLERKS BULLETIN BOARD.

### **ROLL CALL:**

### **APPROVAL OF MINUTES:**

August 2, 2013 Regular Meeting  
August 28, 2013 Workshop Meeting

### **RESOLUTIONS:**

### **NUMBERS:**

**2013-088: AMEND SHARED SERVICES AGREEMENT WITH TOWNSHIP OF MIDDLE FOR ANIMAL CONTROL SERVICES**

**2013-089 - A RESOLUTION AUTHORIZING THE BOROUGH OS WEST WILDWOOD TO ENTER INTO A BUSINESS ASSOCIATE AGREEMENT REGARDING HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT (HIPPA)**

**2013-090 – APPOINTING ACTING MUNICIPAL CLERK**

**2013-091 - CHAPTER 159 INSERTION OF USDA GRANT IN THE SUM OF \$31,500 INTO THE BUDGET**

**2013-092 – AMENDING RESOLUTION NO. 2013-087 AUTHORIZING A SHARED SERVICES AGREEMENT BETWEEN THE BOROUGH OF WEST WILDWOOD AND THE CITY OF WILDWOOD FOR THE PURPOSE OF UTILITING THEIR FUELING STATION**

# *Borough of West Wildwood*

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*"Small town Charm on the Back Bay"*

**2013-093 – A RESOLUTION ACKNOWLEDGING ADDITIONAL MEMBERS IN THE WEST WILDWOOD VOLUNTEER FIRE COMPANY**

**2013 094 – AMENDING RESOLUTION 2013-034 AUTHORIZING THE AWARDING OF A NON-FAIR AND OPEN CONTRACT FOR PROFESSIONAL SERVICES OF SPECIAL COUNSEL**

**2013-095 – COMMEMORATING CONSTITUTION WEEK**

**2013-096 – AUTHORIZING THE RETURN OF \$30,000 IN ESCROW PENDING THE CONSTRUCTION AND INSPECTION OF A NEW BULKHEAD AT 605 W. POPLAR AVENUE**

**Open to the Floor for Public Comment:**

**ADJOURNMENT**

**Donna L. Frederick  
Acting Municipal Clerk**

BOROUGH OF WEST WILDWOOD  
BOARD OF COMMISSIONERS  
**REGULAR MEETING**  
SEPTEMBER 6, 2013  
7:00PM – ACTION MEETING

**MINUTES:**

Mayor Fox called the meeting to order, read the OPMA statement and led the Pledge of Allegiance .

**ROLL CALL:**

Comm. Golden  
Comm. Maxwell  
Mayor Fox  
Solicitor Cafiero  
Acting Municipal Clerk Donna L. Frederick

**APPROVAL OF MINUTES OF PREVIOUS MEETINGS AS PRESENTED:**

**August 2, 2013 Regular Meeting**  
**August 28, 2013 Workshop Meeting**

Motion to approve minutes by Comm. Maxwell, Seconded by Comm. Golden  
Roll Call Vote: Comm. Golden, yes; Comm. Maxwell, yes; Mayor Fox, yes  
Motion Carried

**RESOLUTIONS: READ BY NUMBER & TITLE**

AMC Frederick gave a brief detail of each resolution for the public to understand:

**2013-088** - AMEND SHARED SERVICES AGREEMENT WITH TOWNSHIP OF MIDDLE FOR ANIMAL CONTROL SERVICE

Motion by Comm. Maxwell, Seconded by Comm. Golden  
Roll Call Vote: Comm. Golden, yes; Comm. Maxwell, yes; Mayor Fox, yes.  
Resolution Adopted

**2013-089** - A RESOLUTION AUTHORIZING THE BOROUGH OS WEST WILDWOOD TO ENTER INTO A BUSINESS ASSOCIATE AGREEMENT REGARDING HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT (HIPPA)

Motion by Comm. Maxwell, Seconded by Comm. Golden  
Roll Call Vote: Comm. Golden, yes; Comm. Maxwell, yes; Mayor Fox, yes.  
Resolution Adopted

**APPROVAL TO PAY BILLS WHEN PROPERLY SIGNED AND ENDORSED:**

Comm. Golden stated he abstains on the bill regarding payment of escrow to 605 W. Poplar Avenue.

Motion by Comm. Maxwell, Seconded by Comm. Golden

Roll Call Vote: Comm. Golden, yes (noting abstention of as stated above); Comm. Maxwell, yes; Mayor Fox, yes.

Motion Carried for approval of payment of bills as presented.

**REPORTS FROM OFFICIALS:**

Mayor Fox gave the activity report for the Police Department (copy attached).

Comm. Maxwell reported two fire alarms answered; three new members; and commended the ladies auxiliary on the Fire Company's open house.

Comm. Golden gave the activity report for the Public Works Department noting 43 work orders, street and curb scraping. Also reported that the 26<sup>th</sup> St. sewer pumping station had additional repairs. We are applying to the USDA for funds for a street sweeper.

**Mayor Fox opened up the meeting to the floor for public comment.**

JIM PERLOFF, 655 N. Drive, inquired what the benefit was for having a street sweeper.

Comm. Golden, to clean the drains for DEP, if you clean the street it keeps debris from going into the storm drains, maintenance.

MAUREEN SMITH, 30 Venice Avenue, commented on the ladies aux. fire company open house. The ladies aux. raised about \$400 to help the fire company, and it was a good day.

JOYCE DANLEY, 8 "C" Avenue, questioned the items on Ordinance 522(2013) and did these items go out to bid. She read the items and questioned if we have a QPA.

Mayor informed her that we do have a QPA, Jud Moore, and explained the state contract process.

JIM PERLOFF, 655 N. Drive, asked if it was mandatory to replace police vehicles.

Mayor stated that there is no law, but for safety reasons vehicles are replaced periodically.

MAUREEN SMITH, 30 Venice Avenue, asked if the Prosecutor's office said the police vehicles were unsafe under the previous administration.

Mayor Fox stated that this administration is trying to do the right things.

JERRY ROSENBERG, 4 "F" Avenue, asked if it was mandatory to blow the whistle every day.

Mayor stated it is tested daily for safety reasons.

DAVE FRY, 750 W. Glenwood Avenue, asked about the new maps.

Mayor stated that new maps put us back in the "A" zone, and gave an explanation on same, along with the heights and piling issues. Borough will be updating ordinances, through recommendations of planning board and Ray, our construction official

BOROUGH OF WEST WILDWOOD  
COUNTY OF CAPE MAY  
STATE OF NEW JERSEY

RESOLUTION 2013-088

**AMEND SHARED SERVICES AGREEMENT WITH TOWNSHIP  
OF MIDDLE FOR ANIMAL CONTROL SERVICES**

**WHEREAS**, a shared services agreement between the Borough of West Wildwood and the Township of Middle for Animal Control Services effective January 1, 2013 through March 31, 2013; and

**WHEREAS**, on April 5, 2013 the shared services agreement was extended for an additional 90 days, with an expiration date of June 29, 2013, or until such time as amended by resolution; and


**WHEREAS**, it is the desire of both parties to extend this agreement through December 31, 2013.

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Commissioners of the Borough of West Wildwood, County of Cape May, New Jersey, that the Township of Middle be and is hereby designated as the provider of Animal Control Services for the Borough of West Wildwood, and that the shared services agreement shall remain in effect until December 31, 2013.

**BE IT FURTHER RESOLVED**, that a certified copy of this resolution shall be provided to the Township of Middle Municipal Clerk.

	Motion	Second	Yes	No	Abstain	Absent
Mayor Christopher J. Fox			X			
Commissioner Scott W. Golden		X	X			
Commissioner Cornelius J. Maxwell	X		X			

I, **Donna L. Frederick, Acting Municipal Clerk** for the Borough of West Wildwood in the County of Cape May and State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a Resolution adopted by the Board of Commissioners of the Borough of West Wildwood, New Jersey at a **Regular Meeting** held on **September 6, 2013**.

  
\_\_\_\_\_  
**Donna L. Frederick**  
**Acting Municipal Clerk**

BOROUGH OF WEST WILDWOOD  
COUNTY OF CAPE MAY  
STATE OF NEW JERSEY

RESOLUTION 2013-089

**A RESOLUTION AUTHORIZING THE BOROUGH OF WEST WILDWOOD TO ENTER  
INTO A BUSINESS ASSOCIATE AGREEMENT REGARDING  
HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT (HIPPA)**

**WHEREAS**, the Department of Health and Human Services ("HHS") has promulgated regulation at 45 C.F.R. Parts 160-164, implementing the privacy and electronic security requirements set forth in the Administrative Simplification provisions of the Health Insurance and Portability and Accountability Act of 1996, Public Law 104-191, as amended by American Recovery and Reinvestment Act of 2009 (P.L. 111-5, ARRA) ("HIPPA");

**WHEREAS**, this Business Associate Agreement between The Borough of West Wildwood on behalf of Delta Dental of New Jersey, Inc., Dental PPO (hereinafter "Covered Entity") and March & McLennan Agency LLC (hereinafter "Business Associate"); and

**WHEREAS**, Business Associate acknowledges that certain provisions of HIPPA have been amended in ways directly regulate Business Associate's obligations and activities with respect to PHI; and

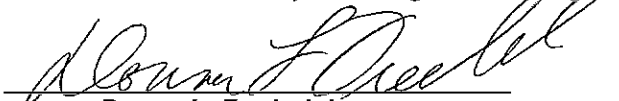
**WHEREAS**, Business Associate will create, receive, maintain or transmit certain Protected Health Information in conjunction with the services being provided by Business Associate to Covered Entity, thus necessitating a written agreement that meets the applicable requirements of HIPPA. Both parties have mutually agreed to satisfy the foregoing regulatory requirements through this agreement.

**NOW, THEREFORE BE IT RESOLVED**, that the Board of Commissioners of the Borough of West Wildwood, County of Cape May, New Jersey hereby authorize the Mayor to enter into the Business Associate Agreement on behalf of the Borough of West Wildwood.

**BE IT FURTHER RESOLVED**, that an executed copy of the Business Associate Agreement be attached to this resolution.

	Motion	Second	Yes	No	Abstain	Absent
Mayor Christopher J. Fox			X			
Commissioner Scott W. Golden		X	X			
Commissioner Cornelius J. Maxwell	X		X			

I, **Donna L. Frederick, Acting Municipal Clerk** for the Borough of West Wildwood in the County of Cape May and State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a Resolution adopted by the Board of Commissioners of the Borough of West Wildwood, New Jersey at a **Regular Meeting** held on **September 6, 2013**.

  
\_\_\_\_\_  
**Donna L. Frederick**  
**Acting Municipal Clerk**



**Health Insurance Portability and Accountability Act (HIPAA)**  
**BUSINESS ASSOCIATE AGREEMENT**

This Business Associate Agreement (the "Agreement") is made and entered into as of the <sup>24</sup> day of ~~September~~, 2013 (hereinafter the "Date") by and between West Wildwood Borough, on behalf of Delta Dental of New Jersey, Inc. Dental PPO (hereinafter "Covered Entity"), and Marsh & McLennan Agency LLC (hereinafter "Business Associate").

*Recitals*

**WHEREAS**, the Department of Health and Human Services ("HHS") has promulgated regulations at 45 C.F.R. Parts 160-164, implementing the privacy and electronic security requirements set forth in the Administrative Simplification provisions of the Health Insurance Portability and Accountability Act of 1996, Public Law 104-191, as amended by American Recovery and Reinvestment Act of 2009 (P.L. 111-5, ARRA) ("HIPAA");

**WHEREAS**, Business Associate acknowledges that certain provisions of HIPAA have been amended in ways that directly regulate Business Associate's obligations and activities with respect to PHI;

**WHEREAS**, HIPAA provides, among other things, that Covered Entity is permitted to disclose Protected Health Information (as defined below) to Business Associate and allow Business Associate to obtain and receive Protected Health Information, if Covered Entity obtains satisfactory assurances in the form of a written contract that Business Associate will appropriately safeguard the Protected Health Information; and

**WHEREAS**, Business Associate will create, receive, maintain or transmit certain Protected Health Information in conjunction with the services being provided by Business Associate to Covered Entity, thus necessitating a written agreement that meets the applicable requirements of HIPAA. Both parties have mutually agreed to satisfy the foregoing regulatory requirements through this Agreement.

**NOW THEREFORE**, Covered Entity and Business Associate agree as follows:

1. Definitions: Applicability.

(a) All terms not defined herein shall have the meaning ascribed to them in HIPAA.

(b) This Agreement shall apply only with respect to and to the extent that Business Associate creates, receives, maintains or transmits PHI for or on behalf of Covered Entity.

2. Obligations and Activities of Business Associate

(a) Business Associate agrees to not use or further disclose Protected Health Information other than as permitted or required by this Agreement or as Required by Law.

(b) Business Associate agrees to use commercially reasonable and appropriate safeguards to prevent use or disclosure of the Protected Health Information other than as provided for by this Agreement.

(c) Business Associate agrees to report to Covered Entity any use or disclosure of the Protected Health Information not provided for by this Agreement of which it becomes aware. In event of a Breach of Unsecured PHI by Business Associate or any of its officers, directors, employees, or subcontractors, Business Associate shall promptly notify Covered Entity in accordance with 45 C.F.R. 164.410.

(d) Business Associate and Covered Entity agree to mitigate, to the extent practicable, any harmful effect that is known to it arising out of a use or disclosure of Protected Health Information in violation of the requirements of this Agreement.

(e) Business Associate agrees to ensure that any subcontractors that create, receive, maintain, or transmit Protected Health Information on behalf of Business Associate agrees to substantially similar restrictions and conditions that apply through this Agreement to Business Associate with respect to such information.

(f) Business Associate agrees to provide access to Protected Health Information in a Designated Record Set, in the time and manner Required by Law, to Covered Entity or, as directed by Covered Entity, to an Individual, in order to meet the requirements under 45 C.F.R. 164.524. Business Associate may impose a reasonable cost-based fee for the provision of copies of PHI in a Designated Record Set in accordance with 45 C.F.R. 164.524(c)(4).

(g) Business Associate agrees to make any amendment(s) to Protected Health Information in a Designated Record Set pursuant to 45 C.F.R. 164.526 at the request of Covered Entity or an Individual, and in the time and manner Required by Law.

(h) Business Associate agrees to make internal practices, books, and records relating to the use and disclosure of Protected Health Information received from, or created or received by Business Associate, on behalf of Covered Entity, available to the Secretary, for purposes of the Secretary determining Covered Entity's or Business Associate's compliance with HIPAA.

(i) Business Associate agrees to document such disclosures of Protected Health Information and information related to such disclosures as would be required for Covered Entity to respond to a request by an Individual for an accounting of disclosures of Protected Health Information in accordance with 45 C.F.R. 164.528.

(j) Business Associate agrees to provide to Covered Entity, upon request and in the time and manner Required by Law, an accounting of disclosures of an Individual's Protected Health Information, collected in accordance with Section 2(i) of this Agreement, to permit Covered Entity to respond to a request by an Individual for an accounting of disclosures of Protected Health Information in accordance with 45 C.F.R. 164.528. If Covered Entity requests an accounting of an Individual's Protected Health Information more than once in any twelve (12) month period, Business Associate will impose a reasonable fee for such accounting in accordance with 45 C.F.R. 164.528(c).

(k) Business Associate agrees to comply, where applicable, with Subpart C of 45 CFR Part 164 to maintain the security of the Electronic Protected Health Information and to prevent unauthorized uses or disclosures of such Electronic Protected Health Information. Business Associate shall report to the Covered Entity any Security Incident that results in the unauthorized use or disclosure of Protected Health Information of which it becomes aware.

### 3. Permitted Uses and Disclosures by Business Associate

(a) Business Associate may use or disclose Protected Health Information to perform its obligations and services to Covered Entity, provided that such use or disclosure would not violate HIPAA if done by Covered Entity.

(b) Business Associate may use Protected Health Information for the proper management and administration of the Business Associate or to carry out the legal responsibilities of the Business Associate or as otherwise permitted by HIPAA.

(c) Business Associate may disclose Protected Health Information for the proper management and administration of the Business Associate, provided that disclosures are Required by Law, or Business Associate obtains reasonable assurances from the person to whom the information is disclosed that it will be held confidential and used or further disclosed only as Required by Law or for the purpose for which it was disclosed

to the person, and the person notifies the Business Associate of any instances of which it is aware in which the confidentiality of the information has been breached.

(d) Business Associate may use Protected Health Information to provide data aggregation services to Covered Entity.

#### 4. Obligations of Covered Entity.

##### 4.1 Provisions for Covered Entity to Inform Business Associate of Privacy Practices and Restrictions

(a) Covered Entity shall provide Business Associate with the notice of privacy practices that Covered Entity produces in accordance with 45 C.F.R. § 164.520, as well as any changes to that notice.

(b) Covered Entity shall provide Business Associate with any changes in, or revocation of, permission by Individual to use or disclose Protected Health Information, if such changes affect Business Associate's permitted or required uses and disclosures.

(c) Covered Entity shall notify Business Associate, in writing, of any restriction to the use or disclosure of Protected Health Information that Covered Entity has agreed to in accordance with 45 C.F.R. § 164.522.

(d) Covered Entity warrants and represents that it shall provide to, or request from, the Business Associate only the minimum Protected Health Information necessary for Business Associate to perform or fulfill a specific function required or permitted hereunder.

(e) If Protected Health Information is transmitted by electronic transfer or sent in physical media by or on behalf of Covered Entity, Covered Entity shall transmit all such Protected Health Information to Business Associate in an encrypted format, to be mutually agreed by the parties.

4.2 Permissible Requests by Covered Entity. Covered Entity represents and warrants that it has the right and authority to disclose Protected Health Information to Business Associate for Business Associate to perform its obligations and provide services to Covered Entity, and Covered Entity shall not request Business Associate to use or disclose Protected Health Information in any manner that would violate HIPAA, other applicable laws or Covered Entity's privacy notice, if done by Covered Entity.

#### 5. Term and Termination

(a) Term. The provisions of this Agreement shall take effect as of the earlier of (i) the Date, or (ii) September 23, 2013 (such date, the "Effective Date"), and shall continue for the term of the Services Agreement.

(b) Termination for Cause. Upon the parties mutual agreement that there has been a material breach by Business Associate which does not arise from any breach by Covered Entity, Covered Entity shall provide an opportunity for Business Associate to cure the breach or end the violation and terminate this Agreement if Business Associate does not cure the breach or end the violation within a mutually agreeable time, or immediately terminate this Agreement if cure of such breach is not possible.

##### (c) Effect of Termination.

(1) Except as provided in paragraph (2) of this section, upon termination of this Agreement, for any reason, Business Associate shall return or destroy all Protected Health Information received from Covered Entity, or created or received by Business Associate on behalf of Covered Entity. Business Associate shall request, in writing, Protected Health Information that is in the possession of subcontractors of Business Associate.

(2) In the event the Business Associate determines that returning or destroying the Protected Health Information is infeasible, Business Associate shall extend the protection of this Agreement to such Protected Health Information and limit further uses or disclosures to those purposes that make the return or destruction infeasible, for so long as Business Associate maintains such Protected Health Information.

6. Miscellaneous

(a) Regulatory References. A reference in this Agreement to a section in HIPAA means the section as in effect or as amended, and for which compliance is required.

(b) Amendment. Upon the enactment of any law or regulation affecting the use or disclosure of Protected Health Information, or the publication of any decision of a court of the United States or any state relating to any such law or the publication of any interpretive policy or opinion of any governmental agency charged with the enforcement of any such law or regulation, the parties agree to negotiate in good faith to amend the Agreement as necessary to comply with such law or regulation.

(c) Survival. The obligations of Business Associate under section 5(c)(2) of this Agreement shall survive the termination of this Agreement.

(d) Interpretation; Entire Agreement. Any ambiguity in this Agreement shall be resolved in favor of a meaning that permits both parties to comply with HIPAA. This Agreement shall be subject to the terms and conditions of the Services Agreement; provided, however, that in the event of any inconsistency or conflict between this Agreement and any the Services Agreement, the terms, provisions and conditions of this Agreement shall govern and control. This Agreement and the Services Agreement constitute the complete agreement between the parties relating to the matters specified in this Agreement, and supersede all prior representations or agreements, whether oral or written, with respect to such matters.

(e) No third party beneficiary. Nothing express or implied in this Agreement is intended to confer, nor shall anything herein confer, upon any person other than the parties and the respective successors or assigns of the parties, any rights, remedies, obligations, or liabilities whatsoever.


(f) Governing Law. This Agreement shall be governed by and construed in accordance with the laws of the State of New York.

[Signature Page Follows]

IN WITNESS WHEREOF, the parties hereto have executed this Agreement.

West Wildwood Borough,

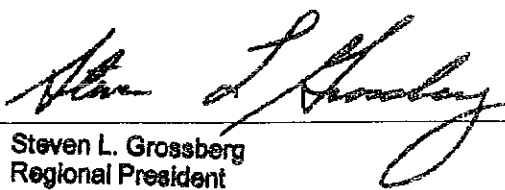
On behalf of: Delta Dental of New Jersey, Inc. Dental PPO

By:  \_\_\_\_\_

Name: CHRISTOPHER J. FOX

Title: MAYOR

Marsh & McLennan Agency LLC

By:  \_\_\_\_\_

Name: Steven L. Grossberg  
**Steven L. Grossberg**  
**Regional President**  
**Marsh & McLennan Agency LLC**

Title: Regional President & CEO

**BOROUGH OF WEST WILDWOOD  
COUNTY OF CAPE MAY**

**RESOLUTION 2013-090**

**APPOINTING ACTING MUNICIPAL CLERK**

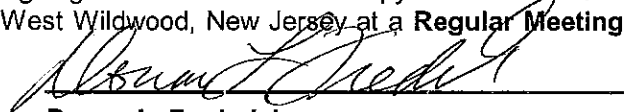
**WHEREAS**, in accordance with N.J.S.A. 40A:9-133c., the Governing Body may appoint a person who does not hold a Registered Municipal Clerk Certificate for a period not to exceed one (1) year, and with written permission from the Director of the Division of Local Government Services, in the Department of Community Affairs, the Governing Body may appoint an Acting Clerk for two (2) subsequent one (1) year terms; and

**WHEREAS, Donna L. Frederick, CPWM** has serve as the Acting Municipal Clerk for the Borough commencing September 1, 2012, and is eligible for re-appointment to another one (1) year term, and the Borough has received written permission from the Director of the Division of Local Government Services for her appointment.

**NOW, THEREFORE BE IT RESOLVED**, that the Governing Body of the Borough of West Wildwood, County of Cape May, New Jersey, hereby appoint Donna L. Frederick, as Acting Municipal Clerk for a period of one year, effective September 1, 2013.

	Motion	Second	Yes	No	Abstain
Mayor Christopher J. Fox			X		
Commissioner Scott W. Golden		X	X		
Commissioner Cornelius J. Maxwell	X		X		

I, **Donna L. Frederick**, Acting Municipal Clerk for the Borough of West Wildwood in the County of Cape May and State of New Jersey, do hereby certify that the foregoing is a correct and true copy of the Resolution adopted by the Board of Commissioners of the Borough of West Wildwood, New Jersey at a **Regular Meeting** held on **September 6, 2013**.

  
\_\_\_\_\_  
**Donna L. Frederick**  
Acting Municipal Clerk



## State of New Jersey

DEPARTMENT OF COMMUNITY AFFAIRS

101 SOUTH BROAD STREET

PO Box 803

TRENTON, NJ 08625-0803

CHRIS CHRISTIE  
*Governor*

KIM GUADAGNO  
*Lt. Governor*

RICHARD E. CONSTABLE, III  
*Commissioner*

August 27, 2013

The Honorable Christopher J. Fox, Mayor  
and Members of the Governing Body  
Borough of West Wildwood  
P.O. Box 644  
701 West Glenwood Avenue  
West Wildwood, New Jersey 08260

Dear Mayor Fox and Governing Body Members:

The Division of Local Government Services is in receipt of a request from Mayor Fox, submitted on behalf of the Borough of West Wildwood, that permission be granted to the Borough for a second-year term of an Acting Municipal Clerk. The Borough previously appointed Ms. Donna L. Frederick to this position as of September 1, 2012.

Permission is hereby granted to the Borough of West Wildwood to reappoint Ms. Frederick to a second-year term as Acting Clerk, as of September 1, 2013. Pursuant to N.J.S.A. 40A:9-133c, if the Borough wishes to reappoint Ms. Frederick for a third year as Acting Clerk as of September 1, 2014, it must again request permission from the Division to do so.

Thank you for your attention to this matter. If you have any questions, please contact Daniel Kaminski of my staff at (609) 292-9757.

Sincerely,

Thomas H. Neff, Director  
Division of Local Government Services

THN:djk

BOROUGH OF WEST WILDWOOD  
COUNTY OF CAPE MAY  
STATE OF NEW JERSEY

RESOLUTION 2013-091

CHAPTER 159 - INSERTION OF A USDA GRANT IN THE SUM OF \$ 31,500

**WHEREAS**, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by any public or private funding source and the amount thereof shall not have been determined at the time of the adoption of the budget; and

**WHEREAS**, said Director may also approve the insertion of any item of appropriation for equal amount; and

**WHEREAS**, the Borough of West Wildwood is in receipt of \$31,500 from the United States Department of Agriculture Rural Development and wishes to amend its 2013 Municipal Budget to include this amount of revenue.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of the Borough of West Wildwood, County of Cape May, New Jersey, does hereby request the Director of the Division of Local Government services to approve the insertion of an item of revenue in the municipal budget of the Borough of West Wildwood for the year 2013 in the sum of.....\$31,500.00 which is now available as a revenue from:

Miscellaneous Revenues  
Special Items of General Revenue Anticipated with  
Prior Written Consent of the Director of the Division  
of Local Government Services - Public and Private  
Revenues Offset with Appropriations;  
United States Department of Agriculture Rural Development  
2013 Police Vehicle .....\$31,500.00

**BE IT FURTHER RESOLVED** that a like sum of ..... \$31,500.00  
be and the same is hereby appropriated under the caption of:

GENERAL APPROPRIATIONS

(a) Operations Excluded from 5% Caps  
Public and Private Programs Offset by Revenues:  
2013 Police Vehicle

**BE IT FURTHER RESOLVED** that the Borough Clerk be and is hereby authorized and directed to forward two (2) copies of this Resolution to the Director of the Division of Local Government Services.

	Motion	Second	Yes	No	Abstain	Absent
Mayor Christopher J. Fox			X			
Commissioner Scott W. Golden		X	X			
Commissioner Cornelius J. Maxwell	X		X			



I, **Donna L. Frederick, Acting Municipal Clerk** for the Borough of West Wildwood in the County of Cape May and State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a Resolution adopted by the Board of Commissioners of the Borough of West Wildwood, New Jersey at a **Regular Meeting** held on **September 6, 2013**.



**Donna L. Frederick**  
**Acting Municipal Clerk**

BOROUGH OF WEST WILDWOOD  
 COUNTY OF CAPE MAY  
 STATE OF NEW JERSEY

RESOLUTION 2013-092

**A RESOLUTION AMENDING RESOLUTION 2013-087 AUTHORIZING A SHARED SERVICES AGREEMENT BETWEEN THE BOROUGH OF WEST WILDWOOD AND THE CITY OF WILDWOOD FOR THE PURPOSE OF UTILIZING THEIR FUELING STATION**

**WHEREAS**, N.J.S.A. 40:8A:1 et seq. the Inter-local Services Act, authorized municipalities to enter into Agreements with other municipalities for the joint provisions within their jurisdictions of services which any of the parties on whose behalf such services are to be performed may legally perform for itself; and

**WHEREAS**, it is the desire of the Board of Commissioners of the Borough of West Wildwood to enter into a Shared Services Agreement with the City of Wildwood for the utilization of their fueling station, noting that during an emergency it will be more beneficial to have 24 hour access to fuel; and

**WHEREAS**, the Commissioners have agreed to enter into this agreement, for the term of one (1) year commencing on the day when the fueling station is fully operational.

**WHEREAS**, the Borough of West Wildwood agrees to pay the sum of \$6,500.00 to EM Grant, Fleet Automation Specialists, 863 Red Wing Lane, Huntingdon Valley, Pa. 19006, for partial costs incurred with the installation of a card/tag reader system.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Borough of West Wildwood, County of Cape May, New Jersey, that they hereby authorize and direct the Deputy Mayor to execute a Shared Services Agreement with the City of Wildwood for said services; and

**BE IT FURTHER RESOLVED** the Acting CFO has prepared a certification of availability of funds, herein attached; and

**BE IT FURTHER RESOLUTED**, that the fully executed copy of the shared services agreement be attached to this resolution.

	Motion	Second	Yes	No	Abstain	Absent
Mayor Christopher J. Fox					X	
Commissioner Scott W. Golden		X	X			
Commissioner Cornelius J. Maxwell	X		X			

I, **Donna L. Frederick**, Acting Municipal Clerk for the Borough of West Wildwood in the County of Cape May and State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a Resolution adopted by the Board of Commissioners of the Borough of West Wildwood, New Jersey at a properly advertised rescheduled **Regular Meeting** held on **September 6, 2013**.

  
**Donna L. Frederick**  
 Acting Municipal Clerk

**INTER-LOCAL SERVICES AGREEMENT  
BETWEEN THE BOROUGH OF WEST WILDWOOD  
AND THE CITY OF WILDWOOD PURSUANT TO THE PROVISIONS OF  
N.J.S.A. 40:8A-1 ET. SEQ. KNOWN AS THE INTERLOCAL SERVICES ACT**

**THIS AGREEMENT** dated this \_\_\_\_\_ day of \_\_\_\_\_, 2013 by and between the Borough of West Wildwood, a Municipal Corporation of the State Of New Jersey, hereinafter referred to as "Borough" and the City of Wildwood, a Municipal Corporation of the State of New Jersey, hereinafter referred to as "City".

**WITNESSETH:**

**WHEREAS**, N.J.S.A. 40:8A-3 authorized municipalities to enter into an agreement for the exchange of inter-local services pursuant to the provisions of the statute known as the "Inter-local Services Act"; and

**WHEREAS**, the governing body has determined that it would be beneficial for the Borough to enter into a shared services agreement with the City to have access to their fueling station, especially during an emergency event, which will allow 24 hour access to fuel; and

**WHEREAS**, each respective municipality agree as follows:

- A.) The City of Wildwood shall provide 24 hour access to their fueling station for Borough vehicles, including Police, Public Works, and Fire Emergency Vehicles.
- B.) The City of Wildwood will set in place an identification card system for the purpose of properly distinguishing municipal vehicles.
- C.) The City of Wildwood shall maintain an accurate log of fuel consumption and bill the Borough of West Wildwood for same.

**WHEREAS**, said services will commence for a term of one (1) year, on the day when the fueling station is fully operational; and

**WHEREAS**, the Borough of West Wildwood agrees to pay the sum of \$6,500.00 to EM Grant, Fleet Automation Specialists, 863 Red Wing Lane, Huntingdon Valley, Pa. 19006, for partial costs incurred with the installation of a card/tag reader system.

**THEREFORE, BE IT RESOLVED**, that the Mayor and/or Deputy Mayor of both municipalities be, and hereby, are authorized to sign this contract; and

**BE IT FURTHER RESOLVED** that this Inter-local Services Agreement may be cancelled by either party upon written notification or a 90 day time notification.

**BE IT FURTHER RESOLVED**, that it is recognized by both parties that the Borough of West Wildwood and the City of Wildwood are self-insured and, as such, both are participants in the Atlantic County Municipal Joint Insurance Fund (JIF) and that final approval of this Contract is subject to acknowledgement by the JIF that the services are provided for in this Contract are insurable by the JIF as to both municipalities with any dispute involving this Agreement which cannot be amicably resolved between the parties shall be adjudicated through binding arbitration; and

**IN WITNESS WHEREOF**, the parties have hereunto caused their proper officers to sign their respective municipal seals to be affixed hereto on the dates indicated below.

**IN WITNESS WEREOF**, the parties have set their hands and seals the day and year first above written.

ATTEST:

CITY OF WILDWOOD

\_\_\_\_\_  
Christopher H. Wood, City Clerk

\_\_\_\_\_  
Ernest Troiano, Jr., Mayor

ATTEST:

BOROUGH OF WEST WILDWOOD

\_\_\_\_\_  
Donna L. Frederick, Acting Municipal Clerk

\_\_\_\_\_  
Cornelius J. Maxwell, Deputy Mayor

BOROUGH OF WEST WILDWOOD  
COUNTY OF CAPE MAY  
STATE OF NEW JERSEY

RESOLUTION 2013-093

**A RESOLUTION ACKNOWLEDGING ADDITIONAL MEMBERS IN THE  
WEST WILDWOOD VOLUNTEER FIRE COMPANY**

**WHEREAS**, it has been established in Resolution 2013-021, dated February 1, 2013, that JIF, determined the borough must keep a current roster of all active firefighters, ladies auxiliary members and junior firefighters of the West Wildwood Vol. Fire Company; and

**WHEREAS**, the Chief of the West Wildwood Vol. Fire Company has provided copies of additional applicants for the Borough to add to the roster; and

**WHEREAS**, the following two new members are:

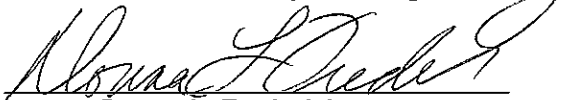
Andrew McNeill, Firefighter, 216 E. Juniper Ave. Wildwood, NJ  
Gregory DeCecco, Firefighter, 619 W. Maple Ave., West Wildwood, NJ  
Justin Morgan, Junior Firefighter, 337 N.W. 18<sup>th</sup> Ave., North Wildwood, NJ

**NOW, THEREFORE BE IT RESOLVED** that the Board of Commissioners of the Borough of West Wildwood, County of Cape May, New Jersey that the Borough acknowledges these members and thank them for their selfless volunteer service on behalf of all of the residents; and

**BE IT FURTHER RESOLVED** that the clerk will add these additional members to the original roster submitted on February 1, 2013.

	Motion	Second	Yes	No	Abstain	Absent
Mayor Christopher J. Fox			X			
Commissioner Scott W. Golden		X	X			
Commissioner Cornelius J. Maxwell	X		X			

I, **Donna L. Frederick, Acting Municipal Clerk** for the Borough of West Wildwood in the County of Cape May and State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a Resolution adopted by the Board of Commissioners of the Borough of West Wildwood, New Jersey at a **Regular Meeting** held on **September 6, 2013**

  
Donna L. Frederick  
Acting Municipal Clerk

BOROUGH OF WEST WILDWOOD  
COUNTY OF CAPE MAY  
STATE OF NEW JERSEY

RESOLUTION 2013-094

**AMENDING RESOLUTION 2013-034 AUTHORIZING THE AWARDING OF A NON-FAIR AND OPEN CONTRACT FOR PROFESSIONAL SERVICES OF SPECIAL COUNSEL**

**WHEREAS**, the Borough of West Wildwood awarded a non-fair and open contract for Professional Services on March 28, 2013 to Mr. Louis M. Barbone, of the Law Firm of Jacobs & Barbone, P.A., a Professional Corporation, Attorneys at Law; and

**WHEREAS**, a General Retainer Agreement for Legal Services along with the terms of the representation was submitted with an estimate of \$7,500.00 to review, research and provide a legal opinion; and

**WHEREAS**, a Certificate of Availability of Funds from the Acting Chief Financial Officer was executed and attached hereto in the amount of \$10,000.00 providing for the event that there may be subsequent litigation costs.

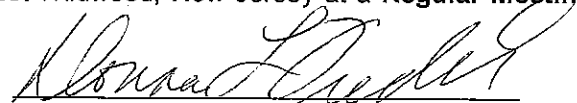
**WHEREAS**, it has been determined that it is necessary for the Borough to increase the contract amount by \$5,000.00.

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Commissioners of the Borough of West Wildwood, County of Cape May, New Jersey, that the Acting Chief Financial Officer is hereby authorized to execute the necessary documentation; and

**BE IT FURTHER RESOLVED**, that a Certificate of Availability of Funds from the Acting Chief Financial Officer is attached hereto in the amount of \$5,000.00.

	Motion	Second	Yes	No	Abstain	Absent
Mayor Christopher J. Fox			X			
Commissioner Scott W. Golden		X	X			
Commissioner Cornelius J. Maxwell	X		X			

I, **Donna L. Frederick, Acting Municipal Clerk** for the Borough of West Wildwood in the County of Cape May and State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a Resolution adopted by the Board of Commissioners of the Borough of West Wildwood, New Jersey at a **Regular Meeting** held on **September 6, 2013**.



**Donna L. Frederick**  
**Acting Municipal Clerk**

BOROUGH OF WEST WILDWOOD  
COUNTY OF CAPE MAY  
STATE OF NEW JERSEY

RESOLUTION 2013-096

**AUTHORIZING THE RETURN OF \$30,000 IN ESCROW PENDING THE CONSTRUCTION AND INSPECTION OF A NEW BULKHEAD AT 605 W. POPLAR AVENUE**

**WHEREAS**, as per Resolution 2012-113 authorizing the sale of real property owned by the Borough no longer needed for public purpose, known as 605 W. Poplar Avenue, advertised for public sale pursuant to all requirements and procedures set forth in the Local Lands and Buildings Law, N.J.S.A. 40A:12-1 et seq. As part of this Resolution it was noted that a credit be given to the successful bidder in the sum of five hundred dollars (\$500.00) per linear foot for the construction of a new bulkhead; and

**WHEREAS**, as per Resolution 2012-116 said property was sold at public auction and the high bid was accepted by the Board of Commissioners with the successful bidders being John J. and Beth A. Chesney, and John & Jean Overpeck; and

**WHEREAS**, the successful bidder having to agree to indemnify and hold the Borough harmless with respect to all potential litigation to any environmental matters arising from the sale and or ownership of the property; and

**WHEREAS**, the successful bid purchase price was \$40,000 of which \$30,000 was put in an escrow account, pending the construction of a new bulkhead; and

**WHEREAS**, the Zoning Code Official for the Borough has confirmed to the Clerk the existence of a new bulkhead at said location and provided photos confirming same; and

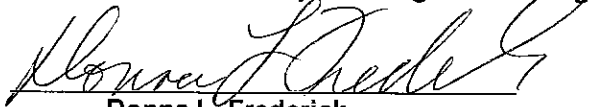
**WHEREAS**, a Deed has been drawn up by the successful bidders attorney for the conveyance of the property sold and all costs related to the Deed, including, but not limited to the preparation and filing of same are the responsibility of the successful bidder.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of the Borough of West Wildwood, County of Cape May, New Jersey, do hereby authorize the Mayor to sign the Deed as the Grantor of said property, sign the Affidavit of Title and the Affidavit of Consideration; and

**BE IT FURTHER RESOLVED**, that the CFO/Treasurer is authorized to execute payment of said escrow to the parties aforementioned.

	Motion	Second	Yes	No	Abstain	Absent
Mayor Christopher J. Fox		X	X			
Commissioner Scott W. Golden					X	
Commissioner Cornelius J. Maxwell	X		X			

I, Donna L. Frederick, Acting Municipal Clerk for the Borough of West Wildwood in the County of Cape May and State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a Resolution adopted by the Board of Commissioners of the Borough of West Wildwood, New Jersey at a **Regular Meeting** held on **September 6, 2013**.

  
Donna L. Frederick  
Acting Municipal Clerk

# *Borough of West Wildwood*

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*"Small town Charm on the Back Bay"*

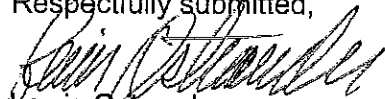
September 4, 2013

MEMO TO: Acting Municipal Clerk Donna L. Fredrick  
FROM: Zoning Code Official Lewis Ostrander  
RE: 605 W. Poplar Avenue

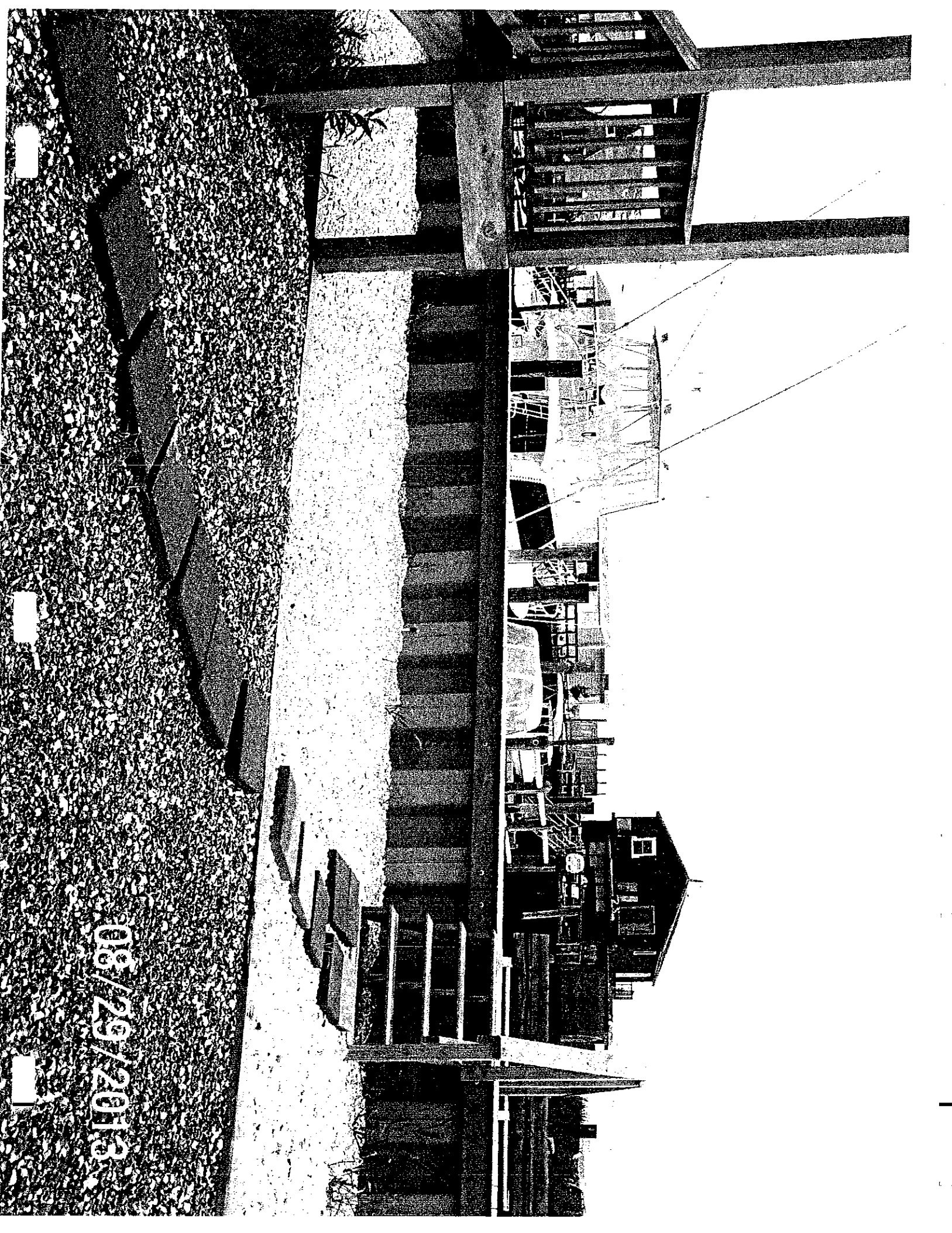
Dear Clerk Frederick,

This is a letter confirming the existence of a newly installed/constructed bulkhead at the above mentioned location. I make no claims for the actual construction methods utilized for the replacement of this bulkhead. I have also attached photographs of the bulkhead for your records.

Respectfully submitted,

  
Lewis Ostrander  
Zoning Code Official  
Borough of West Wildwood





08/29/2013



Borough of West Wildwood  
Police Department

701 W. Glenwood Ave., West Wildwood, NJ 08260  
(609) 522-2396

**ACTIVITY REPORT AUGUST 2013**

1	911 Hang Up
3	Reports of Animal Complaints
6	Arrests
1	Burglary
1	Burglar Alarm Activation
2	Report of CDS Activity
2	Reports of Criminal Mischief
1	Driving Under the Influence Arrest
8	Reports of General Complaints
3	Juvenile Complaints
21	Local Ordinance Violations
3	Reports of Lost Property
10	Medical Assists
60	Motor Vehicle Stops (39 Warnings/21 Summonses)
2	Reports of Noise/Loud Party
1	Opened Doors/Secured
2	Reported Overdoses (1 Death)
33	Parking Complaints
5	Police Assists to Residents
86	Property Checks
13	Resident Assists
3	Reports of Suspicious Activity
24	Reports of Suspicious Persons/Pedestrians
1	Reports of Suspicious Vehicle
2	Reports of Theft
1	Reports of Unhitched Trailer
2	Reports of Unwanted Guests/Defiant Trespassing

**TOTAL CALLS FOR SERVICE 783**

**MEETING  
MINUTES  
SEPTEMBER  
2013**

**REGULAR  
MEETING**

*"Small town Charm on the Back Bay"*

**AGENDA**

**REGULAR MEETING – SEPTEMBER 6, 2013  
7:00 PM ACTION MEETING**

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**OPEN PUBLIC MEETINGS ACT ANNOUNCEMENT**

THIS REGULAR MEETING WAS CALLED PURSUANT TO THE PROVISIONS OF THE OPEN PUBLIC MEETING LAW. NOTICE OF THIS MEETING HAS BEEN ESTABLISHED IN AN ANNUAL MEETING NOTICE RESOLUTION NO. 2012-106 ADOPTED ON DECEMBER 7, 2012. NOTICE OF THIS MEETING WAS SENT TO THE ATLANTIC CITY PRESS AND THE CAPE MAY COUNTY HERALD ELECTRONICALLY AND POSTED CONTINUOUSLY ON THE OFFICIAL CLERKS BULLETIN BOARD.

**ROLL CALL**

**APPROVAL OF MINUTES**

August 2, 2013 Regular Meeting  
August 28, 2013 Workshop Meeting

**RESOLUTIONS**

**NUMBERS:**

**2013-088: AMEND SHARED SERVICES AGREEMENT WITH TOWNSHIP OF MIDDLE FOR ANIMAL CONTROL SERVICES**

**2013-089 - A RESOLUTION AUTHORIZING THE BOROUGH OF WEST WILDWOOD TO ENTER INTO A BUSINESS ASSOCIATE AGREEMENT REGARDING HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT (HIPPA)**

**2013-090 – APPOINTING ACTING MUNICIPAL CLERK**

**2013-091 - CHAPTER 159 INSERTION OF USDA GRANT IN THE SUM OF \$31,500 INTO THE BUDGET**

**2013-092 – AMENDING RESOLUTION NO. 2013-087 AUTHORIZING A SHARED SERVICES AGREEMENT BETWEEN THE BOROUGH OF WEST WILDWOOD AND THE CITY OF WILDWOOD FOR THE PURPOSE OF UTILITING THEIR FUELING STATION**

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*Borough of West Wildwood*

*"Small town Charm on the Back Bay"*

2013-093 – A RESOLUTION ACKNOWLEDGING ADDITIONAL MEMBERS IN THE WEST WILDWOOD  
VOLUNTEER FIRE COMPANY

2013 094 – AMENDING RESOLUTION 2013-034 AUTHORIZING THE AWARDING OF A NON-FAIR AND  
OPEN CONTRACT FOR PROFESSIONAL SERVICES OF SPECIAL COUNSEL

2013-095 – COMMEMORATING CONSTITUTION WEEK

2013-096 – AUTHORIZING THE RETURN OF \$30,000 IN ESCROW PENDING THE CONSTRUCTION AND  
INSPECTION OF A NEW BULKHEAD AT 605 W. POPLAR AVENUE

*Open to the Floor for Public Comment:*

ADJOURNMENT

Donna L. Frederick  
Acting Municipal Clerk

P.O. Box 644 \* 701 West Glenwood Avenue \* West Wildwood, NJ 08260  
Telephone: (609)522-4845 \* Fax (609)522-9055

BOROUGH OF WEST WILDWOOD  
BOARD OF COMMISSIONERS  
**REGULAR MEETING**  
SEPTEMBER 6, 2013  
7:00PM – ACTION MEETING

**MINUTES:**

Mayor Fox called the meeting to order, read the OPMA statement and led the Pledge of Allegiance.

**ROLL CALL:**

Comm. Golden

Comm. Maxwell

Mayor Fox

Solicitor Caffero

Acting Municipal Clerk Donna L. Frederick

**APPROVAL OF MINUTES OF PREVIOUS MEETINGS AS PRESENTED:**

August 2, 2013 Regular Meeting  
August 28, 2013 Workshop Meeting

Motion to approve minutes by Comm. Maxwell, Seconded by Comm. Golden.  
Roll Call Vote: Comm. Golden, yes; Comm. Maxwell, yes; Mayor Fox, yes.  
Motion Carried

**RESOLUTIONS: READ BY NUMBER & TITLE**

AMC Frederick gave a brief detail of each resolution for the public to understand:

2013-088 - AMEND SHARED SERVICES AGREEMENT WITH TOWNSHIP OF MIDDLE FOR ANIMAL CONTROL SERVICE  
Motion by Comm. Maxwell, Seconded by Comm. Golden  
Roll Call Vote: Comm. Golden, yes; Comm. Maxwell, yes; Mayor Fox, yes.  
Resolution Adopted

2013-089 - A RESOLUTION AUTHORIZING THE BOROUGH OF WEST WILDWOOD TO ENTER INTO A BUSINESS ASSOCIATE AGREEMENT REGARDING HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT (HIPPA)  
Motion by Comm. Maxwell, Seconded by Comm. Golden  
Roll Call Vote: Comm. Golden, yes; Comm. Maxwell, yes; Mayor Fox, yes.  
Resolution Adopted

2013-090 – APPOINTING ACTING MUNICIPAL CLERK  
 Motion by Comm. Maxwell, Seconded by Comm. Golden  
 Roll Call Vote: Comm. Golden, yes; Comm. Maxwell, yes; Mayor Fox, yes.  
 Resolution Adopted

2013-091 - CHAPTER 159 INSERTION OF USDA GRANT IN THE SUM OF \$31,500 INTO THE  
 BUDGET  
 Motion by Comm. Maxwell, Seconded by Comm. Golden  
 Roll Call Vote: Comm. Golden, yes; Comm. Maxwell, yes; Mayor Fox, yes.  
 Resolution Adopted

2013-092 – AMENDING RESOLUTION NO. 2013-087 AUTHORIZING A SHARED SERVICES  
 AGREEMENT BETWEEN THE BOROUGH OF WEST WILDWOOD AND THE CITY OF WILDWOOD  
 FOR THE PURPOSE OF UTILITING THEIR FUELING STATION  
 Motion by Comm. Maxwell, Seconded by Comm. Golden  
 Roll Call Vote: Comm. Golden, yes; Comm. Maxwell, yes; Mayor Fox, abstain.  
 Resolution Adopted

2013-093 – A RESOLUTION ACKNOWLEDGING ADDITIONAL MEMBERS IN THE WEST  
 WILDWOOD VOLUNTEER FIRE COMPANY  
 Motion by Comm. Maxwell, Seconded by Comm. Golden  
 Roll Call Vote: Comm. Golden, yes; Comm. Maxwell, yes; Mayor Fox, yes.  
 Resolution Adopted

2013-094 – AMENDING RESOLUTION 2013-034 AUTHORIZING THE AWARDING OF A NON-FAIR  
 AND OPEN CONTRACT FOR PROFESSIONAL SERVICES OF SPECIAL COUNSEL  
 Motion by Comm. Maxwell, Seconded by Comm. Golden  
 Roll Call Vote: Comm. Golden, yes; Comm. Maxwell, yes; Mayor Fox, yes.  
 Resolution Adopted

2013-095 – COMMEMORATING CONSTITUTION WEEK  
 Motion by Comm. Maxwell, Seconded by Comm. Golden  
 Roll Call Vote: Comm. Golden, yes; Comm. Maxwell, yes; Mayor Fox, yes.  
 Resolution Adopted

2013-096 – AUTHORIZING THE RETURN OF \$30,000 IN ESCROW PENDING THE CONSTRUCTION  
 AND INSPECTION OF A NEW BULKHEAD AT 605 W. POPLAR AVENUE  
 Motion by Comm. Maxwell, Seconded by Mayor Fox  
 Roll Call Vote: Comm. Golden, abstain; Comm. Maxwell, yes; Mayor Fox, yes.  
 Resolution Adopted



**APPROVAL TO PAY BILLS WHEN PROPERLY SIGNED AND ENDORSED:**

Comm. Golden stated he abstains on the bill regarding payment of escrow to 605 W. Poplar Avenue.

Motion by Comm. Maxwell, Seconded by Comm. Golden

Roll Call Vote: Comm. Golden, yes (noting abstention of as stated above); Comm. Maxwell, yes; Mayor Fox, yes.

Motion Carried for approval of payment of bills as presented.

**REPORTS FROM OFFICIALS:**

Mayor Fox gave the activity report for the Police Department (copy attached).

Comm. Maxwell reported two fire alarms answered; three new members; and commended the ladies auxiliary on the Fire Company's open house.

Comm. Golden gave the activity report for the Public Works Department noting 43 work orders, street and curb scraping. Also reported that the 26<sup>th</sup> St. sewer pumping station had additional repairs. We are applying to the USDA for funds for a street sweeper.

Mayor Fox opened up the meeting to the floor for public comment.

JIM PERLOFF, 655 N. Drive, inquired what the benefit was for having a street sweeper.

Comm. Golden, to clean the drains for DEP, if you clean the street it keeps debris from going into the storm drains, maintenance.

MAUREEN SMITH, 30 Venice Avenue, commented on the ladies aux. fire company open house. The ladies aux. raised about \$400 to help the fire company, and it was a good day.

JOYCE DANLEY, 8 "C" Avenue, questioned the items on Ordinance 522(2013) and did these items go out to bid. She read the items and questioned if we have a QPA.

Mayor informed her that we do have a QPA, Jud Moore, and explained the state contract process.

JIM PERLOFF, 655 N. Drive, asked if it was mandatory to replace police vehicles.

Mayor stated that there is no law, but for safety reasons vehicles are replaced periodically.

MAUREEN SMITH, 30 Venice Avenue, asked if the Prosecutor's office said the police vehicles were unsafe under the previous administration.

Mayor Fox stated that this administration is trying to do the right things.

JERRY ROSENBERG, 4 "F" Avenue, asked if it was mandatory to blow the whistle every day. Mayor stated it is tested daily for safety reasons.

DAVE FRY, 750 W. Glenwood Avenue, asked about the new maps.

Mayor stated that new maps put us back in the "A" zone, and gave an explanation on same, along with the heights and piling issues. Borough will be updating ordinances, through recommendations of planning board and Ray, our construction official

MAUREEN SMITH, 30 Venice Avenue, stated that there is going to be a meeting at Lower Township Municipal Hall on Monday at 6:00pm about grants etc.

DAVE FRY, asked if information can be provided to residents. Mayor will get Administrator to gather the information, for anyone who needs information, please give your name and number to the clerk. Deputy Clerk Carl O'Hala also informed the public that the clerk's office is open on Saturday from 8-12 for anyone needing information.

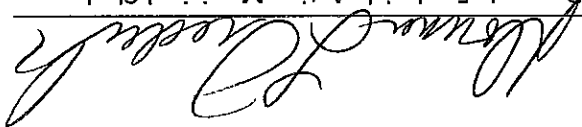
JOYCE DANLEY, 8 "C" Avenue, stated that if you can't vote because you don't live here, how you can be the Mayor and live in Philadelphia, my understanding back in the 40's a Mr. Kirby was mayor. Mayor Fox said that was interesting and he will look into that history.

Hearing no more comment from the public, Comm. Maxwell closed the meeting to the floor.

**Motion to Adjourn:**

Motion by Comm. Golden, Seconded by Comm. Maxwell  
Roll Call Vote: Comm. Golden, yes; Comm. Maxwell, yes; Mayor Fox, yes.  
Motion Carried.

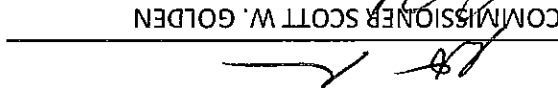
Respectfully submitted

  
Donna L. Frederick, Acting Municipal Clerk

THESE MINUTES WERE APPROVED AT THE OCTOBER 4, 2013, REGULAR COMMISSION MEETING



\_\_\_\_\_  
MAYOR CHRISTOPHER J. FOX

  
\_\_\_\_\_  
COMMISSIONER SCOTT W. GOLDEN

\_\_\_\_\_  
COMMISSIONER CORNELIUS J. MAXWELL

**BOROUGH OF WEST WILDWOOD  
COUNTY OF CAPE MAY  
STATE OF NEW JERSEY**

RESOLUTION 2013-088

**AMEND SHARED SERVICES AGREEMENT WITH TOWNSHIP  
OF MIDDLE FOR ANIMAL CONTROL SERVICES**

**WHEREAS**, a shared services agreement between the Borough of West Wildwood and the Township of Middle for Animal Control Services effective January 1, 2013 through March 31, 2013; and

**WHEREAS**, on April 5, 2013 the shared services agreement was extended for an additional 90 days, with an expiration date of June 29, 2013, or until such time as amended by resolution; and

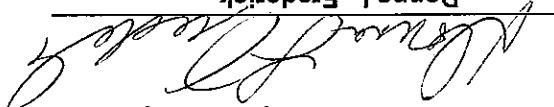
**WHEREAS**, it is the desire of both parties to extend this agreement through December 31, 2013.

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Commissioners of the Borough of West Wildwood, County of Cape May, New Jersey, that the Township of Middle be and is hereby designated as the provider of Animal Control Services for the Borough of West Wildwood, and that the shared services agreement shall remain in effect until December 31, 2013.

**BE IT FURTHER RESOLVED**, that a certified copy of this resolution shall be provided to the Township of Middle Municipal Clerk.

	Motion	Second	Yes	No	Abstain	Absent
Mayor Christopher J. Fox			X			
Commissioner Scott W. Golden		X	X			
Commissioner Cornelius J. Maxwell	X		X			

I, Donna L. Frederick, Acting Municipal Clerk for the Borough of West Wildwood in the County of Cape May and State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a Resolution adopted by the Board of Commissioners of the Borough of West Wildwood, New Jersey at a Regular Meeting held on September 6, 2013.



**Donna L. Frederick**  
Acting Municipal Clerk

**BOROUGH OF WEST WILDWOOD  
COUNTY OF CAPE MAY  
STATE OF NEW JERSEY**

RESOLUTION 2013-089

**A RESOLUTION AUTHORIZING THE BOROUGH OF WEST WILDWOOD TO ENTER  
INTO A BUSINESS ASSOCIATE AGREEMENT REGARDING  
HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT (HIPPA)**

**WHEREAS**, the Department of Health and Human Services ("HHS") has promulgated regulation at 45 C.F.R. Parts 160-164, implementing the privacy and electronic security requirements set forth in the Administrative Simplification provisions of the Health Insurance and Portability and Accountability Act of 1996, Public Law 104-191, as amended by American Recovery and Reinvestment Act of 2009 (P.L. 111-5, ARRA) ("HIPPA");

**WHEREAS**, this Business Associate Agreement between The Borough of West Wildwood on behalf of Delta Dental of New Jersey, Inc., Dental PPO (hereinafter "Covered Entity") and March & McLennan Agency LLC (hereinafter "Business Associate"); and

**WHEREAS**, Business Associate acknowledges that certain provisions of HIPPA have been amended in ways directly regulate Business Associate's obligations and activities with respect to PHI; and

**WHEREAS**, Business Associate will create, receive, maintain or transmit certain Protected Health Information in conjunction with the services being provided by Business Associate to Covered Entity, thus necessitating a written agreement that meets the applicable requirements of HIPPA. Both parties have mutually agreed to satisfy the foregoing regulatory requirements through this agreement.

**NOW, THEREFORE BE IT RESOLVED**, that the Board of Commissioners of the Borough of West Wildwood, County of Cape May, New Jersey hereby authorize the Mayor to enter into the Business Associate Agreement on behalf of the Borough of West Wildwood.

**BE IT FURTHER RESOLVED**, that an executed copy of the Business Associate Agreement be attached to this resolution.

Motion	Second	Yes	No	Abstain	Absent
Commissioner Cornelius J. Maxwell	X				
Commissioner Scott W. Golden		X			
Mayor Christopher J. Fox		X			

I, **Donna L. Frederick, Acting Municipal Clerk** for the Borough of West Wildwood in the County of Cape May and State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a Resolution adopted by the Board of Commissioners of the Borough of West Wildwood, New Jersey at a **Regular Meeting** held on **September 6, 2013**.

*Donna L. Frederick*  
**Donna L. Frederick**  
**Acting Municipal Clerk**

**Health Insurance Portability and Accountability Act (HIPAA)  
BUSINESS ASSOCIATE AGREEMENT**

This Business Associate Agreement (the "Agreement") is made and entered into as of the 24 day of September, 2013 (hereinafter the "Date") by and between West Wildwood Borough, on behalf of Delta Dental of New Jersey, Inc. Dental PPO (hereinafter "Covered Entity"), and Marsh & McLennan Agency LLC (hereinafter "Business Associate").

*Recitals*

**WHEREAS**, the Department of Health and Human Services ("HHS") has promulgated regulations at 45 C.F.R. Parts 160-164, implementing the privacy and electronic security requirements set forth in the Administrative Simplification provisions of the Health Insurance Portability and Accountability Act of 1996, Public Law 104-191, as amended by American Recovery and Reinvestment Act of 2009 (P.L. 111-5, ARRA) ("HIPAA");

**WHEREAS**, Business Associate acknowledges that certain provisions of HIPAA have been amended in ways that directly regulate Business Associate's obligations and activities with respect to PHI;

**WHEREAS**, HIPAA provides, among other things, that Covered Entity is permitted to disclose Protected Health Information (as defined below) to Business Associate and allow Business Associate to obtain and receive Protected Health Information, if Covered Entity obtains satisfactory assurances in the form of a written contract that Business Associate will appropriately safeguard the Protected Health Information; and

**WHEREAS**, Business Associate will create, receive, maintain or transmit certain Protected Health Information in conjunction with the services being provided by Business Associate to Covered Entity, thus necessitating a written agreement that meets the applicable requirements of HIPAA. Both parties have mutually agreed to satisfy the foregoing regulatory requirements through this Agreement.

**NOW THEREFORE**, Covered Entity and Business Associate agree as follows:

1. Definitions: Applicability.

(a) All terms not defined herein shall have the meaning ascribed to them in HIPAA.

(b) This Agreement shall apply only with respect to and to the extent that Business Associate creates, receives, maintains or transmits PHI for or on behalf of Covered Entity.

2. Obligations and Activities of Business Associate

(a) Business Associate agrees to not use or further disclose Protected Health Information other than as permitted or required by this Agreement or as Required by Law.

(b) Business Associate agrees to use commercially reasonable and appropriate safeguards to prevent use or disclosure of the Protected Health Information other than as provided for by this Agreement.

(c) Business Associate agrees to report to Covered Entity any use or disclosure of the Protected Health Information not provided for by this Agreement of which it becomes aware. In event of a Breach of Unsecured PHI by Business Associate or any of its officers, directors, employees, or subcontractors, Business Associate shall promptly notify Covered Entity in accordance with 45 C.F.R. 164.410.

(d) Business Associate and Covered Entity agree to mitigate, to the extent practicable, any harmful effect that is known to it arising out of a use or disclosure of Protected Health Information in violation of the requirements of this Agreement.

(e) Business Associate agrees to ensure that any subcontractors that create, receive, maintain, or transmit Protected Health Information on behalf of Business Associate agrees to substantially similar restrictions and conditions that apply through this Agreement to Business Associate with respect to such information.

(f) Business Associate agrees to provide access to Protected Health Information in a Designated Record Set, in the time and manner Required by Law, to Covered Entity or, as directed by Covered Entity, to an individual, in order to meet the requirements under 45 C.F.R. 164.524. Business Associate may impose a reasonable cost-based fee for the provision of copies of PHI in a Designated Record Set in accordance with 45 C.F.R. 164.524(c)(4).

(g) Business Associate agrees to make any amendment(s) to Protected Health Information in a Designated Record Set pursuant to 45 C.F.R. 164.526 at the request of Covered Entity or an individual, and in the time and manner Required by Law.

(h) Business Associate agrees to make internal practices, books, and records relating to the use and disclosure of Protected Health Information received from, or created or received by Business Associate, on behalf of Covered Entity, available to the Secretary, for purposes of the Secretary determining Covered Entity's or Business Associate's compliance with HIPAA.

(i) Business Associate agrees to document such disclosures of Protected Health Information and information related to such disclosures as would be required for Covered Entity to respond to a request by an individual for an accounting of disclosures of Protected Health Information in accordance with 45 C.F.R. 164.528.

(j) Business Associate agrees to provide to Covered Entity, upon request and in the time and manner Required by Law, an accounting of disclosures of an individual's Protected Health Information, collected in accordance with Section 2(i) of this Agreement, to permit Covered Entity to respond to a request by an individual for an accounting of disclosures of Protected Health Information in accordance with 45 C.F.R. 164.528. If Covered Entity requests an accounting of an individual's Protected Health Information more than once in any twelve (12) month period, Business Associate will impose a reasonable fee for such accounting in accordance with 45 C.F.R. 164.528(c).

(k) Business Associate agrees to comply, where applicable, with Subpart C of 45 CFR Part 164 to maintain the security of the Electronic Protected Health Information and to prevent unauthorized uses or disclosures of such Electronic Protected Health Information. Business Associate shall report to the Covered Entity any Security Incident that results in the unauthorized use or disclosure of Protected Health Information of which it becomes aware.

### 3. Permitted Uses and Disclosures by Business Associate

(a) Business Associate may use or disclose Protected Health Information to perform its obligations and services to Covered Entity, provided that such use or disclosure would not violate HIPAA if done by Covered Entity.

(b) Business Associate may use Protected Health Information for the proper management and administration of the Business Associate or to carry out the legal responsibilities of the Business Associate or as otherwise permitted by HIPAA.

(c) Business Associate may disclose Protected Health Information for the proper management and administration of the Business Associate, provided that disclosures are Required by Law, or Business Associate obtains reasonable assurances from the person to whom the information is disclosed that it will be held confidential and used or further disclosed only as Required by Law or for the purpose for which it was disclosed

to the person, and the person notifies the Business Associate of any instances of which it is aware in which the confidentiality of the information has been breached.

(d) Business Associate may use Protected Health Information to provide data aggregation services to Covered Entity.

4. Obligations of Covered Entity.

4.1 Provisions for Covered Entity to Inform Business Associate of Privacy Practices and Restrictions

(a) Covered Entity shall provide Business Associate with the notice of privacy practices that Covered Entity produces in accordance with 45 C.F.R. § 164.520, as well as any changes to that notice.

(b) Covered Entity shall provide Business Associate with any changes in, or revocation of, permission by Individual to use or disclose Protected Health Information, if such changes affect Business Associate's permitted or required uses and disclosures.

(c) Covered Entity shall notify Business Associate, in writing, of any restriction to the use or disclosure of Protected Health Information that Covered Entity has agreed to in accordance with 45 C.F.R. § 164.522.

(d) Covered Entity warrants and represents that it shall provide to, or request from, the Business Associate only the minimum Protected Health Information necessary for Business Associate to perform or fulfill a specific function required or permitted hereunder.

(e) If Protected Health Information is transmitted by electronic transfer or sent in physical media by or on behalf of Covered Entity, Covered Entity shall transmit all such Protected Health Information to Business Associate in an encrypted format, to be mutually agreed by the parties.

4.2 Permissible Requests by Covered Entity. Covered Entity represents and warrants that it has the right and authority to disclose Protected Health Information to Business Associate to perform its obligations and provide services to Covered Entity, and Covered Entity shall not request Business Associate to use or disclose Protected Health Information in any manner that would violate HIPAA, other applicable laws or Covered Entity's privacy notice, if done by Covered Entity.

5. Term and Termination

(a) Term. The provisions of this Agreement shall take effect as of the earlier of (i) the Date, or (ii) September 23, 2013 (such date, the "Effective Date"), and shall continue for the term of the Services Agreement.

(b) Termination for Cause. Upon the parties mutual agreement that there has been a material breach by Business Associate which does not arise from any breach by Covered Entity, Covered Entity shall provide an opportunity for Business Associate to cure the breach or end the violation and terminate this Agreement if Business Associate does not cure the breach or end the violation within a mutually agreeable time, or immediately terminate this Agreement if cure of such breach is not possible.

(c) Effect of Termination.

(1) Except as provided in paragraph (2) of this section, upon termination of this Agreement, for any reason, Business Associate shall return or destroy all Protected Health Information received from Covered Entity, or created or received by Business Associate on behalf of Covered Entity. Business Associate shall request, in writing, Protected Health Information that is in the possession of subcontractors of Business Associate.

(2) In the event the Business Associate determines that returning or destroying the Protected Health Information is infeasible, Business Associate shall extend the protection of this Agreement to such Protected Health Information and limit further uses or disclosures to those purposes that make the return or destruction infeasible, for so long as Business Associate maintains such Protected Health Information.

6. Miscellaneous

(a) Regulatory References. A reference in this Agreement to a section in HIPAA means the section as in effect or as amended, and for which compliance is required.

(b) Amendment. Upon the enactment of any law or regulation affecting the use or disclosure of Protected Health Information, or the publication of any decision of a court of the United States or any state relating to any such law or the publication of any interpretive policy or opinion of any governmental agency charged with the enforcement of any such law or regulation, the parties agree to negotiate in good faith to amend the Agreement as necessary to comply with such law or regulation.

(c) Survival. The obligations of Business Associate under section 5(c)(2) of this Agreement shall survive the termination of this Agreement.

(d) Interpretation; Entire Agreement. Any ambiguity in this Agreement shall be resolved in favor of a meaning that permits both parties to comply with HIPAA. This Agreement shall be subject to the terms and conditions of the Services Agreement; provided, however, that in the event of any inconsistency or conflict between this Agreement and any the Services Agreement and the Services Agreement constitute the complete agreement shall govern and control. This Agreement and the Services Agreement constitute the complete agreement between the parties relating to the matters specified in this Agreement, and supersede all prior representations or agreements, whether oral or written, with respect to such matters.

(e) No third party beneficiary. Nothing express or implied in this Agreement is intended to confer, nor shall anything herein confer, upon any person other than the parties and the respective successors or assigns of the parties, any rights, remedies, obligations, or liabilities whatsoever.

(f) Governing Law. This Agreement shall be governed by and construed in accordance with the laws of the State of New York.

[Signature Page Follows]



IN WITNESS WHEREOF, the parties hereto have executed this Agreement.

West Wildwood Borough,

On behalf of: Delta Dental of New Jersey, Inc. Dental PPO



By:

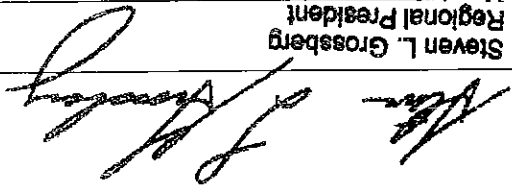
CHRISTOPHER J. FOX

Name:

MAYOR

Title:

Marsh & McLennan Agency LLC



By:

Steven L. Grossberg  
Regional President

Steven L. Grossberg

Name:

Marsh & McLennan Agency LLC

Regional President & CEO

Title:

**BOROUGH OF WEST WILDWOOD  
COUNTY OF CAPE MAY**

**RESOLUTION 2013-090**

**APPOINTING ACTING MUNICIPAL CLERK**

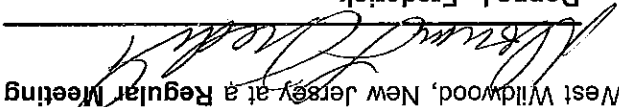
**WHEREAS**, in accordance with N.J.S.A. 40A:9-133c, the Governing Body may appoint a person who does not hold a Registered Municipal Clerk Certificate for a period not to exceed one (1) year, and with written permission from the Director of the Division of Local Government Services, in the Department of Community Affairs, the Governing Body may appoint an Acting Clerk for two (2) subsequent one (1) year terms; and

**WHEREAS**, Donna L. Frederick, CPWM has served as the Acting Municipal Clerk for the Borough commencing September 1, 2012, and is eligible for re-appointment to another one (1) year term, and the Borough has received written permission from the Director of the Division of Local Government Services for her appointment.

**NOW, THEREFORE BE IT RESOLVED**, that the Governing Body of the Borough of West Wildwood, County of Cape May, New Jersey, hereby appoint Donna L. Frederick, as Acting Municipal Clerk for a period of one year, effective September 1, 2013.

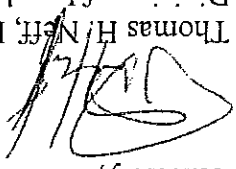
Abstain	No	Yes	Second	Motion	Commissioner Cornelius J. Maxwell
		X		X	Commissioner Scott W. Golden
		X	X		Mayor Christopher J. Fox

I, Donna L. Frederick, Acting Municipal Clerk for the Borough of West Wildwood in the County of Cape May and State of New Jersey, do hereby certify that the foregoing is a correct and true copy of the Resolution adopted by the Board of Commissioners of the Borough of West Wildwood, New Jersey at a Regular Meeting held on September 6, 2013.

  
 Donna L. Frederick  
 Acting Municipal Clerk

THN:djk

Division of Local Government Services  
Thomas H. Neff, Director



Sincerely,

Thank you for your attention to this matter. If you have any questions, please contact Daniel Kaminski of my staff at (609) 292-9757.

Permission is hereby granted to the Borough of West Wildwood to reappoint Ms. Frederick to a second-year term as Acting Clerk, as of September 1, 2013. Pursuant to N.J.S.A. 40A:9-133c, if the Borough wishes to reappoint Ms. Frederick for a third year as Acting Clerk as of September 1, 2014, it must again request permission from the Division to do so.

The Division of Local Government Services is in receipt of a request from Mayor Fox, Borough for a second-year term of an Acting Municipal Clerk. The Borough previously appointed Ms. Donna L. Frederick to this position as of September 1, 2012.

Dear Mayor Fox and Governing Body Members:

The Honorable Christopher J. Fox, Mayor  
and Members of the Governing Body  
Borough of West Wildwood  
P.O. Box 644  
701 West Glenwood Avenue  
West Wildwood, New Jersey 08260

August 27, 2013

CHRIS CHRISTIE  
Governor  
KIM GUADAGNO  
Lt. Governor

State of New Jersey  
DEPARTMENT OF COMMUNITY AFFAIRS  
101 SOUTH BROAD STREET  
PO Box 803  
TRENTON, NJ 08625-0803

RICHARD E. CONSTABLE, III  
Commissioner



**BOROUGH OF WEST WILDWOOD  
COUNTY OF CAPE MAY  
STATE OF NEW JERSEY**

**RESOLUTION 2013-091**

**CHAPTER 159 - INSERTION OF A USDA GRANT IN THE SUM OF \$ 31,500**

**WHEREAS**, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by any public or private funding source and the amount thereof shall not have been determined at the time of the adoption of the budget; and

**WHEREAS**, said Director may also approve the insertion of any item of appropriation for equal amount; and

**WHEREAS**, the Borough of West Wildwood is in receipt of \$31,500 from the United States Department of Agriculture Rural Development and wishes to amend its 2013 Municipal Budget to include this amount of revenue.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of the Borough of West Wildwood, County of Cape May, New Jersey, does hereby request the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the municipal budget of the Borough of West Wildwood for the year 2013 in the sum of.....\$31,500.00 which is now available as a revenue from:

- Miscellaneous Revenues
- Special Items of General Revenue Anticipated with
- Prior Written Consent of the Director of the Division
- of Local Government Services - Public and Private
- Revenues Offset with Appropriations:
- United States Department of Agriculture Rural Development
- 2013 Police Vehicle .....\$31,500.00

**BE IT FURTHER RESOLVED** that a like sum of ..... \$31,500.00 be and the same is hereby appropriated under the caption of:

- GENERAL APPROPRIATIONS
- (a) Operations Excluded from 5% Caps
- Public and Private Programs Offset by Revenues:
- 2013 Police Vehicle

**BE IT FURTHER RESOLVED** that the Borough Clerk be and is hereby authorized and directed to forward two (2) copies of this Resolution to the Director of the Division of Local Government Services.

			X		X	Commissioner Cornelius J. Maxwell
			X	X		Commissioner Scott W. Golden
			X			Mayor Christopher J. Fox
Absent	Abstain	No	Yes	Second	Motion	

I, Donna L. Frederick, Acting Municipal Clerk for the Borough of West Wildwood in the County of Cape May and State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a Resolution adopted by the Board of Commissioners of the Borough of West Wildwood, New Jersey at a Regular Meeting held on September 6, 2013.



Donna L. Frederick  
Acting Municipal Clerk

**BOROUGH OF WEST WILDWOOD  
COUNTY OF CAPE MAY  
STATE OF NEW JERSEY**

RESOLUTION 2013-092

**A RESOLUTION AMENDING RESOLUTION 2013-087 AUTHORIZING A SHARED SERVICES  
AGREEMENT BETWEEN THE  
BOROUGH OF WEST WILDWOOD AND THE CITY OF WILDWOOD  
FOR THE PURPOSE OF UTILIZING THEIR FUELING STATION**

**WHEREAS**, N.J.S.A. 40:8A:1 et seq. the Inter-local Services Act, authorized municipalities to enter into Agreements with other municipalities for the joint provisions within their jurisdictions of services which any of the parties on whose behalf such services are to be performed may legally perform for itself; and

**WHEREAS**, it is the desire of the Board of Commissioners of the Borough of West Wildwood to enter into a Shared Services Agreement with the City of Wildwood for the utilization of their fueling station, noting that during an emergency it will be more beneficial to have 24 hour access to fuel; and

**WHEREAS**, the Commissioners have agreed to enter into this agreement, for the term of one (1) year commencing on the day when the fueling station is fully operational.

**WHEREAS**, the Borough of West Wildwood agrees to pay the sum of \$6,500.00 to EM Grant, Fleet Automation Specialists, 863 Red Wing Lane, Huntingdon Valley, Pa. 19006, for partial costs incurred with the installation of a card/tag reader system.

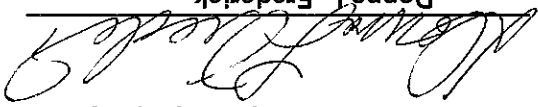
**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Borough of West Wildwood, County of Cape May, New Jersey, that they hereby authorize and direct the Deputy Mayor to execute a Shared Services Agreement with the City of Wildwood for said services; and

**BE IT FURTHER RESOLVED** the Acting CFO has prepared a certification of availability of funds, herein attached; and

**BE IT FURTHER RESOLVED**, that the fully executed copy of the shared services agreement be attached to this resolution.

Motion	Second	Yes	No	Abstain	Absent
				X	
Mayor Christopher J. Fox					X
Commissioner Scott W. Golden	X				
Commissioner Cornelius J. Maxwell	X				

I, Donna L. Frederick, Acting Municipal Clerk for the Borough of West Wildwood in the County of Cape May and State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a Resolution adopted by the Board of Commissioners of the Borough of West Wildwood, New Jersey at a properly advertised rescheduled Regular Meeting held on September 6, 2013.

  
 Donna L. Frederick  
 Acting Municipal Clerk

**INTER-LOCAL SERVICES AGREEMENT  
BETWEEN THE BOROUGH OF WEST WILDWOOD  
AND THE CITY OF WILDWOOD PURSUANT TO THE PROVISIONS OF  
N.J.S.A. 40:8A-1 ET. SEQ. KNOWN AS THE INTERLOCAL SERVICES ACT**

**THIS AGREEMENT** dated this \_\_\_\_\_ day of \_\_\_\_\_, 2013 by and between the Borough of West Wildwood, a Municipal Corporation of the State Of New Jersey, hereinafter referred to as "Borough" and the City of Wildwood, a Municipal Corporation of the State of New Jersey, hereinafter referred to as "City".

**WITNESSETH:**

**WHEREAS**, N.J.S.A. 40:8A-3 authorized municipalities to enter into an agreement for the exchange of inter-local services pursuant to the provisions of the statute known as the "Inter-local Services Act"; and

**WHEREAS**, the governing body has determined that it would be beneficial for the Borough to enter into a shared services agreement with the City to have access to their fueling station, especially during an emergency event, which will allow 24 hour access to fuel; and

**WHEREAS**, each respective municipality agree as follows:

- A.) The City of Wildwood shall provide 24 hour access to their fueling station for Borough vehicles, including Police, Public Works, and Fire Emergency Vehicles.
- B.) The City of Wildwood will set in place an identification card system for the purpose of properly distinguishing municipal vehicles.
- C.) The City of Wildwood shall maintain an accurate log of fuel consumption and bill the Borough of West Wildwood for same.

**WHEREAS**, said services will commence for a term of one (1) year, on the day when the fueling station is fully operational; and

**WHEREAS**, the Borough of West Wildwood agrees to pay the sum of \$6,500.00 to EM Grant, Fleet Automation Specialists, 863 Red Wing Lane, Huntingdon Valley, Pa. 19006, for partial costs incurred with the installation of a card/tag reader system.

**THEREFORE, BE IT RESOLVED**, that the Mayor and/or Deputy Mayor of both municipalities be, and hereby, are authorized to sign this contract; and

**BE IT FURTHER RESOLVED** that this Inter-Local Services Agreement may be cancelled by either party upon written notification or a 90 day time notification.

**BE IT FURTHER RESOLVED**, that it is recognized by both parties that the Borough of West Wildwood and the City of Wildwood are self-insured and, as such, both are participants in the Atlantic County Municipal Joint Insurance Fund (JMIF) and that final approval of this Contract is subject to acknowledgment by the JMIF that the services are provided for in this Contract are insurable by the JMIF as to both municipalities with any dispute involving this Agreement which cannot be amicably resolved between the parties shall be adjudicated through binding arbitration; and

**IN WITNESS WHEREOF**, the parties have hereunto caused their proper officers to sign their respective municipal seals to be affixed hereto on the dates indicated below.

**IN WITNESS WHEREOF**, the parties have set their hands and seals the day and year first above written.

ATTEST:

CITY OF WILDWOOD

Christopher H. Wood, City Clerk

Ernest Troiano, Jr., Mayor

ATTEST:

BOROUGH OF WEST WILDWOOD

Donna L. Frederick, Acting Municipal Clerk

Cornelius J. Maxwell, Deputy Mayor



**BOROUGH OF WEST WILDWOOD  
COUNTY OF CAPE MAY  
STATE OF NEW JERSEY**

**RESOLUTION 2013-098**

**A RESOLUTION ACKNOWLEDGING ADDITIONAL MEMBERS IN THE  
WEST WILDWOOD VOLUNTEER FIRE COMPANY**

**WHEREAS**, it has been established in Resolution 2013-021, dated February 1, 2013, that JIF, determined the borough must keep a current roster of all active firefighters, ladies auxiliary members and junior firefighters of the West Wildwood Vol. Fire Company; and

**WHEREAS**, the Chief of the West Wildwood Vol. Fire Company has provided copies of additional applicants for the Borough to add to the roster; and

**WHEREAS**, the following two new members are:

- Andrew McNeill, Firefighter, 216 E. Juniper Ave. Wildwood, NJ
- Gregory DeCecco, Firefighter, 619 W. Maple Ave., West Wildwood, NJ
- Justin Morgan, Junior Firefighter, 337 N.W. 18<sup>th</sup> Ave., North Wildwood, NJ

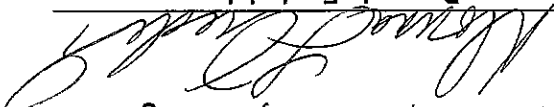
**NOW, THEREFORE BE IT RESOLVED** that the Board of Commissioners of the Borough of West Wildwood, County of Cape May, New Jersey that the Borough acknowledges these members and thank them for their selfless volunteer service on behalf of all of the residents; and

**BE IT FURTHER RESOLVED** that the clerk will add these additional members to the original roster submitted on February 1, 2013.

	Motion	Second	Yes	No	Abstain	Absent
Mayor Christopher J. Fox			X			
Commissioner Scott W. Golden		X				
Commissioner Cornelius J. Maxwell	X					

I, **Donna L. Frederick, Acting Municipal Clerk** for the Borough of West Wildwood in the County of Cape May and State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a Resolution adopted by the Board of Commissioners of the Borough of West Wildwood, New Jersey at a Regular Meeting held on September 6, 2013

**Donna L. Frederick**  
Acting Municipal Clerk



**BOROUGH OF WEST WILDWOOD  
COUNTY OF CAPE MAY  
STATE OF NEW JERSEY**

**RESOLUTION 2013-094**

**AMENDING RESOLUTION 2013-034 AUTHORIZING THE AWARDING OF A NON-FAIR  
AND OPEN CONTRACT FOR PROFESSIONAL SERVICES OF SPECIAL COUNSEL**

**WHEREAS**, the Borough of West Wildwood awarded a non-fair and open contract for Professional Services on March 28, 2013 to Mr. Louis M. Barbone, of the Law Firm of Jacobs & Barbone, P.A., a Professional Corporation, Attorneys at Law; and

**WHEREAS**, a General Retainer Agreement for Legal Services along with the terms of the representation was submitted with an estimate of \$7,500.00 to review, research and provide a legal opinion; and

**WHEREAS**, a Certificate of Availability of Funds from the Acting Chief Financial Officer was executed and attached hereto in the amount of \$10,000.00 providing for the event that there may be subsequent litigation costs.

**WHEREAS**, it has been determined that it is necessary for the Borough to increase the contract amount by \$5,000.00.

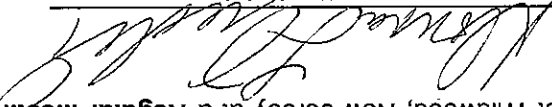
**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Commissioners of the Borough of West Wildwood, County of Cape May, New Jersey, that the Acting Chief Financial Officer is hereby authorized to execute the necessary documentation; and

**BE IT FURTHER RESOLVED**, that a Certificate of Availability of Funds from the Acting Chief Financial Officer is attached hereto in the amount of \$5,000.00.

	Motion	Second	Yes	No	Abstain	Absent
Mayor Christopher J. Fox			X			
Commissioner Scott W. Golden		X				
Commissioner Cornelius J. Maxwell	X					

I, Donna L. Frederick, Acting Municipal Clerk for the Borough of West Wildwood in the County of Cape May and State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a Resolution adopted by the Board of Commissioners of the Borough of West Wildwood, New Jersey at a Regular Meeting held on September 6, 2013.

Donna L. Frederick  
Acting Municipal Clerk



**BOROUGH OF WEST WILDWOOD  
COUNTY OF CAPE MAY  
STATE OF NEW JERSEY**

RESOLUTION 2018-095

**PROCLAIMING SEPTEMBER 17<sup>th</sup> THROUGH 23<sup>rd</sup> AS  
CONSTITUTION WEEK**

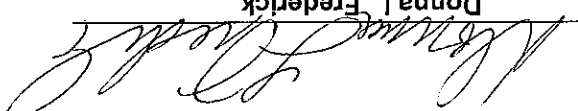
**WHEREAS**, it is the privilege and duty of the American people to commemorate the two hundred twenty-third anniversary of the drafting of the Constitution of the United States of America with appropriate ceremonies and activities; and

**WHEREAS**, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17<sup>th</sup> through 23<sup>rd</sup> as Constitution Week.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of the Borough of West Wildwood, County of Cape May, New Jersey, do hereby proclaim the week of September 17<sup>th</sup> through the 23<sup>rd</sup> as Constitution Week, and urge all citizens to study the Constitution, and reflect on the privilege of being an American with all the rights and responsibilities which that privilege involves.

	Motion	Second	Yes	No	Abstain	Absent
Mayor Christopher J. Fox			X			
Commissioner Scott W. Golden		X	X			
Commissioner Cornelius J. Maxwell	X		X			

I, Donna L. Frederick, Acting Municipal Clerk for the Borough of West Wildwood in the County of Cape May and State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a Resolution adopted by the Board of Commissioners of the Borough of West Wildwood, New Jersey at a Regular Meeting held on September 6, 2013.

  
 Donna L. Frederick  
 Acting Municipal Clerk

**BOROUGH OF WEST WILDWOOD  
COUNTY OF CAPE MAY  
STATE OF NEW JERSEY**

RESOLUTION 2013-096

**AUTHORIZING THE RETURN OF \$30,000 IN ESCROW PENDING THE CONSTRUCTION AND  
INSPECTION OF A NEW BULKHEAD AT 605 W. POPLAR AVENUE**

**WHEREAS**, as per Resolution 2012-113 authorizing the sale of real property owned by the Borough no longer needed for public purpose, known as 605 W. Poplar Avenue, advertised for public sale pursuant to all requirements and procedures set forth in the Local Lands and Buildings Law, N.J.S.A. 40A:12-1 et seq. As part of this Resolution it was noted that a credit be given to the successful bidder in the sum of five hundred dollars (\$500.00) per linear foot for the construction of a new bulkhead; and

**WHEREAS**, as per Resolution 2012-116 said property was sold at public auction and the high bid was accepted by the Board of Commissioners with the successful bidders being John J. and Beth A. Chesney, and John & Jean Overpeck; and

**WHEREAS**, the successful bidder having to agree to indemnify and hold the Borough harmless with respect to all potential litigation to any environmental matters arising from the sale and or ownership of the property; and

**WHEREAS**, the successful bid purchase price was \$40,000 of which \$30,000 was put in an escrow account, pending the construction of a new bulkhead; and

**WHEREAS**, the Zoning Code Official for the Borough has confirmed to the Clerk the existence of a new bulkhead at said location and provided photos confirming same; and

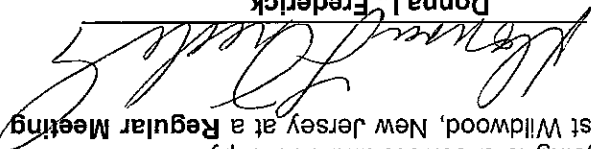
**WHEREAS**, a Deed has been drawn up by the successful bidders attorney for the conveyance of the property sold and all costs related to the Deed, including, but not limited to the preparation and filing of same are the responsibility of the successful bidder.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of the Borough of West Wildwood, County of Cape May, New Jersey, do hereby authorize the Mayor to sign the Deed as the Grantor of said property, sign the Affidavit of Title and the Affidavit of Consideration; and

**BE IT FURTHER RESOLVED**, that the CFO/Treasurer is authorized to execute payment of said escrow to the parties aforementioned.

	Motion	Second	Yes	No	Abstain	Absent
Mayor Christopher J. Fox		X	X			
Commissioner Scott W. Golden					X	
Commissioner Cornelius J. Maxwell	X		X			

I, **Donna L. Frederick, Acting Municipal Clerk** for the Borough of West Wildwood in the County of Cape May and State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a Resolution adopted by the Board of Commissioners of the Borough of West Wildwood, New Jersey at a Regular Meeting held on **September 6, 2013**.

  
**Donna L. Frederick**  
 Acting Municipal Clerk

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*Borough of West Wildwood*

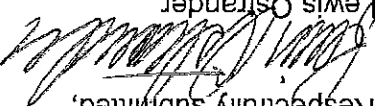
*"Small town Charm on the Back Bay"*

September 4, 2013

MEMO TO: Acting Municipal Clerk Donna L. Fredrick  
FROM: Zoning Code Official Lewis Ostrander  
RE: 605 W. Poplar Avenue

Dear Clerk Frederick,

This is a letter confirming the existence of a newly installed/constructed bulkhead at the above mentioned location. I make no claims for the actual construction methods utilized for the replacement of this bulkhead. I have also attached photographs of the bulkhead for your records.

Respectfully submitted,  
  
Lewis Ostrander

Zoning Code Official  
Borough of West Wildwood



08/29/2013

Note: This is an abridged documentation of each actual call for service.

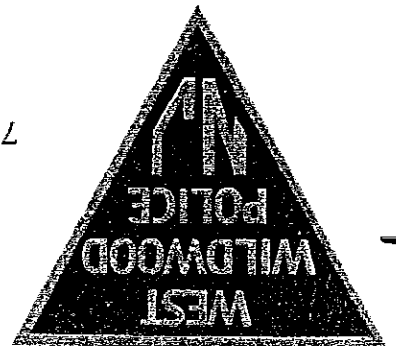
### TOTAL CALLS FOR SERVICE 783

911 Hang Up	1
Reports of Animal Complaints	3
Arrests	6
Burglary	1
Burglar Alarm Activation	1
Report of CDS Activity	2
Reports of Criminal Mischief	2
Driving Under the Influence Arrest	1
Reports of General Complaints	8
Juvenile Complaints	3
Local Ordinance Violations	21
Reports of Lost Property	3
Medical Assists	10
Motor Vehicle Stops (39 Warnings/21 Summonses)	60
Reports of Noise/Loud Party	2
Opened Doors/Secured	1
Reported Overdoses (1 Death)	2
Parking Complaints	33
Police Assists to Residents	5
Property Checks	86
Resident Assists	13
Reports of Suspicious Activity	3
Reports of Suspicious Persons/Pedestrians	24
Reports of Suspicious Vehicle	1
Reports of Theft	2
Reports of Unhitched Trailer	1
Reports of Unwanted Guests/Defiant Trespassing	2

### ACTIVITY REPORT AUGUST 2013

701 W. Glenwood Ave., West Wildwood, NJ 08260  
(609) 522-2396

Borough of West Wildwood  
Police Department



- 1 Work order for maintenance of public works vehicles and equipment
- 1 Work order for repairs to backhoe loader
- 2 Work orders for repairs public works vehicles
- 4 Work orders to clean Borough hall and remove trash and recycling
- 1 Work order to install mulch at playground (J.I.F. regulation)
- 4 Work orders for maintenance public safety vehicles
- 4 Work orders for beach cleaning
- 3 Work orders for maintenance of 26<sup>th</sup> ave. pumping station
- 4 Work orders for maintenance of flood pump south end of Neptune ave
- 4 Work orders to cut grass boro hall and boro parks
- 4 Work orders to clean up trash on borough streets
- 4 Work orders to empty doggi station containers at borough parks
- 1 Work order to repair riding lawnmower
- 1 Work order to install new sprinkler head Neptune Ave park

Activity Report AUGUST 2013





- 2 Work orders to pick up trees within boro
- 6 Work orders for boro inspections of streets and parks
- 3 Work orders for maintenance of flood gates
- 4 Work orders to empty trash and recycling containers boro parks
- 1 Work order to install 4 new light fixtures boro hall roof
- 4 Work orders to pick up yard waste through out the boro
- 3 Work orders for repairs public safety vehicles
- 2 Work orders to cut grass at public works yard
- 1 Work order to repair railing on deck ramp at the beach
- 3 Work orders to patch pot holes with in the boro
- 12 Work orders to scrape grass and clean up dirt along the curb lines within the boro
- 2 Work orders to pick up paid bulk trash

**TAX COLLECTOR'S REPORT  
BOROUGH OF WEST WILDWOOD**

Borough Commission

Terence Graff

September 5, 2013

DATE:

FROM:

TO:

The following represents the collection status of taxes as of

August 31, 2013

TAX ACCOUNTS	CURRENT MONTH	TO DATE
2012 Tax (Delinquent Taxes)	\$1,637.54	\$122,785.75
2013 Tax	\$434,095.36	\$2,229,447.46
Prepaid Tax Year 2014	\$9,012.72	\$24,359.29
Arrears/Bankruptcy		
Tax Title Liens (Mun)		\$72,485.38
Miscellaneous	\$2,298.45	\$41,532.13
Searches		
Cost & Interest	\$773.64	\$13,717.17
Tax Sale Premium		
Tax Sale - Water Due		
Wildwood		
Cost of Sale		
Sewer Rents (Delinquent)	\$898.11	\$25,921.02
Sewer Rents 2013	\$24,479.08	\$308,974.79
Prepaid Sewer Rents	(\$185.49)	\$1,452.97
Sewer Interest	\$739.61	\$5,054.59
Total	\$473,749.02	\$2,845,730.55

Range of checking Accts: CURRENT to CURRENT  
Range of Check Ids: 10278 to 10342  
Report Type: All checks  
Report Format: Detail  
Check Type: Computer: Y Manual: Y Dir Deposit: Y

Check # Check date Vendor  
PO # Item Description  
Amount Paid Charge Account  
Account Type Contract Ref Num  
Reconciled/Void Ref Num

10278	09/06/13	00101	THE HERALD	1	3X8 AD FOR SUMMER CONCERT	383.00	3-01-30-420-000	Budget	CELEBRATION OF PUBLIC EVENTS	922	54
10279	09/06/13	00308	ADP, INC.	1	PAYROLL SERVICES FOR AUG 2013	180.61	3-01-20-130-028	Budget	Payroll Services	922	94
10280	09/06/13	01501	VICTORIA APPLGATE	1	POLL WORKER - SPECIAL ELECTION	200.00	3-01-20-120-029	Budget	Election workers	922	58
10281	09/06/13	01805	ASSOC. OF CERT. TAX ASSES CMC	1	2013 MEMBERSHIP DUES FOR	330.00	2-01-20-100-044	Budget	GEN. ADMIN. DUES & MEMBERSHIPS	922	121
10282	09/06/13	01901	ATLANTIC CITY ELECTRIC	1	MONTHLY ELECTRIC CHARGES	508.59	3-01-31-430-000	Budget	Electricity	922	83
13-00497				2	MONTHLY ELECTRIC CHARGES	641.60	3-01-31-430-000	Budget	Electricity	84	
3-00497				3	MONTHLY ELECTRIC CHARGES	6.49	3-01-31-430-000	Budget	Electricity	85	
13-00497				4	MONTHLY ELECTRIC CHARGES	27.41	3-01-31-430-000	Budget	Electricity	86	
13-00497				5	MONTHLY ELECTRIC CHARGES	454.43	3-01-31-430-000	Budget	Electricity	87	
13-00497				6	MONTHLY ELECTRIC CHARGES	15.98	3-01-31-430-000	Budget	Electricity	88	
13-00497				7	MONTHLY ELECTRIC CHARGES	3,358.71	3-01-31-435-000	Budget	Street Lighting	89	
10283	09/06/13	01903	AT & T	1	LONG DISTANCE FOR	52.68	3-01-31-440-000	Budget	Telephone	922	104
13-00505				1	LONG DISTANCE FOR	70.02	3-01-31-440-000	Budget	Telephone	105	
10284	09/06/13	02611	BAYCOMM, INC.	1	RESET FIRE SIREN & PROGRAM	285.00	3-01-26-310-029	Budget	maintenance contract	922	114
13-00510				1	RESET FIRE SIREN & PROGRAM	996.00	3-01-26-310-082	Budget	Building Repairs	922	6
13-00338				1	BILLOWS ELECTRICAL SUPPLY CO.						
13-09/06/13				1	FLOOD LIGHTS FOR BORO HALL						
<p>5,013.21</p> <p>122.70</p>											

check # Check Date Vendor PO # Item Description Amount Paid Charge Account Account Type Contract Ref Seq Reconciled/Void Ref Num

10286	09/06/13	05202	CAPE MAY CNTY TREASURERS OFF.	1	250 - NO PARKING SIGNS	13-00473	51.50	3-01-30-420-000	Budget	922	46
10287	09/06/13	05203	C.M.C.M.U.A. MASTER WATER DIV.	1	DISPOSAL FEES FOR JULY 2013	13-00465	4,366.89	3-01-32-465-000	Budget	922	38
10288	09/06/13	05213	CAPE POWER & EQUIPMENT	1	PUSH RODS FOR RIDING LAWN	13-00398	47.96	3-01-26-310-083	Budget	922	8
10289	09/06/13	05233	CAPE 47 LUMBER	1	VARIOUS ITEMS	13-00456	55.38	3-01-26-290-038	Budget	922	26
10290	09/06/13	05239	CAPE HARMONAIRES	1	BARBERSHOP CHORUS SHOW	13-00493	400.00	3-01-30-420-000	Budget	922	70
10291	09/06/13	06001	CITY OF WILWOOD	1	FIRST INSTALLMENT FOR POLICE	13-00490	17,500.00	3-01-42-250-000	Budget	922	64
							17,500.00	INTERLOCAL SERVICE 911	Budget		65
							35,000.00	INTERLOCAL SERVICE 911	Budget		65
10292	09/06/13	06615	COMCAST OF WILWOOD	1	MONTHLY BILLING	13-00495	94.85	3-01-20-100-030	Budget	922	74
							89.88	GEN. ADMIN. MATERIALS & SUPPLIES	Budget		75
							216.30	3-01-20-100-030	Budget		76
							108.99	GEN. ADMIN. MATERIALS & SUPPLIES	Budget		77
							59.98	3-01-20-100-030	Budget		78
							570.00	GEN. ADMIN. MATERIALS & SUPPLIES	Budget		78
10293	09/06/13	06617	CONTINENTAL FIRE & SAFETY INC.	1	MSA HARDWARE KIT FOR HELMETS	13-00404	19.60	3-01-25-265-056	Budget	922	10
10294	09/06/13	08201	DELTA DENTAL PLAN OF N.J., INC.	1	MONTHLY BILLING FOR SEPT 2013	13-00477	668.53	3-01-23-220-000	Budget	922	53
							200.00	EMPLOYEE GROUP INSURANCE	Budget		59
							200.00	3-01-20-120-029	Budget		59
								Election Workers	Budget		59
15	09/06/13	09805	LORI J. PERLOFF	1	POLL WORKER - SPECIAL ELECTION	J-00484		3-01-20-120-029	Budget	922	59

Check # Check date Vendor PO # Item Description Amount Paid Charge Account Account Type Contract Ref Seq Reconciled/Void Ref Num

922	95	10296	09/06/13	10407	10407	13-00502	1	PROFESSIONAL SERVICES RENDERED	120.00	3-01-20-100-028	Budget	GEN. ADMIN. OTHER PROFESSIONAL SERVICES	
922	39	10297	09/06/13	10408	10408	13-00466	1	TITLE COMPANY OF JERSEY REIMBURSEMENT FOR OVERPAYMENT	77.21	3-09-55-502-030	Budget	Materials and supplies	
922	33	10298	09/06/13	10701	10701	13-00460	1	EDMUNDS & ASSOCIATES INC. EPSON TM-U675 VALIDATOR	760.00	C-04-55-912-008	Budget	ORD 522H-2013-ACQUIRE COMPUTERS/TECH EQU	
	34					13-00460	2	MOTOROLA DS9208 USB BAR CODE	480.00	C-04-55-912-008	Budget	ORD 522H-2013-ACQUIRE COMPUTERS/TECH EQU	
									1,240.00				
922	13	10299	09/06/13	10704	10704	13-00444	1	MORPHOTRAK, INC MAINTENANCE AND SERVICE	2,633.69	3-01-25-240-026	Budget	Maintenance contract	
922	14	10300	09/06/13	11202	11202	13-00450	1	IDVILE ID MAKER ITEM #10022	2,599.00	C-04-55-912-008	Budget	ORD 522H-2013-ACQUIRE COMPUTERS/TECH EQU	
	15					13-00450	2	LANYARD - ITEM #46800	134.50	C-04-55-912-008	Budget	ORD 522H-2013-ACQUIRE COMPUTERS/TECH EQU	
	16					13-00450	3	PRINTER RIBBON	112.00	C-04-55-912-008	Budget	ORD 522H-2013-ACQUIRE COMPUTERS/TECH EQU	
	17					13-00450	4	PVC PLASTIC CARD-ITEM#62834WT	26.00	C-04-55-912-008	Budget	ORD 522H-2013-ACQUIRE COMPUTERS/TECH EQU	
	18					13-00450	5	SLOT PUNCH ITEM#47000	72.95	C-04-55-912-008	Budget	ORD 522H-2013-ACQUIRE COMPUTERS/TECH EQU	
	19					13-00450	6	SHIPPING & HANDLING	44.17	C-04-55-912-008	Budget	ORD 522H-2013-ACQUIRE COMPUTERS/TECH EQU	
	62					13-00487	1	4x2 1/2 NAME TAG HOLDERS FOR	52.00	C-04-55-912-008	Budget	ORD 522H-2013-ACQUIRE COMPUTERS/TECH EQU	
									3,040.62				
922	42	10301	09/06/13	11504	11504	13-00470	1	JACOBS & BARBONE, P.A. LEGAL SERVICES RENDERED	4,216.15	3-01-20-155-027	Budget	Legal Services	
922	66	10302	09/06/13	11505	11505	13-00492	1	RADIO TECHNOLOGY INC. PORTABLE RADIO LEATHER CASES	216.00	3-01-25-265-056	Budget	Fire & other safety equipment	
	67					13-00492	2	PORTABLE RADIO LEATHER STRAPS	162.00	3-01-25-265-056	Budget	Fire & other safety equipment	
	68					13-00492	3	STABILIZER STRAPS	42.00	3-01-25-265-056	Budget	Fire & other safety equipment	
	69					13-00492	4	Shipping	16.00	3-01-25-265-056	Budget	Fire & other safety equipment	
									436.00				

Check # Check Date Vendor PO # Item Description Amount Paid Charge Account Account Type Contract Ref Num Reconciled/Void Ref Num

10303	09/06/13	11802	DE LAGE LANDEN	1	LEASE PAYMENT FOR POLICE DEPT	3-01-25-240-038	Budget	229.00	New Equipment	106	922
10304	09/06/13	12403	GATHERSBURG EQUIPMENT CO.	1	NEW HOLLAND 895C TRACTOR	C-04-55-912-002	Budget	78,329.00		20	922
				2	NEW HOLLAND UP-GRADE TO IN	C-04-55-912-002	Budget	5,516.00		21	
				3	NEW HOLLAND 4-1 FRONT LOADER	C-04-55-912-002	Budget	7,995.00		22	
						ORD, 5228-2013-Acquire PW EQUIPMENT					
10306	09/06/13	13813	E. M. GRANT	1	PARTIAL COST INCURRED WITH	3-09-55-513-000	Budget	6,500.00	EQUIPMENT PURCHASE	116	922
10307	09/06/13	16518	STATE OF NJ DEPT OF LABOR	1	PLAN ASSESSMENT	3-01-23-225-000	Budget	54.00	UNEMPLOYMENT COMPENSATION INS.	41	922
10308	09/06/13	17313	KATHLEEN ARETZ	1	REIMBURSEMENT FOR DOOR LOCK	3-01-25-240-030	Budget	119.00	Materials and Supplies	32	922
10309	09/06/13	17501	GTBM INC.	1	INFO-COP LICENSE RENEWAL	3-01-25-240-037	Budget	525.00	Communications	40	922
10310	09/06/13	18302	NJ GANG INVESTIGATORS ASSOC.	1	SOUTHERN SEMINAR	3-01-25-240-042	Budget	50.00	Educational Training	36	922
10311	09/06/13	18607	TOWN COMMUNICATIONS	1	MOTOROLA BPR40 PORTABLE RADIO	3-01-25-265-056	Budget	529.50	Fire & other safety equipment	47	922
				2	MICROPHONE FOR BPR 40	3-01-25-265-056	Budget	84.00	Fire & other safety equipment	48	
				3	MICROPHONE HT1250/1550	3-01-25-265-056	Budget	105.00	Fire & other safety equipment	49	
								718.50			
10312	09/06/13	19602	THE HOME DEPOT #0943	1	VARIOUS SUPPLIES	3-01-26-290-030	Budget	104.10	Materials and Supplies	27	922
				2	VARIOUS SUPPLIES	3-01-26-290-030	Budget	57.70	Materials and Supplies	28	

check # Check date Vendor PO # Item Description Amount Paid Charge Account Account Type Contract Ref Seq Reconciled/Void Ref Num

Check #	Check date	Vendor	PO #	Item Description	Amount Paid	Charge Account	Account Type	Contract Ref Seq	Reconciled/Void Ref Num
10312	09/06/13	THE HOME DEPOT #0943		CONTINUED					
13-00457	09/06/13	VARIOUS SUPPLIES			109.43	3-01-26-290-030	Budget		29
					<u>271.23</u>				
10313	09/06/13	INSTITUTE FOR FORENSIC		PSYCHOLOGICAL EVALUATIONS FOR	850.00	3-01-25-240-030	Budget		35
10314	09/06/13	LAWMEN SUPPLY CO.		CASE CENTERFIRE AMMUNITION	509.60	3-01-25-240-030	Budget		1
13-00257	09/06/13				0.00	3-01-25-240-030	Budget		2
13-00257	09/06/13				1,764.20	3-01-25-240-030	Budget		3
13-00257	09/06/13				10.00	3-01-25-240-030	Budget		4
13-00372	09/06/13				509.60	3-01-25-240-030	Budget		7
					<u>2,793.40</u>				
10315	09/06/13	LEADER PRINTERS		BUSINESS CARDS FOR C. RIDINGS	93.00	3-01-20-100-030	Budget		45
10316	09/06/13	LOWE'S # 1861		VARIOUS SUPPLIES	31.24	3-01-26-290-030	Budget		30
13-00458	09/06/13				50.21	3-01-26-290-030	Budget		31
					<u>81.45</u>				
10317	09/06/13	MAX COMMUNICATIONS, INC.		RECURRING CHARGES FOR AUGUST	223.88	3-01-31-440-000	Budget		96
10318	09/06/13	NEXTEL COMMUNICATIONS		POLICE CONNECT CARDS	112.48	3-01-31-440-000	Budget		56
13-00481	09/06/13				218.13	3-01-31-440-000	Budget		107
					<u>330.61</u>				
10319	09/06/13	ELIZABETH J. O'HALLA		POLL WORKER - SPECIAL ELECTION	200.00	3-01-20-120-029	Budget		57
13-00482	09/06/13				185.27	3-01-25-240-030	Budget		119
10319	09/06/13	PARAMOUNT CHEMICAL & PAPER CO.		SUPPLIES FOR POLICE DEPARTMENT			Budget		922

check # check date vendor PO # item description amount paid charge account account type contract Ref Num reconciled/void Ref Num

922	50	Budget	194.90	3-01-26-290-061	Road Repairs/maintenance				
	51	Budget	75.00	3-01-26-290-061	Road Repairs/maintenance				
			<u>269.90</u>						

922	97	Budget	154.00	3-01-26-310-029	maintenance contract				
	98	Budget	9.50	3-01-26-310-029	maintenance contract				
	99	Budget	86.25	3-01-26-310-029	maintenance contract				
	100	Budget	15.75	3-01-26-310-029	maintenance contract				
	101	Budget	56.25	3-01-26-310-029	maintenance contract				
	102	Budget	33.00	3-01-26-310-029	maintenance contract				
	103	Budget	13.00	3-01-26-310-029	maintenance contract				
			<u>367.75</u>						

922	61	Budget	1,662.75	3-01-31-460-000	gasoline and diesel				
	24	Budget	24.18	3-01-25-240-034	Fleet maintenance				
	25	Budget	261.54	3-01-26-290-034	Fleet maintenance				
			<u>285.72</u>						

922	9	Budget	852.00	3-01-20-100-042	GEN. ADMIN. EDUCATIONAL TRAINING				
	23	Budget	60.00	3-01-25-240-030	Materials and Supplies				
	12	Budget	6,580.00	C-08-55-903-000	Imp to water/Sewer System				
	11	Budget	180.00	3-01-28-375-030	materials & supplies				



Check #	Check date	Vendor	PO #	Item Description	Amount Paid	Charge Account	Account Type	Contract	Ref Seq	Reconciled/Void Ref Num
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103329	09/06/13	48201 SOUTH JERSEY GAS COMPANY	13-00494	1 MONTHLY GAS CHARGES	34.04	3-01-31-446-000	Natural Gas		71	922
13-00494	2	MONTHLY GAS CHARGES	23.81	3-01-31-446-000	Natural Gas				72	
13-00494	3	MONTHLY GAS CHARGES	61.38	3-01-31-446-000	Natural Gas				73	
					<u>119.23</u>					
10330	09/06/13	48207 SOUTH JERSEY WELDING SUPPLY CO	13-00508	1 ACETYLENE CYL RENT	13.45	3-01-26-290-038	Gen. Hardware-maint. suppl'es		108	922
13-00508	2	ARAGON/MIX CYL RENT	20.18	3-01-26-290-038	Gen. Hardware-maint. suppl'es				109	
13-00508	3	OXYGEN CLY RENT	20.18	3-01-26-290-038	Gen. Hardware-maint. suppl'es				110	
					<u>53.81</u>					
10331	09/06/13	50102 THE PRESS	13-00509	1 VARIOUS LEGAL ADVERTISEMETS	44.81	3-01-20-100-021	GEN. ADMIN. LEGAL ADVERTISING		111	922
13-00509	2	VARIOUS LEGAL ADVERTISEMETS	48.44	3-01-20-100-021	GEN. ADMIN. LEGAL ADVERTISING				112	
13-00509	3	VARIOUS LEGAL ADVERTISEMETS	13.77	3-01-20-100-021	GEN. ADMIN. LEGAL ADVERTISING				113	
					<u>107.02</u>					
10332	09/06/13	50103 THIS & THAT UNIFORMS	13-00471	1 FLYING CROSS PANTS	267.00	3-01-25-240-032	Uniforms		43	922
13-00471	2	UNIFORM FOR K. HOWELL	867.00	3-01-25-240-032	Uniforms				44	
					<u>1,134.00</u>					
10333	09/06/13	65405 W. B. MASON	13-00464	1 CHAIR FOR CFO OFFICE	95.00	3-01-20-100-036	GEN. ADMIN. OFFICE SUPPLIES		37	922
13-00498	1	AAA BATTERIES	17.50	3-01-20-100-036	GEN. ADMIN. OFFICE SUPPLIES				90	
13-00498	2	SHREDDER BAGS	42.99	3-01-20-100-036	GEN. ADMIN. OFFICE SUPPLIES				91	
13-00498	3	LUBRICANT SHEETS FOR SHREDDER	23.99	3-01-20-100-036	GEN. ADMIN. OFFICE SUPPLIES				92	
					<u>179.48</u>					
10334	09/06/13	65406 STANDARD OFFICE SYSTEMS	13-00480	1 MONTHLY CHARGES FOR THE PERIOD	656.00	3-01-20-100-030	GEN. ADMIN. MATERIALS & SUPPLIES		55	922
-00525	1	CHARGES FOR COPIER USAGE	117.80	3-01-25-240-030	Materials and Supplies				122	

check # check date vendor PO # item description amount paid charge account reconciled/void ref num

check #	check date	vendor	PO #	item description	amount paid	charge account	reconciled/void ref num
10334	09/06/13	STANDARD OFFICE SYSTEMS		Continued			
13-00526		1 BOX OF STAPLES FOR TAX OFFICE			89.95	3-01-20-100-036 GEN. ADMIN. OFFICE SUPPLIES	123
<hr/>							
10335	09/06/13	STATE OF NJ DIV OF PENSIONS	65411	1 6% INTEREST ON DELINQUENT	31.31	3-01-20-100-030 GEN. ADMIN. MATERIALS & SUPPLIES	922 120
10336	09/06/13	EARTHTECH CONTRACTING INC.	654153	1 TRASH COLLECTION FOR AUG	4,200.00	3-01-26-305-029 Contractual-collection	922 93
10337	09/06/13	CAPE URGENT CARE	654165	1 PHYSICAL FOR OFFICER K. HOWELL	185.00	3-01-25-240-030 materials and supplies	922 63
10338	09/06/13	CAFIERO AND BALLETTTE	65434	1 PROFESSIONAL SERVICES RENDERE	2,916.66	3-01-20-155-027 Legal Services	922 117
13-00516				2 ADDITIONAL LEGAL SERVICES	1,956.00	3-01-20-155-027 Legal Services	118
39	09/06/13	VERIZON	66666	1 MONTHLY PHONE CHARGES	373.33	3-01-31-440-000 Telephone	922 79
13-00496				2 MONTHLY BILLING	260.51	3-01-31-440-000 Telephone	80
13-00496				3 MONTHLY PHONE CHARGES	65.94	3-01-31-440-000 Telephone	81
13-00496				4 MONTHLY PHONE CHARGES	241.57	3-01-31-440-000 Telephone	82
					<u>941.35</u>		
10340	09/06/13	SHOPPE	679006	1 AD FOR YARD SALE 6/6/2013	60.00	3-01-20-100-021 GEN. ADMIN. LEGAL ADVERTISING	922 52
10341	09/06/13	CAPE MAY COUNTY DEPT OF PUBLIC	679016	1 FIRE/POLICE TRAINING	75.00	3-01-25-265-030 materials and supplies	922 5
10342	09/06/13	PATRICIA CAMPBELL	679017	1 POLL WORKER - SPECIAL ELECTION	200.00	3-01-20-120-029 Election workers	922 60

check #	check date	Vendor	PO #	Item Description	Amount Paid	Charge Account	Account Type	Contract	Ref Seq	Reconciled/Void	Ref Num
10342 PATRICIA CAMPBELL Report Totals											
Checks:	65	0	0	0	189,024.60	189,024.60				0.00	
Direct Deposit:	0	0	0	0	0.00	0.00				0.00	
Total:	65	0	0	0	189,024.60	189,024.60				0.00	

continued

Fund Description	Fund	Budget Total	Revenue Total
CURRENT FUND	2-01	330.00	0.00
CURRENT FUND	3-01	79,416.77	0.00
UTILITY FUND	3-09	6,577.21	0.00
UTILITY FUND	3-09	85,993.98	0.00
CAPITAL FUND	C-04	96,120.62	0.00
UTILITY CAPITAL	C-08	6,580.00	0.00
UTILITY CAPITAL	C-08	102,700.62	0.00
Year Total:		189,024.60	0.00
Total of All Funds:		189,024.60	0.00

Page of Checking Accts: CAPITAL to CAPITAL  
 Range of Check Ids: 1232 to 1233  
 Report Type: All Checks  
 Report Format: Detail  
 Check Type: Computer: Y Manual: Y Dir Deposit: Y

Check #	Check Date	Vendor	Item Description	PO #	Amount Paid	Charge Account	Account Type	Contract	Ref Seq	Reconciled/Void	Ref Num
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1232	09/06/13	44606	REMINGTON, VERNICK & WALBERG	13-00523	55.00	C-04-55-911-102	Budget		2		923
ORD, 512-2011-RECONSTRUCTION AVE NEPTUNE											

1233	09/06/13	654148	Van Note Harvey Associates Inc	13-00478	944.25	C-04-55-911-101	Budget		1		923
ORD 512-2011-RECONSTRUCTION AVENUE 0											

Report Totals											
Paid	2	0	0	0	999.25	Amount Paid	0.00	Amount Void	0.00	0.00	
Checks:	2	0	0	0	999.25	Amount Paid	0.00	Amount Void	0.00	0.00	
Direct Deposit:	0	0	0	0	999.25	Amount Paid	0.00	Amount Void	0.00	0.00	
Total:	2	0	0	0	999.25	Amount Paid	0.00	Amount Void	0.00	0.00	

Fund Description	Fund	Budget Total	Revenue Total
CAPITAL FUND	C-04	999.25	0.00
Total of All Funds:			
		<u>999.25</u>	<u>0.00</u>

Range of Checking Accts: TRUST OTHER to TRUST OTHER  
Report Type: All Checks  
Report Format: Detail  
Range of Check Ids: 1052 to 1052  
Check Type: Computer: Y Manual: Y Dir Deposit: Y

Check # Check date Vendor PO # Item Description Amount paid Charge Account Reconciled/Void Ref Num

1052 09/06/13 44606 REMINGTON,VERNICK & WALBERG 165.00 T-12-00-000-013 Budget 924  
13-00524 I REVIEW, PROCESS AND INSPECT RESERVE FOR STREET OPENINGS 1

Report Totals	Paid	Void	Amount Paid	Amount Void
checks: 1	0	0	165.00	0.00
Direct Deposit: 0	0	0	0.00	0.00
Total: 1	0	0	165.00	0.00

Total of All Funds: 165.00 0.00  
F-12 165.00 0.00

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Fund Description	Fund	Budget Total	Revenue Total
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Range of Checking Accts: TRUST OTHER to TRUST OTHER  
 Range of Check Ids: 1053 to 1053  
 Report Type: Detail  
 Report Format: Detail  
 Check Type: Computer: Y Manual: Y Dir Deposit: Y

Check # Check Date Vendor PO # Item Description Amount Paid Charge Account Account Type Contract Ref Num Reconciled/Void Ref Num

1053 09/06/13 13814 JOHN & BETH CHESNEY 13-00527 1 RETURN OF FUNDS HELD IN ESCROW 30,000.00 T-12-00-000-005 Budget 1  
 RESERVE FOR PLANNING & ZONING 925

Report Totals	Paid	Void	Amount Paid	Amount Void
Checks: 1	0	0	30,000.00	0.00
Direct Deposit: 0	0	0	0.00	0.00
Total: 1	0	0	30,000.00	0.00

Fund Description	Fund	Budget Total	Revenue Total
	T-12	30,000.00	0.00
Total of All Funds:		<u>30,000.00</u>	<u>0.00</u>

**TAX COLLECTOR'S REPORT  
BOROUGH OF WEST WILDWOOD**

TO: Borough Commission

FROM: Terence Graff

DATE: September 5, 2013



The following represents the collection status of taxes as of August 31, 2013

TAX ACCOUNTS	CURRENT MONTH	TO DATE
2012 Tax (Delinquent Taxes)	\$1,637.54	\$122,785.75
2013 Tax	\$434,095.36	\$2,229,447.46
Prepaid Tax Year 2014	\$9,012.72	\$24,359.29
Arrears/Bankruptcy		
Tax Title Liens (Mun)		\$72,485.38
Miscellaneous	\$2,298.45	\$41,532.13
Searches		
Cost & Interest	\$773.64	\$13,717.17
Tax Sale Premium		
Tax Sale - Water Due		
Wildwood		
Cost of Sale		
Sewer Rents (Delinquent)	\$898.11	\$25,921.02
Sewer Rents 2013	\$24,479.08	\$308,974.79
Prepaid Sewer Rents	(\$185.49)	\$1,452.97
Sewer Interest	\$739.61	\$5,054.59
Total	\$473,749.02	\$2,845,730.55

MEETING

SPECIAL

*"Small town Charm on the Back Bay"*

**AGENDA  
SPECIAL MEETING – SEPTEMBER 9, 2013  
1:00pm MEETING**

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**OPEN PUBLIC MEETINGS ACT ANNOUNCEMENT**

THIS SPECIAL MEETING WAS CALLED PURSUANT TO THE PROVISIONS OF THE OPEN PUBLIC MEETING LAW. NOTICE OF THIS MEETING WAS SENT TO THE ATLANTIC CITY PRESS AND THE CAPE MAY COUNTY HERALD ELECTRONICALLY AND POSTED CONTINUOUSLY ON THE OFFICIAL CLERKS BULLETIN BOARD.

**ROLL CALL:**

**RESOLUTIONS:**

**NUMBERS:**

**2013-097 - AUTHORIZING A CLOSED (EXECUTIVE) SESSION OF THE BOARD OF COMMISSIONERS FOR POTENTIAL LITIGATION**

***Open to the floor for Public Comment:***

**ADJOURNMENT**

**Donna L. Frederick  
Acting Municipal Clerk**

BOROUGH OF WEST WILDWOOD  
BOARD OF COMMISSIONERS  
SPECIAL MEETING  
September 9, 2013 – 1:00pm

MINUTES:

Mayor Fox called the meeting to order and read the OPMA, led in the pledge of allegiance.

ROLL CALL:

Commissioner Golden

Commissioner Maxwell

Mayor Fox

Acting Municipal Clerk Donna L. Frederick

ABSENT: Commissioner Maxwell

RESOLUTIONS: READ BY NUMBER & TITLE

2013-097 – AUTHORIZING A CLOSED (EXECUTIVE) SESSION OF THE BOARD OF COMMISSIONERS FOR POTENTIAL LITIGATION

Motion by Comm. Golden; Seconded by Mayor Fox

Roll Call Vote: Comm. Golden, yes; Mayor Fox, yes.

Resolution Adopted.

Mayor Fox opened the meeting to the floor for public comment.

Hearing no comment from the floor, the Mayor closed the public portion.

Commissioners went into closed session

Motion to reconvene from closed session

Motion by Comm. Golden; Seconded by Comm. Fox

Roll Call Vote: Comm. Golden, yes; Mayor Fox, yes

Motion Carried

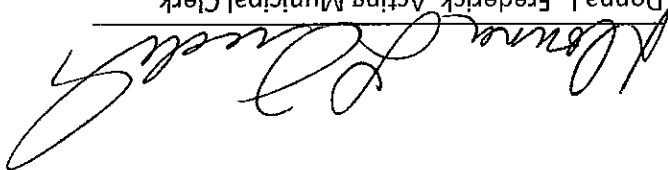
Motion to Adjourn:

Motion by Comm. Golden; Seconded by Comm. Maxwell

Roll Call Vote: Comm. Golden, yes; Comm. Maxwell, yes; Mayor Fox, yes

Motion carried.

Respectfully submitted

  
\_\_\_\_\_  
Donna L. Frederick, Acting Municipal Clerk

THESE MINUTES WERE APPROVED AT THE OCTOBER 4, 2013, REGULAR COMMISSION MEETING



\_\_\_\_\_  
MAYOR CHRISTOPHER J. FOX

\_\_\_\_\_  
COMMISSIONER SCOTT W. GOLDEN

\_\_\_\_\_  
COMMISSIONER CORNELIUS J. MAXWELL

ABSENT

**BOROUGH OF WEST WILDWOOD  
COUNTY OF CAPE MAY  
STATE OF NEW JERSEY**

RESOLUTION 2013-097

**AUTHORIZING A CLOSED (EXECUTIVE) SESSION OF  
THE BOARD OF COMMISSIONERS**

**WHEREAS**, in accordance with the provisions of the Open Public Meetings Act, N.J.S.A. 10:4-12(b), it is permissible by resolution for the Governing Body to enter into a Closed (Executive) Session in order to discuss matters falling within one or more of the permitted nine exemptions; and

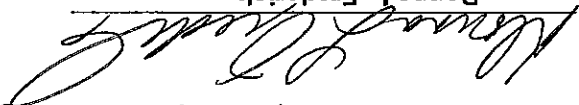
**WHEREAS**, the Borough anticipates discussion of litigation matters, which constitutes one of the permitted exemptions; and

**WHEREAS**, the minutes of this meeting shall remain confidential until after such time as Legal Counsel determines that the need of confidentiality no longer exists and provided that the matter(s) discussed can be legally disclosed.

**NOW, THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of West Wildwood, Cape May County, New Jersey that a Closed (Executive) Session of the Governing Body shall be convened to discuss the aforementioned matters.

	Motion	Second	Yes	No	Abstain	Absent
Mayor Christopher J. Fox		X	X			
Commissioner Scott W. Golden	X		X			
Commissioner Cornelius J. Maxwell						X

I, **Donna L. Frederick, Acting Municipal Clerk** for the Borough of West Wildwood in the County of Cape May and State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a Resolution adopted by the Board of Commissioners of the Borough of West Wildwood, New Jersey at a Special Meeting held on September 9, 2013.



**Donna L. Frederick**  
Acting Municipal Clerk



MEETING

SPECIAL

*Borough of West Wildwood*

*"Small town Charm on the Back Bay"*

**AGENDA**

**SPECIAL MEETING - SEPTEMBER 13, 2013**

**10:00am MEETING**

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**OPEN PUBLIC MEETINGS ACT ANNOUNCEMENT**

THIS SPECIAL MEETING WAS CALLED PURSUANT TO THE PROVISIONS OF THE OPEN PUBLIC MEETING LAW. NOTICE OF THIS MEETING WAS SENT TO THE ATLANTIC CITY PRESS AND THE CAPE MAY COUNTY HERALD ELECTRONICALLY AND POSTED CONTINUOUSLY ON THE OFFICIAL CLERKS BULLETIN BOARD.

**ROLL CALL:**

**RESOLUTIONS:**

**NUMBERS:**

**2013-098 - AUTHORIZING THE CANCELLATION OF CHECKS ONE YEAR OR OLDER**

**2013-099 - AUTHORIZING THE FILING OF AN APPLICATION TO THE USDA FOR A  
REGENERATIVE AIR SWEEPER**

**2013-100 - AUTHORIZING A CLOSED (EXECUTIVE) SESSION OF THE BOARD OF  
COMMISSIONERS FOR POSSIBLE/POTENTIAL LITIGATION**

**Open to the Floor for Public Comment:**

**ADJOURNMENT**

**Donna L. Frederick  
Acting Municipal Clerk**

P.O. Box 644 \* 701 West Glenwood Avenue \* West Wildwood, NJ 08260  
Telephone: (609)522-4845 \* Fax (609)522-9055

BOROUGH OF WEST WILDWOOD  
BOARD OF COMMISSIONERS  
SPECIAL MEETING  
FRIDAY – SEPTEMBER 13, 2013  
10:00AM

MINUTES:

Mayor Fox called the meeting to order, read the OPMA statement and led the Pledge of Allegiance

ROLL CALL: Present

Comm. Golden

Comm. Maxwell

Mayor Fox

Solicitor Cafiero

Acting Municipal Clerk (AMC) Donna L. Frederick

RESOLUTIONS: READ BY NUMBER & TITLE

2013-098 – AUTHORIZING THE CANCELLATION OF CHECKS ONE YEAR OR OLDER

Motion by Comm. Maxwell; Second by Comm. Golden

Roll Call Vote: Comm. Golden, yes; Comm. Maxwell, yes; Mayor Fox, yes

Resolution Adopted

2013-099 – AUTHORIZING THE FILING OF AN APPLICATION TO THE USDA FOR A

REGENERATIVE AIR SWEEPER

Motion by Comm. Golden; Second by Comm. Maxwell

Roll Call Vote: Comm. Golden, yes; Comm. Maxwell, yes; Mayor Fox, yes

Resolution Adopted

2013-100 - AUTHORIZING A CLOSED (EXECUTIVE) SESSION OF THE BOARD OF COMMISSIONERS FOR POSSIBLE/POTENTIAL LITIGATION

Motion by Comm. Maxwell; Second by Comm. Golden

Roll Call Vote: Comm. Golden, yes; Comm. Maxwell, yes; Mayor Fox, yes

Resolution Adopted

Commissioners went into closed (executive) session.

Motion to reconvene meeting from closed (executive) session

Motion by Comm. Maxwell; Second by Comm. Golden

Roll Call Vote: Comm. Golden, yes; Comm. Maxwell, yes; Mayor Fox, yes

Motion Carried

Solicitor Cafiero recommends the Commissioners authorize Mr. Barbone to pursue the filing of a legal cause of action with regards to the investigation he performed as appointed special counsel.

Acting Municipal Clerk read by title only the following resolution:

Resolution 2013-101, AUTHORIZING SPECIAL COUNSEL LOUIS M. BARBONE TO PURSUE THE FILING OF A LEGAL CAUSE OF ACTION WITH THE APPROPRIATE COURT OF LAW AS A RESULT OF AN INVESTIGATION PERFORMED

Motion by Comm. Maxwell; Second by Comm. Golden

Roll Call Vote: Comm. Golden, yes; Comm. Maxwell, yes; Mayor Fox, yes

Resolution Adopted

Mayor opened the meeting to floor for public comment, hearing none, Mayor closed the public portion.

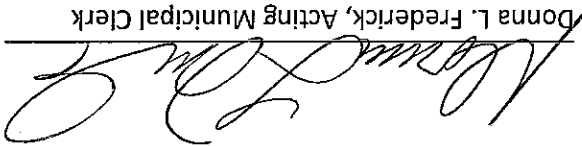
**Motion to Adjourn:**

Motion by Comm. Maxwell; Second by Comm. Golden

Roll Call Vote: Comm. Golden, yes; Comm. Maxwell, yes; Mayor Fox, yes

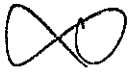
Motion carried.

Respectfully submitted



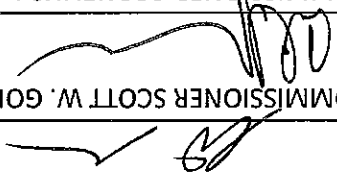
Donna L. Frederick, Acting Municipal Clerk

THESE MINUTES WERE APPROVED AT THE OCTOBER 4, 2013, REGULAR COMMISSION MEETING



MAYOR CHRISTOPHER J. FOX

COMMISSIONER SCOTT W. GOLDEN



COMMISSIONER CORNELIUS J. MAXWELL

**BOROUGH OF WEST WILDWOOD  
COUNTY OF CAPE MAY  
STATE OF NEW JERSEY**

RESOLUTION 2013-098

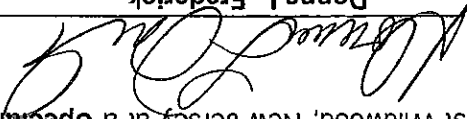
**AUTHORIZING THE CANCELLATION OF CHECKS ONE YEAR OR OLDER**

**WHEREAS**, the Board of Commissioners of the Borough of West Wildwood deem it in the best interest of the Borough to void all outstanding checks from the Borough of West Wildwood Municipal Court Bail Account formerly with PNC Bank.

**NOW THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Borough of West Wildwood, County of Cape May, New Jersey, that the Acting Chief Financial Officer be and is hereby authorized to void the following checks:

Check #	Account Number	Check Date	Payable To	Amount
1247	8000005000	12/9/2004	Jennifer Aloisi	\$ 1.00
1514	8000005000	02/14/2011	Ater Azrielant	\$ 368.00
1533	8000005000	06/21/2011	Kristy Heym	\$ 30.00
				<u>\$ 399.00</u>

I, **Donna L. Frederick, Acting Municipal Clerk** for the Borough of West Wildwood in the County of Cape May and State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a Resolution adopted by the Board of Commissioners of the Borough of West Wildwood, New Jersey at a **Special Meeting** held on **September 13, 2013**.

  
**Donna L. Frederick**  
 Acting Municipal Clerk

Motion	Second	Yes	No	Abstain	Absent
Mayor Christopher J. Fox					
Commissioner Scott W. Golden					
Commissioner Cornelius J. Maxwell					

**BOROUGH OF WEST WILDWOOD  
COUNTY OF CAPE MAY  
STATE OF NEW JERSEY**

RESOLUTION 2013-099

**AUTHORIZING THE FILING OF AN APPLICATION TO THE  
USDA FOR A REGENERATIVE AIR SWEEPER**

**WHEREAS**, the USDA Rural Development has certain grants/loans available to government agencies; and

**WHEREAS**, the Borough of West Wildwood Public Works Department desires to make an application to the USDA for the purchase of a regenerative air sweeper; and

**WHEREAS**, the Board of Commissioners deem it in the best interest of the Borough to submit said application on behalf of the Public Works Department; and

**WHEREAS**, the Borough of West Wildwood acknowledges a loan sum not to exceed \$145,000; and a grant sum not to exceed \$50,000.

**WHEREAS**, the Governing Body shall take all actions necessary and appropriate for the execution of such application as may be required; and

**WHEREAS**, USDA Form RD 1942-8 (Rev. 2-98), Resolution of Members or Stockholders shall be executed and attached hereto.

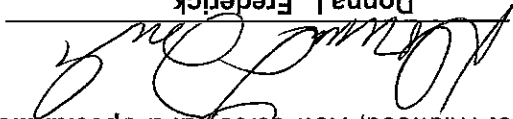
**NOW, THEREFORE BE IT RESOLVED**, by the Board of Commissioners, of the Borough of West Wildwood, County of Cape May, New Jersey that the Mayor and Clerk are hereby authorized to file the necessary application forms to the USDA.

**BE IT FURTHER RESOLVED**, that a copy of this Resolution be attached to said application.

	Motion	Second	Yes	No	Abstain	Absent
Mayor Christopher J. Fox						
Commissioner Scott W. Golden						
Commissioner Cornelius J. Maxwell						

I, **Donna L. Frederick, Acting Municipal Clerk** for the Borough of West Wildwood in the County of Cape May and State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a Resolution adopted by the Board of Commissioners of the Borough of West Wildwood, New Jersey at a Special Meeting held on **September 13, 2013**.

**Donna L. Frederick**  
Acting Municipal Clerk



**BOROUGH OF WEST WILDWOOD  
COUNTY OF CAPE MAY  
STATE OF NEW JERSEY  
RESOLUTION 2013-100**

**AUTHORIZING A CLOSED (EXECUTIVE) SESSION OF  
THE BOARD OF COMMISSIONERS FOR POSSIBLE/POTENTIAL LITIGATION**

**WHEREAS**, in accordance with the provisions of the Open Public Meetings Act, N.J.S.A. 10:4-12(b), it is permissible by resolution for the Governing Body to enter into a Closed (Executive) Session in order to discuss matters falling within one or more of the permitted nine exemptions; and

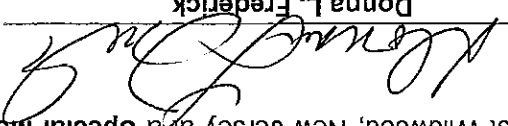
**WHEREAS**, the Borough anticipates discussion of possible / potential litigation matters, which constitutes one of the permitted exemptions; and

**WHEREAS**, the minutes of this meeting shall remain confidential until after such time as Legal Counsel determines that the need of confidentiality no longer exists and provided that the matter(s) discussed can be legally disclosed.

**NOW, THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of West Wildwood, Cape May County, New Jersey that a Closed (Executive) Session of the Governing Body shall be convened to discuss the aforementioned matters.

	Motion	Second	Yes	No	Abstain	Absent
Mayor Christopher J. Fox						
Commissioner Scott W. Golden						
Commissioner Cornelius J. Maxwell						

I, **Donna L. Frederick, Acting Municipal Clerk** for the Borough of West Wildwood in the County of Cape May and State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a Resolution adopted by the Board of Commissioners of the Borough of West Wildwood, New Jersey at a **Special Meeting** held on **September 13, 2013**.

  
**Donna L. Frederick**  
 Acting Municipal Clerk

**BOROUGH OF WEST WILDWOOD  
COUNTY OF CAPE MAY  
STATE OF NEW JERSEY**

**RESOLUTION 2013-101**

**AUTHORIZING SPECIAL COUNSEL LOUIS M. BARBONE TO PURSUE  
THE FILING OF A LEGAL CAUSE OF ACTION WITH THE APPROPRIATE  
COURT OF LAW AS A RESULT OF AN INVESTIGATION PERFORMED**

**WHEREAS**, the Board of Commissioners appointed Louis M. Barbone as Special Counsel in a Non-Fair and Open Contract for Professional Services on March 28, 2013, for possible litigation; and

**WHEREAS**, the Board of Commissioners authorized Mr. Barbone to take appropriate action he may deem necessary during the course of his investigation; and

**WHEREAS**, Mr. Barbone has concluded his investigation and has briefed the Board of Commissioners of his findings.


**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of West Wildwood, Cape May County, New Jersey, that Mr. Louis M. Barbone is hereby authorized and empowered to pursue the filing of any and all Legal Causes of Action with the appropriate Court of Law, as a result of said investigation.

**BE IT FURTHER RESOLVED** that Mr. Louis Barbone shall continue to represent the Borough of West Wildwood until such time as these proceedings have concluded.

**BE IT FURTHER RESOLVED** additional compensation is pursuant to the terms set forth in Resolution No. 2013-094.

	Motion	Second	Yes	No	Abstain	Absent
Mayor Christopher J. Fox			X			
Commissioner Scott W. Golden		X	X			
Commissioner Cornelius J. Maxwell	X		X			

I, Donna L. Frederick, Acting Municipal Clerk for the Borough of West Wildwood in the County of Cape May and State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a Resolution adopted by the Board of Commissioners of the Borough of West Wildwood, New Jersey at a Special Meeting held on September 13, 2013.

  
 Donna L. Frederick  
 Acting Municipal Clerk



# WORKSHOP MEETING

*"Small town Charm on the Back Bay"*

**AGENDA**

**WORKSHOP MEETING – SEPTEMBER 30, 2013  
9:00 AM**

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**OPEN PUBLIC MEETINGS ACT ANNOUNCEMENT**

THIS WORKSHOP MEETING WAS CALLED PURSUANT TO THE PROVISIONS OF THE OPEN PUBLIC MEETING LAW. NOTICE OF THIS MEETING HAS BEEN ESTABLISHED IN AN ANNUAL WORKSHOP MEETING NOTICE RESOLUTION 2012-107 ADOPTED ON DECEMBER 7, 2012. NOTICE OF THIS MEETING WERE SENT TO THE ATLANTIC CITY PRESS AND THE CAPE MAY COUNTY HERALD ELECTRONICALLY AND POSTED CONTINUOUSLY ON THE OFFICIAL CLERKS BULLETIN BOARD.

**ROLL CALL**

**DISCUSSION**

**Open to the Floor for Public Comment:**

**ADJOURNMENT**

**Donna L. Frederick  
Acting Municipal Clerk**

BOROUGH OF WEST WILDWOOD  
BOARD OF COMMISSIONERS  
WORKSHOP MEETING  
September 30, 2013  
9:00AM

MINUTES:

Comm. Maxwell read the OPMA and led in the pledge of allegiance.

ROLL CALL:

Comm. Golden

Comm. Maxwell

Solicitor Cafiero

Mayor Fox – ABSENT

DISCUSSION:

Acting Municipal Clerk briefed the Commissioners on information for the Regular Meeting on Friday.

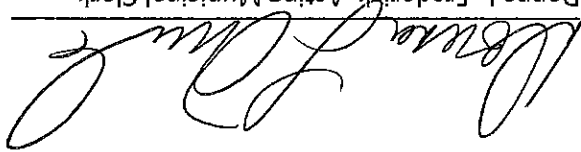
OPEN TO PUBLIC FOR COMMENT - NONE

Motion to Adjourn:

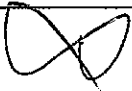
Motion by Comm. Golden – Seconded by Comm. Maxwell

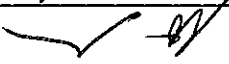
Motion Carried

Respectfully submitted

  
\_\_\_\_\_  
Donna L. Frederick, Acting Municipal Clerk

THESE MINUTES WERE APPROVED AT THE OCTOBER 4, 2013, REGULAR COMMISSION MEETING

  
\_\_\_\_\_  
MAYOR CHRISTOPHER J. FOX

  
\_\_\_\_\_  
COMMISSIONER SCOTT W. GOLDEN

  
\_\_\_\_\_  
COMMISSIONER CORNELIUS J. MAXWELL