

BOROUGH OF WEST WILDWOOD  
BOARD OF COMMISSIONERS  
REGULAR MEETING  
APRIL 5, 2013  
7:00PM – ACTION MEETING

**MINUTES:**

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

**ROLL CALL – PRESENT**

Commissioner Golden  
Commissioner Maxwell  
Mayor Fox  
Solicitor Caffero  
Acting Municipal Clerk Donna L. Frederick

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

March 1, 2013 Regular Meeting  
March 28, 2013 Special Meeting  
Workshop Meeting April 1. 2013 Cancelled (properly posted)

Motion to accept the previous minutes as presented:

Motion made by Comm. Maxwell and Seconded by Comm. Golden

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

Motion Carried

**NEW BUSINESS:**

AMC Frederick informed the Board of Commissioners that a Petition against Ordinance 519 (2013) was accepted as complete after deficiencies were corrected, a letter was distributed to at least 2 members of the Committee of Petitioners. Demand to Repeal.

Mayor Fox gave a brief description of the Bond Ordinance, is satisfied that the Clerk did her job and asked to go into closed session at the end of the public portion of the Regular Meeting.

**ORDINANCES:**

**ORDINANCE 520 (2013):**

**SECOND READING/PUBLIC HEARING by TITLE: AN ORDINANCE ESTABLISHING A SOURCE SEPARATION AND RECYCLING POLICY FOR THE BOROUGH OF WEST WILDWOOD**

Mayor Fox opened to the floor for public comment on Ordinance 520 (2013):

Hearing no comment, Mayor closed the public hearing portion to the floor

AMC Frederick asked for a motion to pass Ord. 520 (2013) on the Second/Final Reading.

Motion was made by Comm. Maxwell, Seconded by Comm. Golden  
Roll Call Vote: Comm. Golden, yes; Comm. Maxwell, yes; Mayor Fox, yes.  
Motion Carried by not less than 2/3 vote of the Governing Body.  
Ordinance Adopted

**ORDINANCE 521 (2013) : FIRST READING/INTRODUCTION:**

***ORDINANCE 521(2013):***  
**AN ORDINANCE AMENDING ORDINANCE NO. 398 AND ORDINANCE NO. 430 THE LAND DEVELOPMENT ORDINANCE OF THE BOROUGH OF WEST WILDWOOD**

***Motion to Adopt Ordinance 521 (2013) by not less than 2/3 of the Governing Body on the First Reading/Introduction***

Motion was made by Comm. Maxwell, Seconded by Comm. Golden  
Roll Call Vote: Comm. Golden, yes; Comm. Maxwell, yes; Mayor Fox, yes.  
Motion Carried by not less than 2/3 vote of the Governing Body.  
Ordinance Adopted On the First Reading/Introduction

**\*RESOLUTIONS: READ BY NUMBER & TITLE.**

**RESOLUTIONS:** Clerk gave a brief detail of each resolution for the public to understand:

**2013-035 – A RESOLUTION EXPRESSING OPPOSITION TO SENATE BILL NO. S-2114 AND COMPANION ASSEMBLY BILL NO. A-3317 WHICH PROHIBIT MUNICIPAL REGISTRATION OF MULTI-FAMILY DWELLINGS**  
Motion was made by Comm. Maxwell, Seconded by Comm. Golden  
Roll Call Vote: Comm. Golden, yes; Comm. Maxwell, yes; Mayor Fox, yes.  
Resolution Adopted

**2013-036 – A RESOLUTION EXPRESSING OPPOSITION TO SENATE BILL NO. S-2364 AND COMPANION ASSEMBLY BILL NO. A-3553 WHICH WOULD ESTABLISH AN EARLY VOTING PROCEDURE**  
Motion was made by Comm. Maxwell, Seconded by Comm. Golden  
Roll Call Vote: Comm. Golden, yes; Comm. Maxwell, yes; Mayor Fox, yes.  
Resolution Adopted

**2013-037 – AURTHORIZING A SHARED SERVICES AGREEMENT BETWEEN THE BOROUGH OF WEST WILDWOOD AND THE CAPE MAY COUNTY HEALTH DEPT.**  
Motion was made by Comm. Maxwell, Seconded by Comm. Golden  
Roll Call Vote: Comm. Golden, yes; Comm. Maxwell, yes; Mayor Fox, yes.  
Resolution Adopted

**2013-038 – A RESOLUTION RECOMMENDING AMENDMENTS TO THE BIGGERT-WATERS FLOOD INSURANCE REFORM ACT OF 2013 (FIRA)**

Motion was made by Comm. Maxwell, Seconded by Comm. Golden

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

Resolution Adopted

**2013-039 – A RESOLUTION DESIGNATING APRIL AS NATIONAL DISTRACTED DRIVING PREVENTION MONTH IN CAPE MAY COUNTY**

Motion was made by Comm. Maxwell, Seconded by Comm. Golden

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

Resolution Adopted

**2013-040 – AUTHORIZING AN EXTENSION OF INTER-LOCAL SERVICE AGREEMENT WITH THE MIDDLE TOWNSHIP ANIMAL CONTROL SERVICES**

Motion was made by Comm. Maxwell, Seconded by Comm. Golden

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

Resolution Adopted

**2013-041 – AUTHORIZING A TOWN-WIDE YARD SALE**

Motion was made by Comm. Maxwell, Seconded by Comm. Golden

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

Resolution Adopted

**2013-042 – ADOPTION OF A SECOND TEMPORARY BUDGET FOR CY 2013**

Motion was made by Comm. Maxwell, Seconded by Comm. Golden

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

Resolution Adopted

**2013-043 – AUTHORIZING PURCHASES WITH VENDORS WHO ARE UNDER CURRENT N.J. STATE CONTRACTS**

Motion was made by Comm. Maxwell, Seconded by Comm. Golden

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

Resolution Adopted

**2013-044 – A RESOLUTION ESTABLISHING A SHARED SERVICES AGREEMENT BETWEEN THE BOROUGH OF WEST WILDWOOD AND THE CITY OF WILDWOOD FOR MUNICIPAL COURT SERVICES**

Mayor explained that this is a true shared service we pay direct to Wildwood City; state is pushing for shared services

Motion was made by Comm. Maxwell, Seconded by Comm. Golden

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

Resolution Adopted

**2013-045 – APPOINTMENT OF MUNICIPAL REGISTRAR, DEPUTY REGISTRAR AND TWO ALTERNATE REGISTRARS**

Motion was made by Comm. Maxwell, Seconded by Comm. Golden

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

Resolution Adopted

**2013-046 – AUTHORIZING THE BOARD OF COMMISSIONERS TO GO INTO CLOSED (EXECUTIVE) SESSION**

Mayor Fox stated the Commissioners will go into closed session after the Public portion of the Regular Meeting and resume meeting after closed session.

Motion was made 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:**

Motion By: Comm. Golden – Seconded By: Comm. Maxwell  
Roll Call: Comm. Golden, yes; Comm. Maxwell, yes; Mayor Fox, yes.  
Motion Carried

**REPORTS FROM OFFICIALS:**

Mayor Fox read out the Police Activity Report for the month of February 2013 (attached)

Comm. Golden, have a new tide flex valve and new knife gate valves for E & Pine and Arion & Poplar. Report is available to the public if you want copies. Thanked Comm. Maxwell and the County for acquiring two pumps (borrowing) they are placed at Avenue E and J.

Mayor Fox commented about the Bond Ordinance in part was for flood valves

Comm. Golden said yes, and the average cost is 6K. Also, thanked Mayor Fox for getting another truck (City of Wildwood has a transport vehicle).

Comm. Maxwell read out fire report (attached) and reported that he was able to borrow two pumps from the County and put them in service. Also, reported that part of the Bond Ordinance was to provide new turnout gear for the Fire Department for fighting structural fires. The volunteer give hours for school and training, not too much to ask for to help them out with gear.

**Mayor Fox Opened the meeting to the Floor for Public Comment:**

JIM PERLOFF: 655 North Drive, asked if the flood valve issues were from lack of maintenance or old age.

Comm. Golden stated old age.

Mr. Perloff asked if the Borough is planning an information flyer. Mayor said we are trying, information is on the Website, and we put out a post card for FEMA information, two Sat. meetings. Mayor also stated that money may be available if you didn't have damage for vents. We will look into the newsletter.

JOE HICKEY: 718 W. Pine Avenue, inquired if the Borough is doing the 4<sup>th</sup> July celebration. Mayor, absolutely, June 28, volunteers are already getting involved. Fire Company, Fireworks. Joe asked how much it is going to cost for fireworks, let us know. Mayor stated that we get donations, and use UEZ money, we get good feed-back, and donations go to the fire company.

LORI PERLOFF: 655 North Drive, stated any pictures of the flood for FEMA file, it helps to build up the file. Talk to Chris Ridings, drop off pictures. Mayor stated photos are great to prove to FEMA we need funding, should have an update next Sat.

JIM PERLOFF: 655 North Drive, stated that a newsletter would be great, clear up spout off, and address it in a general way. Mayor stated if you read something in spout off if you want the true answer come and ask.

BOB MITROS: 700 W. Poplar Ave. asked if there was any progress on bulkhead Ordinance.

Comm. Golden, said yes, things will be discussed at the next planning board meeting, they are getting information from FEMA and reviewing other towns ordinances, planning boards with regards to heights.

Mr. Mitros asked about old ordinance 106, low bulkheads are dangerous. Also complained that on March 6 and days after that, no one was closing the valves and a resident closed it and was told they could be arrested for touching valves.

Comm. Golden stated that they are working on it, that valves were operated during that time; he personally opened and closed them.

Mayor Fox said there was a problem, Max, thought he was helping out and went out to open a valve and bend the rod, that is why only Public Works employees open and close the valves. Yes, you can be locked up for disturbing valves.

Mayor Fox said we applied for mitigation money, 25% owner pays rest is grant. We are currently in a "V" zone and it is critical to get that zone changed, I am confident that we can get "V" zone changed.

Comm. Maxwell stated that there was also an issue with bulkhead work on the week of March 6, all open.

Mr. Mitros asked about the beach.

Comm. Golden stated it will be cleaned up in the next month. At Taggart Park, the concrete is undermined and he is waiting for the engineers input, hydraulic concrete. By May 1 the park and beach will be done.

Mr. Mitros said if you need anyone to volunteer let me know.

JOE HICKEY: 718 W. Pine Avenue, commented thanks no water on "E", problem solved.

BOB KILGORE: 3 "D" Avenue, questioned if you lose UEZ money not recycling. Clerk explained how we get grant money for recycling and that it can only be used to promote recycling issues. The more you recycle the less trash and the more grant money the Borough receives.

LORI PERLOFF: 655 North Drive, asked if there was a problem getting bond. Also asked that people pick up after their dogs, load of dog dirt, they are not picking it up.

Mayor explained that petitioners got signatures. Valves are broken and we need to purchase new ones. Mayor will direct the PD to keep a check on dog scooping. We have a local Ordinance regulating dog waste pickup.

Comm. Golden explained that equipment is needed to clean up after storms; a new loader costs about 60-70 thousand dollars that the street sweeper has an attachment to clean out catch basins; it costs 40K to clean them out. The City of Wildwood helps us out. The cost of the sweeper will be offset with catch basin cleaning.

Comm. Maxwell stated that the Borough is well within the Bond limits.

After hearing no more comment from the public, Mayor Fox closed the public portion, and asked for a motion to go into closed session.

Acting Municipal Clerk read out Resolution 2013-046- Authorizing the Board of Commissioners to go into Closed (executive) Session

Motion was made by Comm. Maxwell, Seconded by Comm. Golden

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

### **RECONVENE MEETING FROM CLOSED SESSION:**

Mayor Fox asked for a motion to reconvene

Motion by Comm. Maxwell – Seconded by Comm. Golden

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

Mayor Fox gave brief discussion on the petition of Ordinance 519 (2013) again stated that he feels the clerk did her job and he is satisfied with her decision.

**A motion to Repeal Ordinance 519 (2013)** was offered by Comm. Maxwell – Seconded by Comm. Golden

Roll Call Vote: Comm. Golden, yes; Comm. Maxwell, yes; Mayor Fox, yes.  
Ordinance 519 (2013) Repealed

**ORDINANCE NO. 522 (2013) First Reading/Introduction** Bond Ordinance providing for various capital improvements of the Borough of West Wildwood, in the county of Cape May, New Jersey, appropriating the aggregate amount of \$500,000.00 therefor and authorizing the issuance of bonds or notes of the Borough of West Wildwood to finance part of the cost thereof.

Motion by Comm. Maxwell – Seconded by Comm. Golden

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

Ordinance Adopted on First Reading/Introduction by not less than 2/3 vote

Mayor Fox looked for a motion to adjourn meeting. Commissioner Maxwell asked if the meeting could be opened up to the public again for comment rather than waiting for the next regular meeting. Mayor Fox said sure and opened up the meeting again for any questions.

**LORIPERLOFF:** 655 North Drive, questioned the condition the front end loader. Comm. Golden stated that it is leaking hydraulic fluid, and environmental nightmare.

Mayor Fox stated that a new loader is in the Bond. That they looked at other ways to purchase the loader from FEMA grants it can't be done. Comm. Golden stated it is costing money in repairs to keep it on the road.

JOE SMITH: 30 Venice Avenue, if time is of the essence have a special meeting to move up the time frame.

JIM PERLOFF: 655 North Drive, Mayor, can I ask the clerk a question. Mayor said yes. Can you read off the names on the petition? Clerk stated that it she didn't feel it was appropriate. And did not want to put people up for public ridicule; however he could put in an OPRA request on Monday.

Mayor stated that only 15% of the voters at the general election need to sign the petition.

RTA DUBST: 534 W. Pine Avenue, Can we clean out the basins ourselves? Comm. Golden stated the DEP requires compliance with clean out of catch basins.

Mayor Fox stated put in petitions for the right reasons.

FRANK STONE: 504 W. Magnolia Avenue wanted a clarification as per the Ordinance as Valorem – was this going to raise taxes, did this mean a tax increase. Mayor Fox stated there is a possibility but you pay, spread the cost out over 15 years. Spend a little bit. I wish I could pay for equipment out of surplus, it isn't there.

**Hearing no more public comment Mayor asked for Motion to Adjourn**

Motion By: Comm. Maxwell; Seconded by Comm. Golden

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

Motion Carried

Respectfully submitted  
April 16, 2013

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

**THESE MINUTES WERE APPROVED AT THE MAY 3, 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 2013-085

**A RESOLUTION EXPRESSING OPPOSITION TO SENATE BILL NO. S-2114 AND COMPANION  
ASSEMBLY BILL NO. A-3317 WHICH WOULD PROHIBIT MUNICIPAL REGISTRATION OF MULTI-  
FAMILY DWELLINGS**

**WHEREAS**, since 1967, New Jersey has required the owner of every residential rental property of three or more units to register the property with the Department of Community Affairs; and

**WHEREAS**, the "Hotel and Multiple Dwelling Law," P.L. 1967, C76 (c.55:13A-1 et seq.), was the first of its kind in the United States and New Jersey continues to be the only state in the Nation with mandatory registration and inspection of rental units. Owners of one-unit and two-unit residential rental properties are required to register properties with the municipality in which they are located. State law also allows municipalities to require owners of all non-owner occupied residential rental units to register their properties locally, although those properties have already been registered with the State; and

**WHEREAS**, such registration is neither redundant nor at cross-purposes with registration conducted by the State. Municipalities conduct these registrations for a multitude of reasons all centering on the health, safety and welfare of its residents; and

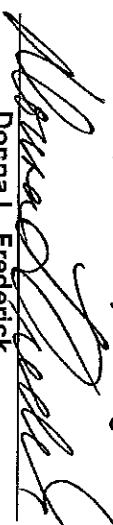
**WHEREAS**, this option assists municipalities ineffectively regulating the quality of housing in the community and should not be preempted by Trenton.

**NOW, THEREFORE BE IT RESOLVED** that the Board of Commissioners of the Borough of West Wildwood, County of Cape May, State of New Jersey hereby opposes Senate Bill No. S-2114 and companion Assembly Bill No. A-3317; and

**BE IT FURTHER RESOLVED** that a copy of this Resolution be forwarded to Senator Sean T. Kean, Senator Ronald L. Rice, Senator Samuel D. Thompson, Senator Jennifer Beck, Senator Robert M. Gordon, Senator Raymond J. Lesniak, Senator Loretta Weinberg, Senator Steven V. Oroho, Senator Jeff Van Drew, Assemblyman Nelson T. Albano, Assemblyman Matt Milam, the New Jersey League of Municipalities and all municipalities in Cape May County.

	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 **April 5, 2013**.

  
**Donna L. Frederick**  
Acting Municipal Clerk



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

RESOLUTION 2013-036

**A RESOLUTION EXPRESSING OPPOSITION TO  
SENATE BILL NO. S-2364 AND COMPANION ASSEMBLY BILL NO. A-3553 WHICH WOULD  
ESTABLISH AN EARLY VOTING PROCEDURE**

**WHEREAS**, Senate Bill S-2364 and Assembly Bill A-3553 purpose to create a system of early voting in the State of New Jersey; and

**WHEREAS**, the goal of accommodating voters in pursuit of greater participation in the democratic process is a worthy goal, however, in reality, these Bills would increase workloads, add more costs to the election process and ultimately serve to confuse voters more that it would accommodate their needs; and

**WHEREAS**, these Bills would require for each Primary and General Election a public facility, except a public school. Located in each municipality in an area of a high concentration of population to be open and available to registered voters starting 15 days before an election for early polling, possibly conflicting with, if not pushing out, other important uses for these buildings, causing inconvenience to residents; and

**WHEREAS**, these Bills require retraining of poll workers and dramatically increased hours, as well as chain of custody requirements to protect the voting process, despite the fact that recruiting and training poll workers is already a difficult process; and

**WHEREAS**, these Bills would increase costs to municipalities, including overtime pay for workers; and

**WHEREAS**, although these Bills allow municipalities to request reimbursement for extra costs and provide an appropriation, the appropriation does not outline a specific amount nor dedicated funding, only that which the State Treasurer and the Director of the Division of Budget and Accounting deem necessary and they do not outline the procedure for a municipality whose reimbursement request is denied; and

**WHEREAS**, the opportunity for "Early Voting" already exists in the State of New Jersey through the Vote by Mail ballot process.

**NOW, THEREFORE BE IT RESOLVED** that the Board of Commissioners of the Borough of West Wildwood, County of Cape May, State of New Jersey hereby opposes Senate Bill No. S-2364 and companion Assembly Bill No. A-3553 for the aforementioned reasons; and

**BE IT FURTHER RESOLVED**, that the Board of Commissioners of the Borough of West Wildwood does hereby call upon its representatives in the State Legislature to oppose the adoption of these Bills; and

**BE IT FURTHER RESOLVED** that a copy of this Resolution be immediately forwarded to Governor Chris Christie, Senate President Stephen Sweeney, Senator Nia H. Gill, Esquire, Senator Jim Whelan, sponsors of Senate Bill No.S-2364, Assembly Speaker Sheila Y. Oliver, Assemblyman John S. Wisniewski, Assemblyman Patrick J. Diegnan, Jr., Assemblyman Herb Conaway, Jr., and Assemblyman Craig J. Coughlin, sponsors of Assembly Bill No. A-3553, Senator Jeff Van Drew,

Assemblyman Nelson T. Albano, Assemblyman Matt Milam, the New Jersey League of Municipalities, the Cape May County Board of Elections and all municipalities in Cape May County.

	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 **April 5, 2013**.



Donna L. Frederick  
Acting Municipal Clerk

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

RESOLUTION 2013-037

**AUTHORIZING A SHARED SERVICES AGREEMENT BETWEEN  
THE BOROUGH OF WEST WILDWOOD AND THE CAPE MAY  
COUNTY HEALTH DEPARTMENT**

**WHEREAS**, the Cape May County Department of Health currently provides and will continue to provide services under the authority of N.J.S.A. 26:1A-15 and 26:3a2-1 ET SEQ. and N.J.A.C.8:52 Public Health Practice Standards of Performance for Local Boards of Health.

**WHEREAS**, a shared services agreement has been executed by the County of Cape May a Body Politic of the State of New Jersey on March 12, 2013; and

**WHEREAS**, the Board of Commissioners of the Borough of West Wildwood, County of Cape May, State of New Jersey desire to enter into said shared services agreement.

**NOW THEREFORE BE IT RESOLVED**, that the Mayor and Clerk be and are hereby authorized to enter into said agreement on behalf of the Borough of West Wildwood.

**BE IT FURTHER RESOLVED**, that a copy of the signed shared services agreement be attached to this resolution and an original forwarded to the Cape May County Department of Health.

	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 **April 5, 2013**.

  
**Donna L. Frederick**  
Acting Municipal Clerk

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

RESOLUTION 2013-038

**A RESOLUTION RECOMMENDING AMENDMENTS TO THE  
BIGGERT-WATERS FLOOD INSURANCE REFORM ACT OF 2012**

**WHEREAS**, The Biggert-Waters Flood Insurance Reform Act of 2012 will eliminate subsidies to flood insurance plans beginning in January 2013; further, it mandated the update of Flood Insurance Rate Maps (FIRMs) which are used as the foundation for the National Flood Insurance Program (NFIP). New maps, once adopted, will replace the existing FIRM maps, and will provide Base Flood Elevations for properties throughout the coastal region; and

**WHEREAS**, Hurricane Sandy caused FEMA to release the Advisory Base Flood Elevation Maps (ABFE's) for portions of New Jersey and New York. These maps were adopted by the State of New Jersey through an Executive Order by the Governor, and incorporated into the NJ Flood Hazard Control Program. The maps are significantly different from the existing FIRM maps that they significantly expand flood zones, including the Velocity, or "V" zones. They also provide Base Flood Elevations, to which buildings must be built, rebuilt or raised in order to be consistent with the NFIP. Meeting or exceeding BFE standards will result in reduced Flood Insurance Rates, while non-conformity will result in high premiums, once the ABFE maps have been formally adopted by FEMA as the official Flood Insurance Rate Maps; and

**WHEREAS**, the expedited release of the ABFE's has caused a great deal of confusion and uncertainty among local officials, property owners, and related real-estate and banking industry professionals. While the maps *do* provide some indication of what future base flood elevations and potential flood insurance rates will be for ABFE mapped properties, they do not provide the level of information necessary for property owners to make informed decisions, given the economic magnitude of the issue at hand. This results in denying much of the public the practical opportunity to take proactive steps to mitigate their future costs or to plan for, in certain cases, largely unavoidable (an in certain cases financially ruinous) increases in Flood Insurance Rates and overall ownership costs of homes located within FEMA-designated flood areas; and

**WHEREAS**, the current implementation plan and timeframe for the Biggert-Waters Act, together with the lack of a coordinated public information effort, have triggered adverse economic consequences of broad and likely epic proportion. The devastating economic ramifications will be felt not only by the State of New Jersey, but all of the other coastal States participating in the National Flood Insurance Program; and

**WHEREAS**, immediate action must be taken to engage Federal, State and local leaders to develop a coordinated implementation plan. This plan must provide clear directives to provide for the fair and orderly transition into the new Flood Insurance Rates and mapping system.

**NOW THEREFORE BE IT RESOLVED**, by the Board of Commissioners of the Borough of West Wildwood, County of Cape May, New Jersey, that the appropriate agencies and individuals implement the following recommendations and solutions in an expeditious manner so as to minimize the anticipated negative economic impact of the existing Biggert-Waters legislation:

1. Amend Federal legislation to suspend the four-year subsidy elimination period after the 2013 rate increases.
2. Expedite and complete the technical process required to formally and officially adopt the new FIRM maps.

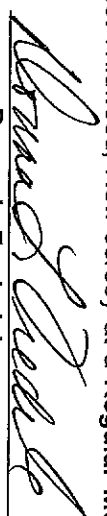
- 3. Reinstate subsidies at the current rates for pre-FIRM structures and post-FIRM conforming structures, making new rates applicable to new construction or reconstruction only;  
OR: reinstate the NFIP's subsidy elimination period beginning January 2015, but phase in the changes over a seven-year period.
- 4. Provide NFIP policy holders a menu of deductible programs that will enable them to mitigate costs through the option of "self-insuring" for part of the flood risk should they wish.
- 5. Aggressively communicate to the property owners expected to be impacted by the revised FIRM's and increased NFIP rates the expected impacts of those changes and, if possible, provide a plan of assistance options for bringing noncompliant structures into compliance with new FIRMs and BFE's.

:and

**BE IT FURTHER RESOLVED**, that a copy of this Resolution be forwarded to Governor Christie, Lieutenant Governor Kim Guadagno, Senator Robert Menendez, Senator Frank Lautenberg, Senator Jeff Van Drew, Assemblyman Nelson T. Albano, Assemblyman Matt Miliam, the New Jersey State League of Municipalities, the Cape May County Planning Department and all municipalities in Cape May County.

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

<sup>1</sup>, **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 **April 5, 2013**.



**Donna L. Frederick**  
Acting Municipal Clerk

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

RESOLUTION 2013-039

**A RESOLUTION DESIGNATING APRIL AS  
NATIONAL DISTRACTED DRIVING PREVENTION MONTH  
IN CAPE MAY COUNTY**

**WHEREAS**, every day thousands of people drive on area roadways, the lives and property of these drivers and area residents are in danger of being seriously altered or destroyed by an instance of distracted driving; and

**WHEREAS**, texting has become a preferred method of communication for many with recent studies revealing that Americans, on average, send or receive 40 texts per day via cell phones and that individuals between the ages of 18 and 24 text more than 100 times a day with many of these texts sent or received by individuals who are driving a motor vehicle; and

**WHEREAS**, drivers on cell phones particularly those without hands-free capabilities, are more distracted than impaired drivers at .08 Blood Alcohol Content (University of Utah Study); and

**WHEREAS**, texting and driving takes a drivers attention away from driving more frequently and for longer periods of time that other distractions (Center for Disease Control); and

**WHEREAS**, the Insurance Institute for Highway Safety has concluded that drivers who use handheld devices while driving are 4 times more likely to be involved in a serious motor vehicle crash; and

**WHEREAS**, distracted driving has become a significant public health problem with the potential to become an even larger problem than drinking and driving; and

**WHEREAS**, as responsible community leaders, we must not wait until tragedy strikes to recognize distracted driving as a serious and life threatening practice, we must instead take an active role in encouraging others to make responsible decisions while driving and take appropriate measures to help out and end distracted driving and take appropriate measures to help out and end distracted driving; and

**WHEREAS**, the New Jersey Division of Highway Traffic Safety, South Jersey Traffic Safety Alliance, four local Sheriff's Offices and local Association of Police Chiefs have joined forces in an effort to raise public awareness of the dangers of distracted driving; and

**WHEREAS**, NJ Motor Vehicle Laws include provisions fines and criminal penalties concerning the use of wireless telephone or electronic communication devices while operating a motor vehicle and the collective belief of local law enforcement that the time is now to enforce these provisions vigorously so as to prevent the serious perils associated with distracted driving; and

**WHEREAS**, throughout the month of April, all drivers operating motor vehicles in Cape May County shall be on notice that local law enforcement will increase efforts to enforce the motor vehicle laws pertaining to distracted driving.

**NOW THEREFORE BE IT RESOLVED**, by the Board of Commissioners of the Borough of West Wildwood, County of Cape May, State of New Jersey that the Borough of West Wildwood joins in with the County of Cape May in designating April 2013 as National Distracted Driving Prevention Month in Cape May County.

	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 **April 5, 2013**.

  
**Donna L. Frederick**  
 Acting Municipal Clerk

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

RESOLUTION 2013-040

**AUTHORIZING AN EXTENSION OF INTER-LOCAL SERVICE AGREEMENT WITH  
MIDDLE TOWNSHIP 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**, the governing body would like to extend said agreement for an additional 90 days or until such time as amended by resolution..

**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 be extended for an additional 90 days, with an expiration date of June 29, 2013, or until such time as amended by resolution.

**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 **April 5, 2013**.

  
Donna L. Frederick  
Acting Municipal Clerk



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

**RESOLUTION 2013-041**

**AUTHORIZING A TOWN-WIDE YARD SALE**

**WHEREAS**, the Board of Commissioners of the Borough of West Wildwood, Cape May County, New Jersey deem it in the best interest of its Residents to hold a town-wide yard sale; and

**WHEREAS**, yard sales are permitted in the Borough for the sale of small personal household items that are typically sold by at individual yard sales after having first obtained a license through the Municipal Clerk's Office; and

**WHEREAS**, Ordinance No. 422 prescribes the means and methods for the conduct of yard sales within the Borough; and

**WHEREAS**, the Borough deems it in the best interest of its residents to waive the required five (5) dollar fee for such town-wide sale in order to encourage the most participation in said event.


**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissions of the Borough of West Wildwood, Cape May County, New Jersey that a town-wide yard sale be permitted on June 08, 2013; and

**BE IT FURTHER RESOLVED** that, in the event of inclement weather on June 08, the event shall be held on June 09, 2013, and

**BE IT FURTHER RESOLVED** that the five (5) dollar fee as required in Ordinance No. 422 is hereby waived for these dates.

	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 a Resolution adopted by the Board of Commissioners of the Borough of West Wildwood, New Jersey at a **Regular Meeting** held on **April 5, 2013**.

  
**Donna L. Frederick**  
Acting Municipal Clerk

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

RESOLUTION 2013-042

**ADOPTION OF A SECOND TEMPORARY BUDGET FOR CY 2013**

**WHEREAS**, the Borough of West Wildwood adopted a Temporary Budget as authorized under N.J.S.A. 40A:4-19 in accordance with Resolution 2013-003 in order to provide for any contracts, commitments, or payments which are required to be made during the period between the beginning of the Fiscal Year and the formal adoption of the Fiscal Year Budget; and

**WHEREAS** the adoption of the CY2013 Municipal Budget will not occur prior to March 31, 2013 which will necessitate the adoption of a Second Temporary Budget Allocation of 26.25% of the Total Appropriations made for all purposes in the Budget for the preceding Fiscal Year, excluding however, appropriations made for interest and debt redemption charges, capital improvement fund, and public assistance; and

**WHEREAS** the Acting Chief Financial Officer has prepared the Second Emergency Temporary Budget for 2013 for both the Municipality and Utility as attached hereto.

**NOW THEREFORE BE IT RESOLVED** by the Board of Commissioners of the Borough of West Wildwood, County of Cape May, State of New Jersey that the attachment statements to this Resolution entitled **Second Emergency Temporary Budget for 2013** shall be and is hereby approved in order to meet obligations of any contract, commitment, or payment required to be made between January 01, 2013 and the formal adoption and approval of the **CY2013 Budget** in accordance with, and as permitted by, the New Jersey Statutes.

	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 **April 5, 2013**.

  
Donna L. Frederick  
Acting Municipal Clerk

## 2nd Temporary Emergency Budget for 2013 West Wildwood Borough

	2012	2013
Gen. Administration SW	\$35,000.00	\$5,000.00
Gen. Administration OE	\$43,275.00	\$11,400.00
Mayor & Commissioners SW	\$20,600.00	\$5,500.00
Clerk SW	\$60,500.00	\$18,000.00
Clerk OE	\$8,700.00	\$2,300.00
Finance SW	\$37,000.00	\$10,000.00
Finance OE	\$6,500.00	\$1,800.00
Auditor	\$35,000.00	\$10,000.00
Data Processing OE	\$12,500.00	\$0.00
Tax Collection SW	\$26,000.00	\$6,825.00
Tax Collection OE	\$1,500.00	\$500.00
Tax Assessment OE	\$12,000.00	\$3,150.00
Legal Services SW	\$35,000.00	\$9,375.00
Legal Services OE	\$139,000.00	\$36,500.00
Engineering OE	\$2,500.00	\$500.00
Land Use Board SW	\$15,000.00	\$4,000.00
Liability Insurance	\$25,000.00	\$10,000.00
Workers Compensation Ins.	\$45,000.00	\$12,000.00
Employee Group Insurance	\$140,000.00	\$36,750.00
Unemployment Insurance	\$40,000.00	\$10,500.00
Police SW	\$199,879.00	\$60,000.00
Police OE	\$11,900.00	\$0.00
Emergency Management OE	\$1,000.00	\$300.00
Aid to Fire Company	\$300.00	\$100.00
Fire Department SW	\$0.00	\$0.00
Fire Department OE	\$2,000.00	\$525.00
Municipal Prosecutor SW	\$1,500.00	\$500.00
Public Works SW	\$109,840.00	\$30,000.00
Public Works OE	\$25,400.00	\$0.00
Solid Waste OE	\$51,000.00	\$13,400.00
Buildings & Grounds SW	\$0.00	\$0.00
Buildings & Grounds OE	\$16,250.00	\$1,000.00
Animal Control OE	\$2,500.00	\$1,000.00
Parks & Recreation OE	\$400.00	\$105.00
Maintenance of Parks OE	\$1,000.00	\$300.00
Accumulated Sick Time	\$0.00	\$0.00
Celebration of Public Events	\$1,000.00	\$300.00
Electricity	\$21,000.00	\$6,000.00
Street Lights	\$23,000.00	\$6,100.00
Telephone	\$22,000.00	\$5,775.00
Natural Gas	\$11,000.00	\$4,000.00
Gasoline & Diesel	\$28,000.00	\$7,350.00
Solid Waste Disposal	\$42,000.00	\$15,000.00
PERS	\$24,103.00	\$0.00
Social Security	\$40,737.00	\$20,000.00
Police & Fire Retirement	\$31,686.00	\$0.00
Interlocal 911	\$35,000.00	\$17,500.00
Wildwood Ambulance Fees	\$14,100.00	\$3,702.00
Municipal Court SW	\$3,100.00	\$850.00

Municipal Court OE	\$0.00	0.2625	\$0.00
Public Defender SW	\$500.00	0.2625	\$200.00
Wildwood Court	<u>\$9,000.00</u>	0.2625	<u>\$2,400.00</u>

Total                                     \$1,469,270.00                                     \$390,507.00

### Utility Budget for 2013

	2012	2013
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#### Sewer

Sewer O/E	\$326,983.00	0.2625	\$86,000.00
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Total	<u>\$326,983.00</u>		<u>\$86,000.00</u>
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BOROUGH OF WEST WILDWOOD  
COUNTY OF CAPE MAY  
STATE OF NEW JERSEY

RESOLUTION 2013-043

**AUTHORIZING PURCHASES WITH VENDORS WHO ARE  
UNDER CURRENT N.J. STATE CONTRACTS**

**WHEREAS**, the Borough of West Wildwood routinely purchase certain supplies and equipment; and

**WHEREAS**, certain vendors have been awarded State Contracts, through an open and competitive bidding process through the State of New Jersey and hold a valid State Contract which allows the Borough of West Wildwood to purchase from those vendors without going to bid, saving the taxpayers money.

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Commissioners of the Borough of West Wildwood, County of Cape May, New Jersey, that the Borough hereby recognizes the following vendors holding current State Contracts pursuant to the Laws of the State of New Jersey:

- 1.) W.B. Mason, furnishings.....contract # A81641
- 2.) Warnock Fleet, vehicles.....contract # A83560

	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 **April 5, 2013**.

  
**Donna L. Frederick**  
Acting Municipal Clerk

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

RESOLUTION 2013-044

**A RESOLUTION ESTABLISHING A SHARED SERVICES AGREEMENT  
BETWEEN THE BOROUGH OF WEST WILDWOOD AND THE  
CITY OF WILDWOOD FOR MUNICIPAL COURT SERVICES**

**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**, the City of Wildwood and Borough of West Wildwood deem it appropriate and economically beneficial to enter into such an Agreement of services pertaining to Municipal Court Services for the year 2013.

**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 Mayor and Borough Clerk to execute an Inter-local Services Agreement with the Borough of West Wildwood for Municipal Court Services in the amount not to exceed \$ 17,500.00; and

**BE IT FURTHER RESOLVED** that the term of this Agreement is for one (1) year, commencing January 1, 2013 and expiring December 31, 2013, and that all services to be provided by the City of Wildwood to the Borough of West Wildwood, along with the fees due to the City of Wildwood for providing these services, are outlined in the Agreement which is annexed and made a part hereof.

	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 **April 5, 2013**.

  
Donna L. Frederick  
Acting Municipal Clerk

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

**RESOLUTION 2013-045**

**APPOINTMENT OF MUNICIPAL REGISTRAR, DEPUTY REGISTRAR  
AND TWO ALTERNATE REGISTRARS**

**WHEREAS**, as per Resolution No. 2012-061, Elaine Crowley is currently appointed as Municipal Registrar for the Borough of West Wildwood, three year appointment effective August 1, 2012; and

**WHEREAS**, Donna L. Frederick, who is the Acting Municipal Clerk has completed the necessary courses and received Certificate Number 3680 as having met the requirements of a Certified Municipal Registrar; and

**WHEREAS**, under the statutes of the State of New Jersey a Municipality with a population of less than 5,000 the Municipal Clerk shall be designated as Registrar; and

**WHEREAS**, the Board of Commissioners of the Borough of West Wildwood, deem it in the best interest of the Borough to make a change in appointments; and

**WHEREAS**, it is further recommended to appoint two Alternate Registrars as setforth below.

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Commissioners of the Borough of West Wildwood, Cape May County, New Jersey that the following appointments be and are hereby made:

<b>NAME</b>	<b>TITLE</b>	<b>Certification Number</b>	<b>TERM-EXPIRES</b>
Donna L. Frederick	Municipal Registrar	#3680 (concurrent w/ clerk term)	Ending Sept. 7, 2013
Elaine Crowley	Deputy Registrar	#3590	3 Year – Ending April 5, 2016
Ruth Sweeney	Alternate Registrar	#3683	3 Year – Ending April 5, 2016
Louise Pellegrino	Alternate Registrar (previously deputy)		3 Year – Ending December 5, 2016

	<b>Motion</b>	<b>Second</b>	<b>Yes</b>	<b>No</b>	<b>Abstain</b>
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 **April 5, 2013**.

  
 Donna L. Frederick  
 Acting Municipal Clerk

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

RESOLUTION 2013-046

**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

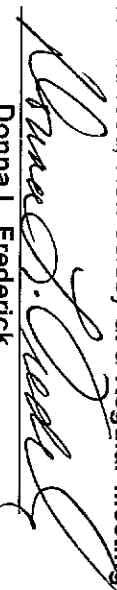
**WHEREAS**, the Borough anticipates discussion of litigation matters, which constitutes one of the permitted exemptions; and

**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			
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 **April 5, 2013**.

  
Donna L. Frederick  
Acting Municipal Clerk



**BOROUGH OF WEST WILDWOOD**  
**NEW JERSEY**  
**ORDINANCE 520 (2013)**

**AN ORDINANCE AMENDING ORDINANCE NO. 454**  
**ARTICLE VI – RECYCLING**

**Whereas**, the New Jersey Statewide Mandatory Source Separation and Recycling Act establishes a goal of 50% reduction of Municipal Solid Waste and a 60% reduction of all solid waste through source separation and recycling by residential, commercial and institutional establishments in all New Jersey municipalities; and

**Whereas**, the Cape May County Solid Waste Management Plan designates the lists of mandatory and recommended recyclables to be source separated for recycling in all sectors of the community; and

**Whereas**, recycling will reduce the municipality's expense of solid waste disposal, conserve energy and valuable resources, extend the life of Cape May County's only landfill and has the potential to produce revenues from the sale of such recyclable materials.

BE IT ORDAINED BY THE BOROUGH OF WEST WILDWOOD, IN THE COUNTY OF CAPE MAY, STATE OF NEW JERSEY, AS FOLLOWS:

**SECTION 1 – SHORT TITLE**

This chapter shall be known and may be cited as the “Borough of West Wildwood Recycling Program Ordinance.”

**SECTION 2 – DEFINITIONS**

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

“Designated Recyclable Materials” - means those materials designated within the Cape May County Solid Waste Management Plan to be Source Separated for the purpose of recycling by residential, commercial, institutional and industrial sectors. The recycling of these materials is **mandatory**; they cannot be disposed of as solid waste. The Source Separated Recyclable Materials that are mandated for recycling are organized into the following two categories, which include but are not limited to:

**Category 1: Designated Recyclable Materials To Be Set Out At Curbside:**

- (a) The following Source Separated Recyclable Materials shall be mixed together and set out at curbside for collection; this set out and collection system shall

be known as “Single Stream Collection”. The following items are included as “Single Stream Recyclable Materials”:

Paper Products – Newspaper with inserts, magazines, office paper, junk mail including shredded paper, telephone and paperback books, corrugated cardboard, brown paper bags, non-foil wrapping paper, and chipboard packaging including but not limited to dry food boxes (cereal, rice, pasta, cookie and cracker), gift, shoe and tissue boxes, powdered detergent boxes, paper towel rolls, clean pizza boxes (no food debris) and cardboard beverage carriers. Remove and throw away all liner bags, food contaminated paper and waxed-coated cardboard boxes. Shredded paper may be placed in a clear plastic bag.

Glass, Food and Beverage Containers – Clear, green and brown food and beverage bottles and jars, excluding however, blue bottles, window glass and light bulbs. All food and liquid residue shall be removed from containers.

Metal Food and Beverage Containers – Aluminum and steel food and beverage containers 5 gallons or less in size, including empty aerosol cans. No paint cans. All food and liquid residue shall be removed from containers.

Plastic Containers – Plastic containers imprinted with a ♻️ (PETE), ♻️ (HDPE), ♻️ (PVC), ♻️ (LDPE), ♻️ (PP), ♻️ (PS) or ♻️ (Other) on the bottom, 5 gallons or less in size, including bottles, jugs, jars and other rigid plastic containers. Plastic containers from food, beverage, health, beauty and cleaning products are included. Examples include, but are not limited to; margarine tubs, microwave trays, yogurt containers, plastic buckets and landscape pots. No Styrofoam packaging. No polystyrene egg cartons. No beverage cups. No PVC pipe. No plastic film. No plastics which contained chemicals or hazardous products, such as motor oil or pesticide containers. All food and liquid residue shall be removed from containers.

**Category 2: Designated Materials To Be Recycled By The Individual Generator Via Drop-off At Cape May County Municipal Utilities Authority (CMCMA) or Private NJDEP Approved Recycling Facilities, as applicable:**

- (a) Christmas Trees – Free of decorations, tree stands and plastic bags;
- (b) Leaves – Comprised mainly of tree and plant leaves and not contaminated with brush or other material; and
- (c) Grass - Lawn grass clippings.
- (d) Brush, Tree Branches and Stumps – All parts of vegetative growth from trees, and vegetative materials generated during land clearings;

- (e) Ferrous and Non-Ferrous Scrap – Metals, such as copper, iron, sheet metal, aluminum, radiators, structural steel, metal pipe and “white goods” including, but not limited to, appliances containing “CFC’s” or Freon;
- (f) Computers and Consumer Electronics – shall mean a computer central processing unit and associated hardware including keyboards, modems, printers, scanners and fax machines, cathode ray tubes, cathode ray tube devices, flat panel displays or similar video display devices with a screen that is greater than 4 inches measured diagonally and that contains one or more circuit boards including, but not limited to, televisions and cell phones. Also includes VCR’s, radios and landline telephones;
- (g) Motor Oil / Kerosene / # 2 Heating Oil - Crank-case oil and similar oils, kerosene fuel and #2 home heating oil which are used to fuel heating equipment;
- (h) Wood Pallets and Crates – Clean untreated, unpainted pallets and crates only;
- (i) Batteries - Lead Acid Batteries – Used SLA (sealed lead acid) batteries generated from motor vehicles, aviation and marine equipment;
- (j) Propane Tanks – Empty 20 to 30 lb. BBQ type tanks;
- (k) Contaminated Soil – If classified as ID27, all fuel contaminated soil, dewatered soil, and stone from septic beds and similar materials which are allowed to be recycled in accordance with the regulations of the New Jersey Department of Environmental Protection;
- (l) Commercial Cooking Grease – Grease and oil generated from food preparation by commercial sources only;
- (m) Asphalt and Concrete – Asphalt and concrete materials from construction and demolition projects;
- (n) Auto and Truck Bodies – All junk automobiles, trucks and parts;
- (o) Tires – Worn truck and passenger car tires;
- (p) Used Oil Filters – Used filters that are generated from changing crankcase oil in automobiles, trucks and other vehicles;
- (q) Anti-freeze – Used antifreeze generated from automobiles, trucks and other vehicles/sources; and

(F) Consumer Rechargeable NiCad (Nickel-Cadmium) and Small Sealed Lead Acid Batteries – Small sealed batteries generated from use of electronic equipment.

“Municipal Recycling Coordinator” - means the person or persons appointed by the municipal governing body and who shall be authorized to enforce the provisions of this Ordinance, and any rules and regulations which may be promulgated hereunder. This appointee shall also be responsible to assure that all materials recycled in the municipality are properly reported and recorded. The New Jersey Mandatory Source Separation and Recycling Act requires that each municipality appoint at least one individual as Municipal Recycling Coordinator who has successfully completed all requirements mandated by the State of New Jersey to be designated as a New Jersey Certified Recycling Professional;

“Municipal Solid Waste (MSW) Stream” - means all solid waste generated at residential, commercial and institutional establishments within the boundaries of the Borough of West Wildwood;

“NJDEP” - means the New Jersey Department of Environmental Protection;

“Recommended Recyclable Materials” – means those materials recommended within the Cape May County Solid Waste Management Plan to be Source Separated for the purpose of recycling by residential, commercial, institutional and industrial sectors. The Source Separated Recyclable Materials that are recommended for recycling are:

(a) Hardback Books; Bulky Mixed Rigid Plastics (Bulky MRP) including all hard plastics greater than 5 gallons in size, regardless of color, EXCEPT for PVC pipe and Vinyl Siding; Film Plastic, including clear, white and blue boat shrink wrap and clean greenhouse film. Items to be placed at curb on regular trash day, to be collected by the West Wildwood Department of Public Works. Paint including oil based or water based paint, stain, varnish shellac, polyurethane, wood and masonry sealer and wood preservative, can be delivered by private individuals directly to the Cape May County MUA located at the Transfer Station. A nominal fee will be charged by the CMCMTUA to cover operating costs. Street Sweepings and Catch Basin Cleanout (from municipal cleaning operations, must be dewatered and oversized litter removed) and be delivered to the CMCMTUA Landfill.

“Recyclable” or “Recyclable Material” - means those materials which would otherwise become solid waste, and which may be collected, separated, or processed and returned to the economic mainstream in the form of raw materials or products;

“Source Separation” - means the process by which recyclable materials are separated at the point of generation by the generator thereof from solid waste for the purposes of recycling;

1 E

“Source Separated Recyclable Materials” - means recyclable materials which are separated at the point of generation by the generator thereof from solid waste for the purposes of recycling.

### **SECTION 3 - APPLICABILITY OF MANDATORY SOURCE SEPARATION AND RECYCLING REQUIREMENTS**

A. Mandatory Source Separation: It shall be mandatory for all persons who are owners, lessees, tenants or occupants of residential and non-residential premises, including but not limited to retail and commercial locations, government, schools and other institutional locations within the Borough of West Wildwood, to separate Designated Recyclable Materials from all solid waste.

- 1) **Category 1** Designated Recyclable Materials shall be placed at the curb in a manner and on such days and times as may be hereinafter established by the Borough of West Wildwood.
- 2) When municipal curbside collection is not provided for Designated Recyclable Materials, as is the case for those recyclables included in **Category 2**, it shall be the obligation of the generator to deliver or arrange for the delivery of such materials to the Cape May County Municipal Utilities Authority (CMCMAUA) recycling facilities located at the Sanitary Landfill and/or Transfer Station as applicable, or to a private sector market for recycling.

### **SECTION 4 - COLLECTION OF RECYCLABLE MATERIALS**

The collection of Source Separated Recyclable Materials shall be in the manner prescribed as follows:

A. It is the responsibility of the property owner to provide adequate size and number of containers for the placement of recyclables for curbside collection as follows: Single Stream Recyclable Materials as defined in **Category 1(a)** shall be mixed together in one container. More than one container may be used for Single Stream Recyclable Materials; however, each container used should be marked or labeled to identify its contents as Single Stream Recyclable Materials. All set out containers which contain Single Stream Recyclable Materials shall be placed, prior to collection, between the curb and the sidewalk, or in the absence of curb and sidewalk, as near to the street as not to constitute a danger, where such receptacles shall be readily accessible to the collector without providing obstruction to pedestrians. The owner or occupant of the premises shall keep all receptacles clean and in safe handling condition. Receptacles or other items to be recycled shall be placed as noted above any time after 7:00 PM of the day immediately preceding the day of collection, but no later than 7:00 AM of the day of collection. After collection, any containers shall be removed from the curbside by no later than 7:00 PM of the day of collection. Every person, corporation or other legal entity, owner, occupant, lessee or proprietor or inhabitant otherwise in possession of a dwelling or structure of residential use or commercial operation shall provide or cause to be provided suitable

receptacles, with tight-fitting lids which shall be of rigid construction and placed at curbside. Receptacles shall be water-tight with suitable handles and covered to prevent access to any contents by animals, birds, insects, rainwater or liquids. Receptacles or containers shall not exceed fifty (50) pounds in weight per receptacle or container.

B. All receptacles or dumpsters shall be maintained in a clean and safe manner, marked with stickers or permanent markers for recycle collections and should contain the street address to which property the receptacles belong.

C. The following materials **must** be Source Separated and recycled through the municipal recycling program in the following manner:

- 1) Leaves and Grass – To be put in paper yard debris bags, NOT PLASTIC. To be placed at curbside on regular scheduled trash/recycle pick-up days for the WWDPW to collect.
- 2) Christmas Trees – To be put out at curbside on regular scheduled trash/recycle days. Free Collection will be done by WWDPW until January 30.
- 3) Brush, Tree Branches – To be put out at curbside on regular scheduled trash/recycle days. Free collection will be done by WWDPW. Tree stumps must be taken directly to CMCMTUA.
- 4) White Goods – Free removal to be put out on the First Tuesday of the Month, call DPW for pick-up.
- 5) Ferrous and Non-Ferrous Scrap – Free removal, to be put out on the First Tuesday of the month, call DPW for arrangements for curbside pick-up.

D. The following materials **must** be Source Separated and recycled by the generator at authorized CMCMTUA recycling facilities or any NJDEP approved recycling center:

- 1) Wood Pallets and Crates – To be taken directly to CMCMTUA.
- 2) Propane Tanks – To be taken directly to CMCMTUA. No Borough pick-up.
- 3) Computers and Consumer Electronics – To be put out at curbside on regular scheduled trash/recycling day. Free collection will be done by WWDPW.
- 4) Tires – To be taken directly to CMCMTUA. No Borough pick-up.
- 5) Antifreeze – To be taken directly to CMCMTUA. No Borough pick-up.
- 6) Lead Acid Batteries – To be taken directly to CMCMTUA. No Borough pick-up.

- 7) Used Motor Oil – To be taken directly to CMCMTUA. No Borough pick-up.
- 8) Kerosene / #2 Heating Oil – To be taken directly to CMCMTUA. No Borough pick-up.
- 9) Used Oil Filters — To be taken directly to CMCMTUA. No Borough pick-up.
- 10) Asphalt and Concrete – To be taken directly to CMCMTUA. No Borough pick-up.
- 11) Auto and Truck Bodies - To be taken directly to CMCMTUA. No Borough pick-up.
- 12) Contaminated Soil - To be taken directly to CMCMTUA. No Borough pick-up.
- 13) Commercial Cooking Grease – To be taken directly to CMCMTUA. No Borough pick-up.
- 14) Consumer Rechargeable NiCad and Small Sealed Lead Acid Batteries - To be taken directly to CMCMTUA. No Borough pick-up.

E. The following Recommended Recyclable Materials may also be Source Separated and recycled through the municipal recycling program in the following manner:

- 1.) Hardback Books, placed at curb on regular scheduled trash/recycle day.
- 2.) Bulky Mixed Rigid Plastics (Bulky MRP) including all hard plastics greater than 5 gallons in size, regardless of color, EXCEPT for PVC pipe and Vinyl Siding Items to be placed at curb on regular scheduled trash/recycle day, to be collected by the West Wildwood Department of Public Works.
- 3.) Film Plastic, including clear, white and blue boat shrink wrap and clean greenhouse film. Items to be placed at curb on regular scheduled trash/recycle day, to be collected by the West Wildwood Department of Public Works.
- 4.) Paint including oil based or water based paint, stain, varnish shellac, polyurethane, wood and masonry sealer and wood preservative, can be delivered by private individuals directly to the Cape May County MUA located at the Transfer Station. A nominal fee will be charged by the CMCMTUA to cover operating costs.
- 5.) Street Sweepings and Catch Basin Cleanout (from municipal cleaning operations, must be dewatered and oversized litter removed) and be delivered to the CMCMTUA Landfill.

#### **Subsection 4.1 - Residential Dwelling Compliance Requirements**

The owner of each property shall be responsible for compliance with this Ordinance. For multifamily units, including but not limited to condominium complexes and seasonal hotel/motels and guest houses, the management or owner is responsible for setting up and maintaining the recycling system, including collection of Designated Recyclable Materials, except for those Designated Recyclable Materials for which municipal collection service is provided to multifamily units. Violations and penalty notices will be directed to the owner or management, in those instances where the violator is not easily identifiable. The owner or management shall issue notification and collection rules regarding recycling requirements to all new tenants when they arrive and with a reminder a minimum of every 6 months during their occupancy.

#### **Subsection 4.2 - Commercial Establishment Compliance Requirements**

- A. All commercial, business or industrial facilities shall be required to comply with the provisions of this Ordinance.
- B. The arrangement for collection of all categories of Designated Recyclable Materials hereunder shall be the responsibility of the commercial, institutional or industrial property owner or their designee, except for those specific Designated Recyclable Materials that are collected by the municipality from that property. All commercial, institutional or industrial properties at which litter is generated by employees or the public shall provide litter and recycling receptacles. These properties shall provide for separate recycling collection services for the contents of the recycling receptacles.
- C. Every business, institution or industrial facility shall report on a quarterly basis to the Municipal Recycling Coordinator, on such forms as may be prescribed, regarding recycling activities at their premises, including the amount and type of recycled material not placed curbside for municipal collection. If material is removed from the premises by a hauler, recycler or paper shredder, the quantity and final disposition of the material is to be reported on the form.
- D. All food service establishments, as defined in the Health Code, shall, in addition to compliance with all other recycling requirements, be required to recycle Commercial Cooking Grease and/or cooking oil created in the processing of food or food products, and maintain such records as may be prescribed, for inspection by any code enforcement officer.

#### **Subsection 4.3 - New Developments of Multi-Family Residential Units or Commercial, Institutional or Industrial Properties**

- A. Any application to the planning board of the Borough of West Wildwood for subdivision or site plan approval for the construction of multi-family dwellings of three or more units, single family developments of three or more units or any commercial, institutional or



industrial development of 1,000 square feet or more, must include a recycling plan. This plan shall contain, at a minimum, the following:

- 1) A detailed analysis of the expected composition and amounts of solid waste and recyclables generated at the proposed development; and
  - 2) Locations documented on the application's site plan that provide for convenient recycling opportunities for all owners, tenants, and occupants. The recycling area shall be of sufficient size, convenient location and contain other attributes (signage, lighting, fencing, etc.) as may be determined by the Municipal Recycling Coordinator.
- B. Prior to the issuance of a Certificate of Occupancy by the Borough of West Wildwood, the owner of any new multi-family housing or commercial, institutional or industrial development must supply a copy of a duly executed contract with a hauling company for the purposes of collection and recycling of Source Separated Designated Recyclable Materials for those locations or properties where the municipality does not otherwise provide this service.

**SECTION 5 - PROHIBITION OF THE COLLECTION OF WASTE MIXED WITH RECYCLABLE MATERIALS**

- A. It shall be unlawful for solid waste collectors to collect solid waste that is mixed with, or contains visible signs of, Designated Recyclable Materials. It is also unlawful for solid waste collectors to remove for disposal those bags or containers of solid waste which visibly display a warning notice sticker or some other device indicating that the container of solid waste contains Designated Recyclable Materials.
- B. It shall be the responsibility of the owner or occupant to properly segregate the uncollected waste for proper disposal and/or recycling. Allowing such unseparated solid waste and recyclables to accumulate at the curbside beyond 7:00 p.m. on the day of collection will be considered a violation of this ordinance and the local sanitary code.
- C. Once placed in the location identified by this Ordinance, or any rules or regulations promulgated pursuant to this Ordinance, no person, other than any personnel authorized by the municipality or the owner or occupant responsible for placement of the Designated Recyclable Materials for collection, shall tamper with, collect, remove, or otherwise handle Designated Recyclable Materials. Upon placement of such Designated Recyclable Material, it shall become property of the municipality. It shall be a violation of this ordinance for any person not duly authorized to collect or pick up or cause to be collected or picked up any Recyclable Materials that are the property of the municipality as provided for above.

**SECTION 6 - CONSTRUCTION, RENOVATION AND DEMOLITION DEBRIS RECOVERY PLAN**

For all activities that require municipal approval such as construction, demolition or public event permits, a Designated Recyclable Materials plan shall be filed along with all other required permit conditions. The plan shall include provisions for the recovery of all Designated Recyclable Materials generated during construction, renovation and demolition activities, as well as, public events.

**Subsection 6.1 - Compliance with Diversion Requirement**

The Municipal Recycling Coordinator shall review the information submitted pursuant to this Section of the Ordinance and determine, prior to the issuance of the municipal approval or permit, whether the plan submitted by the owner of the entity carrying out the covered activity will comply or fail to comply with the recycling requirements set forth herein. The determination regarding compliance will be provided to the Municipal Public Works Director/Supervisor and the owner of the entity carrying out the covered project in writing. When such plan is deemed not compliant, the Municipal Recycling Coordinator shall include specific conditions to be implemented by the permit holder to achieve compliance. It shall be a violation of this Ordinance for any owner or permit holder to fail to comply with the recycling requirements set forth herein.

**SECTION 7 – ENFORCEMENT**

The Municipal Recycling Coordinator and the following designees: Commissioner of Public Works, Municipal Public Works Director/Supervisor/Forman, Code Enforcement Officer, Mercantile License Inspector, and Construction Official, are hereby individually and severally empowered to enforce the provisions of this Ordinance. The enforcers of the ordinance may conduct inspections at the site of the generator, which consists of sorting through containers and opening of solid waste bags to detect, by sound or sight, the presence of any Designated Recyclable Material.

Additionally, the Cape May County Health Department (CMCHD) shall be empowered to enforce the provisions of this Ordinance. The municipality shall retain primary enforcement responsibility with the CMCHD serving in a secondary enforcement role which includes inspection of commercial establishments with proof of violations prior to law enforcement actions.

**SECTION 8 – SEVERABILITY AND EFFECTIVE DATE**

If any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by a Court of competent jurisdiction to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudged, and the remainder of this Ordinance shall be deemed valid and effective.

This Ordinance shall take effect immediately upon enactment by the governing body of the municipality.

**SECTION 9 – RULES AND REGULATIONS**

The governing body is hereby authorized to promulgate, from time to time, additional rules and regulations relating to the Source Separation, preparation, placement and collection of Recyclable Materials pursuant to the provisions of this program and subchapter; provided, however, that such rules and regulations shall not be inconsistent with terms and provisions of this subchapter and shall be approved by the governing body. Such rules and regulations shall be duly promulgated subsequent to publication so that the public has had notice thereof.

**SECTION 10 – PENALTY**

Any person or entity violating, or failing to comply with, any of the provisions provided in this Ordinance shall, upon conviction thereof, be punishable by a fine of not less than \$50 and not more than \$500 or by imprisonment for a term not to exceed 90 days, or by both such fine and imprisonment, in the discretion of the municipal judge. The continuation of any violation for each successive day shall constitute a separate offense, and the person, persons, or entity allowing or permitting the continuation of the violation may be punished as provided above for each separate offense. Any violation may be afforded at least one warning at the discretion of the enforcement designees before the issuance of any fines.

**COMMISSIONERS:**

  
MAYOR CHRISTOPHER J. FOX

  
COMMISSIONER SCOTT W. GOLDEN

  
COMMISSIONER CORNELIUS J. MAXWELL

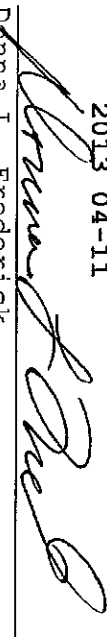
The foregoing Ordinance was introduced and passed at the Regular Board of Commissioners meeting of the Borough of West Wildwood, County of Cape May, New Jersey on the 1<sup>st</sup> day of March, 2013 and will be considered for final passage after a public hearing at the meeting of said Board of Commissioners at the Municipal Hall, 701 W. Glenwood Avenue, West Wildwood, New Jersey on April 5, 2013 at 7:00 pm prevailing time.

**FIRST READING:  
PUBLICATION:**

**2013 03-01  
2013 03-06**

SECOND READING/FINAL ADOPTION:  
PUBLICATION:

2013 04-05  
2013 04-11



Donna L. Frederick  
Acting Municipal Clerk

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

**ORDINANCE NO. 521 (2013)**

**AN ORDINANCE AMENDING ORDINANCE NO. 430 WHICH AMENDED  
ORDINANCE NO. 398 THE LAND DEVELOPMENT ORDINANCE OF THE  
BOROUGH OF WEST WILDWOOD**

**WHEREAS**, as a result of a federally mandated update of the base flood elevations (“BFE”) for purposes of rating properties for flood insurance through the National Flood Insurance Program (“NFIP”), the federal government through FEMA has published advisory base floor elevation (“ABFE”) maps which have updated the flood zones throughout the State of New Jersey; and

**WHEREAS**, also as a result of the publication of the ABFE maps and due to the impact that Superstorm Sandy has had upon the New Jersey coast, the New Jersey Department of Environmental Protection (“DEP”) has proposed amendments to its Flood Control Act Regulations, N.J.A.C. 7:13-1.1 et seq, which have also incorporated the new ABFE maps and associated elevations for regulations all construction activities in flood zones in the State of New Jersey, which proposed regulations have been implemented by executive order of Governor Christie (“Flood Control Regulations”); and

**WHEREAS**, the Borough of West Wildwood has been participating in meetings with federal, state, county and municipal officials and professionals, and has been diligently reviewing and commenting on the Flood Control Regulations as well as the AFBF maps, which is a continuing and evolving process which will likely not be finalized for several months; and

**WHEREAS**, in the meantime, and without prejudice to the Borough’s position and objections to some of the flood zone designations under the ABFE maps as well as to certain provisions in the Flood Control Regulations, the Board of Commissioners desire to restate it’s Land Development Ordinance to incorporate the proposed ABFE as recommended by federal and state officials in order to maintain its community rating discount under the NFIP, which will provide an economic benefit to the Borough and all of its property owners through discounted flood insurance premiums, as well as to preserve the funding opportunities available through FEMA; and

**WHEREAS**, the adoption of the ordinance will not prevent the Borough from continuing to question, comment on and challenge the ABFE maps as well as the Flood Control Regulations, and to make additional modifications to this ordinance as may be deemed advisable and in the best interest and welfare of the residents, business owners, property owners, tourists and guests of the Borough of West Wildwood.

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

1.) All other ordinances in conflict or inconsistent with this Ordinance are here by repealed to the extent of such conflict or inconsistency.

2.) Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason, the remaining portions of the Ordinance shall not be affected thereby and shall remain in full force and effect, and to this end the provisions of this Ordinance are hereby declared to be severable.

3.) This Ordinance shall take effect after a public hearing and final adoption and publication as provided by law.

**COMMISSIONERS:**



MAYOR CHRISTOPHER J. FOX

COMMISSIONER SCOTT W. GOLDEN

COMMISSIONER CORNELIUS J. MAXWELL

The foregoing Ordinance was introduced and passed at the Regular Board of Commissioners meeting of the Borough of West Wildwood, County of Cape May, New Jersey on the 5th day of April, 2013 and will be considered for final passage after a public hearing at the meeting of said Board of Commissioners at the Municipal Hall, 701 W. Glenwood Avenue, West Wildwood, New Jersey on May 3, 2013 at 7:00 pm prevailing time.

**FIRST READING:**

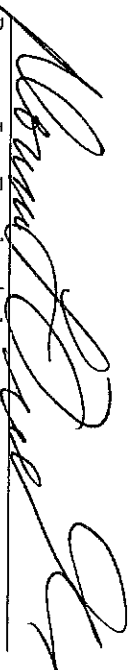
2013 04-05

**PUBLICATION:**

2013 04-11

**SECOND READING/FINAL ADOPTION:**

**PUBLICATION:**

  
Donna L. Frederick  
Acting Municipal Clerk

FEB 2013

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

TO: Borough Commission

FROM: Terence Graff



DATE: March 11, 2013

The following represents the collection status of taxes as of February 28, 2013

TAX ACCOUNTS	CURRENT MONTH	TO DATE
2012 Tax (Delinquent Taxes)	\$28,601.85	\$27,611.87
2013 Tax	\$427,221.01	\$649,617.60
Prepaid Tax Year 2014		
Arrears/Bankruptcy		
Tax Title Liens (Mun)		
Miscellaneous	\$552.20	\$1,241.15
Searches		
Cost & Interest	\$2,405.73	\$1,416.14
Tax Sale Premium		
Tax Sale - Water Due Wildwood		
Cost of Sale		
Sewer Rents (Delinquent)	\$10,767.57	\$8,495.96
Sewer Rents 2013	\$14,694.75	\$95,212.91
Prepaid Sewer Rents	\$440.46	\$355.27
Sewer Interest	\$1,245.32	\$549.99
3rd Party TTL Redemptions		
Total	\$485,928.89	\$784,500.89

Range of Checking Accts: CURRENT to CURRENT      Range of Check Ids: 10044 to 10083  
 Report Type: All Checks      Report Format: Detail      Check Type: Computer: Y Manual: Y Dir Depositor: Y

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

10044	04/04/13	00101	THE HERALD	21.08	3-01-20-120-021	Budget	902
13-00189	1	LEGAL ADVERTISING			Legal Advertising		69
13-00189	2	LEGAL ADVERTISING		29.58	3-01-20-120-021	Budget	70
13-00189	3	LEGAL ADVERTISING		131.64	3-01-20-120-021	Budget	71
				<u>182.30</u>	Legal Advertising		

10045	04/04/13	00207	ACA COMPUTERS, INC.	2,750.00	3-01-20-140-059	Budget	902
13-00153	1	AS PER RESOLUTION 2013-023			Data Processing Equipment		29
13-00179	1	COMPUTER SERVICES AS PER		2,750.00	3-01-20-140-026	Budget	57
13-00179	2	50-FT. SLIM SVGA CABLE		49.99	3-01-20-140-059	Budget	58
				<u>5,549.99</u>	Data Processing Equipment		

10046	04/04/13	00308	ADP, INC.	179.03	3-01-20-130-028	Budget	902
13-00185	1	PAYROLL FEES FOR MARCH 2013			Payroll Services		65

10047	04/04/13	01901	ATLANTIC CITY ELECTRIC	19.79	3-01-31-430-000	Budget	902
13-00150	1	MONTHLY ELECTRIC CHARGES-MARCH			Electricity		19
13-00150	2	MONTHLY ELECTRIC CHARGES-MARCH		6.02	3-01-31-430-000	Budget	20
13-00150	3	MONTHLY ELECTRIC CHARGES-MARCH		381.98	3-01-31-430-000	Budget	21
13-00150	4	MONTHLY ELECTRIC CHARGES-MARCH		355.89	3-01-31-430-000	Budget	22
13-00150	5	MONTHLY ELECTRIC CHARGES-MARCH		13.85	3-01-31-430-000	Budget	23
13-00150	6	MONTHLY ELECTRIC CHARGES-MARCH		1,725.79	3-01-31-435-000	Budget	24
13-00150	7	MONTHLY ELECTRIC CHARGES-MARCH		239.89	3-01-31-430-000	Budget	25
				<u>2,743.21</u>	Electricity		

10048	04/04/13	01903	AT & T	51.38	3-01-31-440-000	Budget	902
13-00181	1	LONG DISTANCE CHARGES			Telephone		60
13-00181	2	LONG DISTANCE CHARGES		66.61	3-01-31-440-000	Budget	61
				<u>117.99</u>	Telephone		

10049	04/04/13	028611	ITS CALLED SOLUTIONS, LLC.	65.00	3-01-20-140-026	Budget	902
13-00186	1	MARCH HOSTING FEES & EMAILS			Data Processing Maintenance		66



Check #	Check Date	Vendor	Item Description	Amount Paid	Charge Account	Account Type	Reconciled/Avoid Ref Num
10050	04/04/13	04601	BUCKS ELECTRICAL SERVICE, INC.				
13-00188	1	TESTED GENERATOR AT BORO HALL	90.00	3-01-26-310-030	Budget	68	902
10051	04/04/13	05202	CAPE MAY CNTY TREASURERS OFF.				
13-00063	1	1000 CALENDARS (11X17 FORMAT)	400.00	G-02-40-726-000	Budget	3	902
13-00063	2	1000 CALENDARS (11X17 FORMAT)	255.00	G-02-40-730-000	Budget	4	
13-00191	1	12,000 #10 PRINTED WINDOW	406.45	3-01-20-100-036	Budget	73	
			<u>1,061.45</u>	GEN. ADMIN. OFFICE SUPPLIES			
10052	04/04/13	05203	C.M.C.M.U.A. MASTER WATER DIV.				
13-00154	1	DISPOSAL FEES FOR FEB 2013	965.04	3-09-55-502-078	Budget	30	902
				Contract Services-MUA			
10053	04/04/13	05233	CAPE 47 LUMBER				
13-00144	1	VARIOUS SUPPLIES	23.49	3-01-26-290-030	Budget	13	902
				Materials and Supplies			
10054	04/04/13	05244	CAPE MAY CO. LEAGUE OF MUN.				
13-00194	1	2013 DUES	400.00	3-01-20-100-044	Budget	75	902
				GEN. ADMIN. DUES & MEMBERSHIPS			
10055	04/04/13	06615	COMCAST OF WILDMOOD				
13-00158	1	MONTHLY BILLING	213.87	3-01-20-100-030	Budget	36	902
13-00158	2	MONTHLY BILLING	102.93	3-01-26-290-030	Budget	37	
13-00158	3	MONTHLY BILLING	86.90	3-01-26-290-030	Budget	38	
13-00158	4	MONTHLY BILLING	59.98	3-01-25-240-030	Budget	39	
13-00158	5	MONTHLY BILLING	106.01	3-01-20-120-030	Budget	40	
			<u>569.69</u>	Materials and Supplies			
10056	04/04/13	08201	DELTA DENTAL PLAN OF N.J. INC.				
13-00164	1	MONTHLY BILLING FOR APRIL 2013	678.86	3-01-23-220-000	Budget	47	902
				EMPLOYEE GROUP INSURANCE			
10057	04/04/13	13805	CINTAS FIRST AID & SAFETY				
13-00174	1	AED PADS FOR BOROUGH HALL AND	488.65	3-01-26-310-030	Budget	56	902
				Materials and Supplies			
10058	04/04/13	15604	PATTI'S PARTY WORLD LLC				
00151	1	POW FLAG	21.99	3-01-26-310-030	Budget	26	902
00151	2	NJ FLAG	29.99	3-01-26-310-030	Budget	27	
			<u>51.98</u>	Materials and Supplies			

Check #	Check Date	Vendor	Amount Paid	Charge Account	Account Type	Reconciled/Void	Ref Num
no #	Item	Description				Contract	Ref Seq
--59	04/04/13	16701 GLOUCESTER CO. POLICE ACADEMY					
13-00165	1	FTO TRAINING COURSE FOR	60.00	3-01-25-240-042	Budget		902
		Educational Training					48
10060	04/04/13	18201 H. B. CHRISTMAN & SON, INC.					
13-00166	1	BATTERY CABLE	7.94	3-01-26-290-034	Budget		902
		Fleet Maintenance					49
13-00166	2	BATTERY CABLE	8.19	3-01-26-290-034	Budget		50
		Fleet Maintenance					
13-00173	1	ALTERNATOR FOR LOADER	228.18	3-01-26-290-034	Budget		55
		Fleet Maintenance					
			<u>244.31</u>				
10061	04/04/13	28602 LAWREN SUPPLY CO.					
12-00635	1	GH ARMOR SYSTEMS LITE	1,508.00	G-02-40-760-000	Budget		902
		BODY ARMOR					1
10062	04/04/13	30007 LOWE'S # 1861					
13-00143	1	VARIOUS SUPPLIES	280.41	3-01-26-290-030	Budget		902
		Materials and Supplies					12
13-00148	1	PAINTING SUPPLIES FOR	311.57	3-01-26-290-030	Budget		16
		Materials and Supplies					
			<u>591.98</u>				
1 3	04/04/13	31220 MAX COMMUNICATIONS, INC.					
13-00187	1	RECURRING CHARGES FOR MARCH	226.22	3-01-31-440-000	Budget		902
		Telephone					67
10064	04/04/13	31801 MGL PRINTING SOLUTIONS					
13-00152	1	BALANCE FROM HOMESTEAD BENEFIT	4.00	3-01-20-100-023	Budget		902
		GEN. ADMIN. PRINTING					28
10065	04/04/13	32006 MITCHELL IRON WORKS					
13-00168	1	WELDING ON BACK OF BACKHOE	115.00	3-01-26-290-034	Budget		902
		Fleet Maintenance					51
10066	04/04/13	34220 NEXTEL COMMUNICATIONS					
13-00180	1	CELL PHONE CHARGES FOR MARCH	516.25	3-01-31-440-000	Budget		902
		Telephone					59
10067	04/04/13	45005 RIGGINS OIL COMPANY					
13-00146	1	GASOLINE FOR VARIOUS VEHICLES	1,379.55	3-01-31-460-000	Budget		902
		Gasoline and Diesel					15
10068	04/04/13	46201 RUTGERS, THE STATE UNIVERSITY					
13-00169	1	ACCOUNTING REVIEW CLASS FOR	513.00	3-01-20-100-042	Budget		902
		GEN. ADMIN. EDUCATIONAL TRAINING					52
10	04/04/13	48201 SOUTH JERSEY GAS COMPANY					
10149	1	MONTHLY GAS CHARGES	8.48	3-01-31-446-000	Budget		902
		Natural Gas					17

Check #	Date	Vendor	Item Description	Amount Paid	Charge Account	Account Type	Reconciled/Void	Ref Num
13-00149	2	SOUTH JERSEY GAS COMPANY	MONTHLY GAS CHARGES	662.25	3-01-31-446-000	Budget		18
				<u>670.73</u>	Natural Gas			
10070	04/04/13	48207 SOUTH JERSEY WELDING SUPPLY CO						
13-00159	1	ACETYLENE CYL RENT		10.75	3-01-26-290-038	Budget		902
13-00159	2	ARGON/MIX CYL RENT		16.13	3-01-26-290-038	Budget		41
13-00159	3	OXYGEN CYLINDER RENT		16.13	3-01-26-290-038	Budget		42
				<u>43.01</u>	Gen. Hardware-maint. supplies			43
10071	04/04/13	50102 THE PRESS						
13-00145	1	(1) YEAR SUBSCRIPTION		278.20	3-01-20-120-021	Budget		902
13-00190	1	VARIOUS LEGAL ADVERTISEMENTS		500.57	3-01-20-120-021	Budget		14
				<u>778.77</u>	Legal Advertising			72
10072	04/04/13	50103 THIS & THAT UNIFORMS						
13-00118	1	JACKETS FOR COMM. GOLDEN		279.98	3-01-26-290-030	Budget		902
13-00118	2	GRAPHICS ON CONCEALED FLAP OF		20.00	3-01-26-290-030	Budget		6
13-00118	3	PUBLIC WORKS COMMISSIONER		84.00	3-01-26-290-030	Budget		7
13-00118	4	REVENUE & FINANCE COMMISSIONER		84.00	3-01-26-290-030	Budget		8
13-00118	5	BADGE CLIP HOLDERS		21.98	3-01-26-290-030	Budget		9
				<u>489.96</u>	Materials and Supplies			10
10073	04/04/13	57601 WESTERN PEST CONTROL						
13-00183	1	ANNUAL EXTERMINATING FEE 2013		362.88	3-01-20-100-030	Budget		902
10074	04/04/13	65405 W. B. MASON						
13-00117	1	81/2 X 14 PAPER		45.99	3-01-20-100-030	Budget		64
13-00134	1	VARIOUS OFFICE SUPPLIES		234.17	3-01-20-100-036	Budget		902
13-00163	1	PAPER FOR TAX/CLERK OFFICE		111.96	3-01-20-120-030	Budget		5
				<u>392.12</u>	GEN. ADMIN. OFFICE SUPPLIES			11
					Materials and Supplies			46
10075	04/04/13	65415 VALUE-TIQUE INC.						
00045	1	SCHWAB/SENTRY SAFE		2,899.00	3-01-26-310-030	Budget		902
					Materials and Supplies			2

Check #	Check Date	Vendor	Amount Paid	Charge Account	Account Type	Reconciled/Void	Ref Num
PO #	Item	Description				Contract	Ref Seq
13-00162	1	TRASH COLLECTION FOR MARCH	4,200.00	3-01-26-305-029	Budget		45
		EARTHTECH CONTRACTING INC.		Contractual-collection			902
13-00172	1	8" BOLTS, NUTS, WASHER	15.27	3-09-55-502-038	Budget		54
		FASTENAL COMPANY		Gen. Hardware & Minor Tools			902
13-00155	1	2012 ANNUAL FINANCIAL STATEMEN	5,000.00	3-01-20-135-000	Budget		31
		FORD, SCOTT & ASSOCIATES INC.		AUDITOR			902
13-00182	2	PROFESSIONAL SERVICES RENDERED	876.00	3-01-20-155-027	Budget		63
		CATERO AND BALLIETTE		Legal Services			902
13-00182	2	PROFESSIONAL SERVICES RENDERED	3,792.66	3-01-20-155-027	Budget		62
		VERIZON		Legal Services			902
13-00156	1	MONTHLY PHONE CHARGES - MARCH	268.63	3-01-31-440-000	Budget		32
		MONTHLY PHONE CHARGES - MARCH	44.98	3-01-31-440-000	Budget		33
		MONTHLY PHONE CHARGES - MARCH	408.55	3-01-31-440-000	Budget		34
		MONTHLY PHONE CHARGES - MARCH	385.14	3-01-31-440-000	Budget		35
			<u>1,107.30</u>	Telephone			
13-00160	1	P 245/70 R 17 TINES	607.98	3-01-26-290-034	Budget		44
		MCCARTHY TIRE SERVICE CO. INC.		Fleet Maintenance			902
13-00193	1	TAG CHARGE	5.40	3-01-20-100-030	Budget		74
		E-ZPASS		GEN. ADMIN. MATERIALS & SUPPLIES			902
13-00171	1	OPRA SEMINAR FOR	190.00	3-01-20-100-042	Budget		53
		CONNELL CONSULTING LLC		GEN. ADMIN. EDUCATIONAL TRAINING			902

Report Totals	Paid	Void	Amount Paid	Amount Void
Checks:	40	0	38,880.07	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	40	0	38,880.07	0.00

Fund Description	Fund	Budget Total	Revenue Total
CURRENT FUND	3-01	35,736.76	0.00
UTILITY FUND	3-09	980.31	0.00
	Year Total:	36,717.07	0.00
GRANT FUND	G-02	2,163.00	0.00
Total of All Funds:		<u>38,880.07</u>	<u>0.00</u>

Range of Checking Accts: CURRENT to CURRENT Range of Check Ids: 10084 to 10084  
 Report Type: All Checks Report Format: Detail Check Type: Computer: Y Manual: Y Dir Depositor: Y

Check #	Check Date	Vendor	Amount Paid	Charge Account	Account Type	Reconciled/Void	Ref Num
10084	04/05/13	32010 THOMAS MICELI					903
13-00157	1	SETTLEMENT AGREEMENT WITH	10,416.67	3-01-25-240-011	Budget		1
		full time-SW					

Report Totals	Paid	Void	Amount Paid	Amount Void
Checks:	1	0	10,416.67	0.00
Direct Deposits:	0	0	0.00	0.00
Total:	1	0	10,416.67	0.00

Fund Description	Fund	Budget Total	Revenue Total
CURRENT FUND	3-01	10,416.67	0.00
Total of All Funds:		<u>10,416.67</u>	<u>0.00</u>

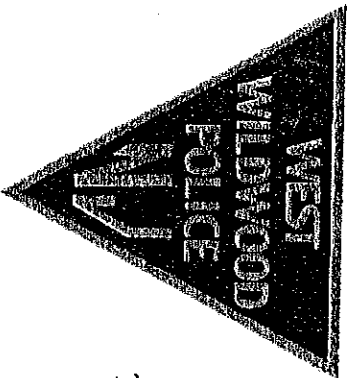
Batch Id: ELAINEC Batch Type: C Batch Date: 04/05/13 Checking Account: TRUST OTHER G/L Credit: Budget G/L Credit  
Rate Direct Deposit: N

Check NO.	Check Date	Vendor # Name	Payment Amt	Street 1 of Address to be printed on Check
PO #	Enc Date	Item Description		Charge Account
				Account Type
				Status Seq
				Description
04/05/13	47006	SCHAEFER PYROTECHNICS, INC,		376 HARTMAN BRIDGE ROAD
13-00195	04/05/13	1 FIREWORKS DISPLAY FOR FAMILY	4,000.00	T-12-00-000-011
			<u>4,000.00</u>	Budget
				APRV
				1
				RESERVE FOR FESTIVAL DONATIONS

Checks:	Count	Line Items	Amount
	1	1	4,000.00

There are NO errors or warnings in this listing.





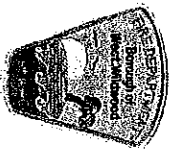
**Borough of West Wildwood  
Police Department**

701 W. Glenwood Ave., West Wildwood, NJ 08260  
(809) 522-2396

**ACTIVITY REPORT MARCH  
2013**

- 2 911 Hang-Ups (Trouble in the Line)
- 2 Reports of Animal Complaints
- 9 Arrests (3 Drug Related Arrests)
- 1 Burglary (Subject Arrested)
- 1 Report of Check the Well Being of a Person
- 2 Reports of Downed Wires
- 2 Reports of General Complaints
- 1 Report of a Juvenile Problem
- 10 Local Ordinance Violations
- 5 Medical Assist
- 48 Motor Vehicle Stops (41 Warnings/7 Summonses)
- 7 Reports to OEM for Flooding/Bad Weather
- 4 Opened Doors/Secured
- 8 Parking Complaints
- 195 Property Checks
- 2 Resident Assists
- 1 Reported Robbery (Subject Arrested)
- 8 Reports of Storm Related Issues
- 14 Reports of Suspicious Activity/Persons
- 5 Report of a Suspicious Vehicle
- 2 Reports of Theft
- 3 Reports of Unhitched Trailers

**TOTAL CALLS FOR SERVICE 848**



# West Wildwood Vol. Fire Company STATION 21



Commissioner Neil Maxwell  
Borough of West Wildwood

02 April 2013

Commissioner Maxwell,

I have attached the Fire Company Activity Report. The information includes our incident response, training, drills, special/work details and storm duty. The beginning of 2013 has been very busy one for us all. We have several incidents, some weather related, and some part of our normal response. I have compiled the information for our fire company activity from Jan 1 through Mar 30.

I would be remiss if I didn't promote our members that attended the latest Fire Police Course from the Cape May County Fire Academy. The West Wildwood Vol. Fire Company introduces Fire Police Officers Bob Feltwell and Carl O'Hala. They attended the 12 hour course and performed practical skills. The course discussed traffic safety, public safety and first responder's safety when operating at all incidents. I am very proud of these men for their success as well as their continued commitment to this community.

I have listed below our activity but would like you to review the "Members attending Training". This represents the courses that our members are attending along with man hours. The man hours represents what hour of instruction each member will be responsible for. Example:  
**Firefighter 1 - 2** 160 hrs X 2 FF = 320 Man Hrs. I want to also include those members that performed during all storm duties, assisted with flood pumps from CMC OEM, as well as assisted Carl O'Hala for the Ocean Drive Marathon.

I want to thank you, Mayor Fox and Commissioner Golden for your ever continued support of the Firefighters & Fire Officers of the West Wildwood Vol. Fire Company & Ladies Auxiliary. We are here for you and the residents 24 hours a day, 7 days a week, and 365 days a year. Look forward to the future of the Borough of West Wildwood.

**New Members**

Dave Daniels – Firefighter  
Christian Dunn – Firefighter  
Christina Sacco – Junior Firefighter

**Incidents - 19**

**Fire related** – 7            Man Hours = 54  
**Storm related** – 12        Man Hours = 132            Persons Transported = 28

**Training & Education- 10**

**Hands-on** – 5            Man Hours = 168  
**Classroom** – 5            Man Hours = 115

**Staff Activities – 3**

JC Baukus Police Graduation            Man Hrs. = Support  
Assist WWOEM with Portable pump Set up    Man Hours = 16  
Assist Carl O'Hala Ocean Drive Marathon    Man Hours = 12

**Members Attending Training**

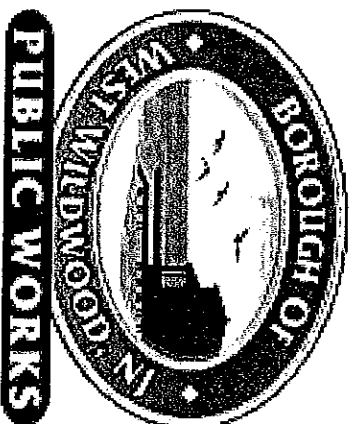
<b>Firefighter I</b> – 2	Man Hrs. = 320	<b>Firefighter II</b> – 2	Man Hrs. = 180
<b>Fire Officer I &amp; II</b> – 1	Man Hrs. = 240	<b>Fire Instructor</b> – 3	Man Hrs. = 180
<b>Drill Ground Inst.</b> – 4	Man Hrs. = 32	<b>ICS I-200 Basic</b> – 1	Man Hrs. = 8
<b>ICS I-300 Inter</b> – 1	Man Hrs. = 16	<b>ICS I-400 Advanced</b> – 3	Man Hrs. = 67
<b>Fire Police</b> – 3	Man Hrs. = 33		

**Total Man Hours to Date: 1573**

Sincerely,

William J. Cripps

Fire Chief



## Activity Report MARCH 2012

- 4 Work orders for maintenance of public works vehicles and equipment
- 4 Work orders for repairs to backhoe loader
- 2 Work orders for repairs public works equipment
- 4 Work orders to clean Borough hall and remove trash and recycling
- 1 Work order to pick up paid bulk trash
- 4 Work orders for maintenance public safety vehicles
- 4 Work orders for repairs to public safety vehicles
- 6 Work orders for opening and closing of flood gates due to flooding
- 2 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
- 2 Work orders to clean off storm drain covers of debris
- 4 Work orders to clean up trash on borough streets
- 4 Work orders to empty doggi station containers at borough parks
- 4 Work orders to pick up televisions placed at curbside

- 1 Work order to paint a wall in the police department
- 3 Work orders for repairs to flood gates at E ave and Arion ave
- 8 Work orders for boro inspections of streets and parks
- 3 Work orders for maintenance of flood gates
- 2 Work orders for cleaning up borough streets due to flooding
- 1 Work order to install new smoke detectors in police department
- 1 Work order to turn over mulch at the playground

The new tide flex valve for J and Poplar aves. Will be installed this month

The flood gates at E and Arion aves will also be replaced with new gates

BOROUGH OF WEST WILDWOOD  
BOARD OF COMMISSIONERS  
SPECIAL MEETING  
APRIL 29, 2013  
9:30AM

**MINUTES:**

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

**ROLL CALL – PRESENT:**

Commissioner Golden  
Commissioner Maxwell  
Mayor Fox  
Solicitor Caffero  
Acting Municipal Clerk (AMC) Donna L. Frederick

**DISCUSSION:**

AMC Frederick went over Ordinance(s) & Resolutions for the Regular Meeting 5/3/13 and explained them.

Comm. Golden asked if it was necessary to do Resolutions to release closed session meeting minutes.

AMC stated that it was done that way with Kilgore litigation. Solicitor will look into the matter and get clarification.

Mayor stated that Bob Kilgore wants to get his property issue resolved. Mayor asked if it is something that can be addressed for next month. Comm. Golden will get the engineer to look at his bulkhead to determine if there are any issues that may need to be addressed.

Comm. Golden asked how soon a new bond ordinance could be set in place.

AMC Frederick said first reading/introduction then publication at least 10 days before public hearing. Then 20 day wait to see if a petition gets filed. AMC checked the calendar and Mayor instructed Clerk to set up a Special Meeting for May 20, 2013.

Comm. Golden inquired if anything is being done about the petition. Solicitor Caffero informed the Commissioners that he researched it and has found case law. Repeal Ordinance – need to re-do another Ordinance. Comm. Maxwell stated that an informational newsletter should be sent out to the taxpayers, so they understand how important this is to the Borough. Comm. Maxwell asked Chris Ridings how much it cost to send out the postcards for the FEMA meeting. Chris Ridings said \$.29 compared to \$.46 for regular mail, not that much of a difference to do a regular letter. Mayor said to get together with Louise and draft a newsletter, key on everything. Chris Ridings said there is a way to fold and staple the sheet paper itself so you don't need envelopes.

Brief discussion on equipment needed for public works, loader and street sweeper by Comm. Golden on the costs.

Brief discussion on the Electric Rates, going out to third party billing. Mayor informed the two Commissioners that he doesn't feel the Borough should impose this on the residents, they should be able to choose their own suppliers, and stated that he would vote no if they want to go through with it. Mayor also stated that if they want to look into it for the Borough's usage that would be ok.

Mayor asked if Chris Riding could look into an Ordinance with regards to construction trailers, and if a fee could be assessed like dumpsters, also asked for clarification with boat storage and trailers. Mayor is concerned with the ongoing reconstruction of flood damaged homes the parking of construction trailers all over may cause issues. Suggested that there should be a limit of one construction trailer per house, and a fee should be imposed if it is parked on the street. Deputy Clerk stated that he has a copy of an Ordinance for Wildwood Crest they will review and come up with information in time for the June meeting.

With regards to Ordinance No. 523 (2013) establishing the fees to be charged for copies of Documents requested through the Borough Clerk's Office. Carl O'Hala, deputy clerk, suggested to see if it was possible to waive the costs for copies with regards to OPRA. Chris Ridings suggested that that may pose a bigger problem down the line. It was agreed upon to implement the new fee schedule as permitted as per the OPRA guidelines.

Chief Ferentz informed the AMC that the deadline for filing the Grant Application with the USDA is today. AMC brought this to the attention of the Commissioners and then put forth resolution 2013-047.

**Resolution 2013-047:** Authorizing the Application of a Grant with the USDA not to exceed \$37,500.00.

Motion by Comm. Maxwell; Seconded by Comm. Golden

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

Resolution Adopted

**OPEN TO THE FLOOR FOR PUBLIC COMMENT -NONE**

**Resolution 2013-048:** Authorizing a Closed (Executive) Session of the Board of Commissioners

Motion by Comm. Maxwell; Seconded by Comm. Golden

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

Resolution Adopted

**COMMISSIONERS WENT INTO CLOSED SESSION**

**MOTION TO RESUME WORKSHOP MEETING FROM CLOSED SESSION:**

Motion by Comm. Maxwell – Seconded by Comm. Golden

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

Motion Carried

**MOTION TO ADJOURN:**

Motion by Comm. Maxwell – Seconded by Comm. Golden

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

Motion Carried.

Respectfully submitted  
April 29, 2013

  
Donna L. Frederick, Acting Municipal Clerk

THESE MINUTES WERE APPROVED AT THE MAY 3, 2013, REGULAR COMMISSION MEETING

ABSENT 5/3/13  
MAYOR CHRISTOPHER J. FOX

  
COMMISSIONER SCOTT W. GOLDEN

  
COMMISSIONER CORNELIUS J. MAXWELL