

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 \$316,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$300,200 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.

BE IT ORDAINED BY THE BOROUGH BOARD OF COMMISSIONERS OF THE BOROUGH OF WEST WILDWOOD, IN THE COUNTY OF CAPE MAY, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Borough of West Wildwood, New Jersey (the "Borough") as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$316,000, including the aggregate sum of \$15,800 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments, negotiable bonds are hereby authorized to be issued in the principal amount of \$300,200 pursuant to the Local Bond Law. In anticipation

of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

<u>Purpose</u>	Appropriation and Estimated <u>Cost</u>	Estimated Maximum Amount of Bonds or <u>Notes</u>	Period of <u>Usefulness</u>
a) The acquisition of software for police cars, including all related costs and expenditure incidental thereto.	\$14,000	\$13,300	5 years
b) The acquisition of equipment, including photocopiers and a front end loader/backhoe, including all related costs and expenditures incidental thereto.	\$94,000	\$89,300	15 years
c) Roadwork construction to Arion Avenue and other roads throughout the Borough, including all work and material necessary therefor and incidental thereto.	\$50,000	\$47,500	10 years
d) The acquisition of a fire truck, including all related costs and expenditures incidental thereto.	\$100,000	\$95,000	10 years

<u>Purpose</u>	<u>Appropriation and Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds or Notes</u>	<u>Period of Usefulness</u>
e) The construction of a public works shed, including all work and materials necessary therefor and incidental thereto.	\$5,000	\$4,750	15 years
f) The acquisition of a repeater radio system for the police, including all related costs and expenditures incidental thereto.	\$3,000	\$2,850	10 years
g) The acquisition of a dump truck, including all related costs and expenditures incidental thereto.	\$50,000	\$47,500	5 years
TOTALS	\$316,000	\$300,200	

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the down payment for each purpose.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local

Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements that the Borough may lawfully undertake as general improvements, and no part of the costs thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 10.55 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$300,200, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$63,200 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated costs indicated herein for the purposes or improvements.

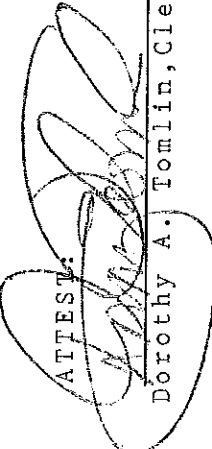
Section 7. Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

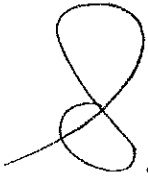
Section 8. The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such

undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

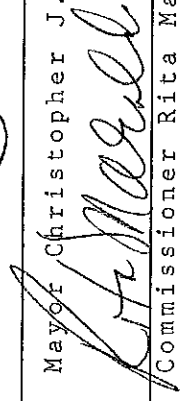
Section 9. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 10. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

ATTEST:

Dorothy A. Tomlin, Clerk



Mayor Christopher J. Fox



Commissioner Rita Maroldo

ABSENT

Commissioner Alan F. Christensen

NOTICE OF PENDING BOND ORDINANCE AND SUMMARY

The bond ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the governing body of the Borough of West Wildwood, in the County of Cape May, State of New Jersey, on Nov. 26, 2007. It will be further considered for final passage, after public hearing thereon, at a meeting of the governing body to be held at the BOROUGH HALL, in the Borough on FEB. 1, 2008 at 7 o'clock .m. During the week prior to and up to and including the date of such meeting, copies of the full ordinance will be available at no cost and during regular business hours at the Clerk's office for the members of the general public who shall request the same. The summary of the terms of such bond ordinance follows:

Title: "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 \$316,000 Therefor and Authorizing the Issuance of \$300,200 Bonds or Notes of the Borough to Finance Part of the Cost Thereof."

Purposes:

Purpose	Appropriation and Estimated Cost	Estimated Maximum Amount of Bonds or Notes	Period of Usefulness
a) The acquisition of software for police cars, including all related costs and expenditure incidental thereto.	\$14,000	\$13,300	5 years
b) The acquisition of equipment, including photocopiers and a front end loader/backhoe, including all related costs and expenditures incidental thereto.	\$94,000	\$89,300	15 years
c) Roadwork construction to Arion Avenue and other roads throughout the Borough, including all work and material necessary therefor and incidental thereto.	\$50,000	\$47,500	10 years

<u>Purpose</u>	<u>Appropriation and Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds or Notes</u>	<u>Period of Usefulness</u>
d) The acquisition of a fire truck, including all related costs and expenditures incidental thereto.	\$100,000	\$95,000	10 years
e) The construction of a public works shed, including all work and materials necessary therefor and incidental thereto.	\$5,000	\$4,750	15 years
f) The acquisition of a repeater radio system for the police, including all related costs and expenditures incidental thereto.	\$3,000	\$2,850	10 years
g) The acquisition of a dump truck, including all related costs and expenditures incidental thereto.	\$50,000	\$47,500	5 years

TOTALS

\$316,000

\$300,200

Appropriation: \$316,000

Bonds/Notes Authorized: \$300,200

Grants Appropriated: N/A

Section 20 Costs: \$63,200

Useful Life: 10.55 years

Dorothy Tomlin, Clerk

This Notice is published pursuant to N.J.S.A. 40A:2-17.

BOND ORDINANCE STATEMENT AND SUMMARY

The bond ordinance, the summary terms of which are included herein, has been finally adopted by the Borough of West Wildwood, in the County of Cape May, State of New Jersey on February 1, 2008 and the 20 day period of limitation within which a suit, action or proceeding questioning the validity of such ordinance can be commenced, as provided in the Local Bond Law, has begun to run from the date of the first publication of this statement. Copies of the full ordinance are available at no cost and during regular business hours, at the Clerk's office for members of the general public who request the same. The summary of the terms of such bond ordinance follows:

Title: "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 \$316,000 Therefor and Authorizing the Issuance of \$300,200 Bonds or Notes of the Borough to Finance Part of the Cost Thereof."

Purposes:

Purpose	Appropriation	Estimated	Period of
	and Estimated	Maximum Amount	
	Cost	of Bonds or	Notes
a) The acquisition of software for police cars, including all related costs and expenditure incidental thereto.	\$14,000	\$13,300	5 years
b) The acquisition of equipment, including photocopiers and a front end loader/backhoe, including all related costs and expenditures incidental thereto.	\$94,000	\$89,300	15 years
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TOTALS	<u>\$316,000</u>	<u>\$300,200</u>	
Appropriation: \$316,000			
Bonds/Notes Authorized: \$300,200			
Grants Appropriated: N/A			
Section 20 Costs: \$63,200			
Useful Life: 10.55 years			

Dorothy Tomlin, Clerk

**BOROUGH OF WEST WILDWOOD
CAPE MAY COUNTY, NEW JERSEY
ORDINANCE NO. 476**

**"ORDINANCE AUTHORIZING A SPECIAL EMERGENCY
APPROPRIATION IN THE AMOUNT OF TWENTY-FIVE THOUSAND
(\$25,000.00) DOLLARS FOR THE REVISION AND CODIFICATION OF
BOROUGH ORDINANCES IN AND BY THE BOROUGH OF WEST
WILDWOOD, IN THE COUNTY OF CAPE MAY, NEW JERSEY"**

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

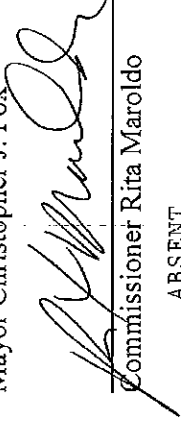
Section 1. The revision and codification of Borough ordinances in and by the Borough of West Wildwood is hereby authorized, and a special emergency appropriation of Twenty-five Thousand (\$25,000.00) Dollars is hereby authorized pursuant to Local Budget Law (N.J.S.A. 40A:4-53).

Section 2. A copy of this Ordinance as finally adopted shall be filed with the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey.

Section 3. This Ordinance shall take effect in accordance with applicable law.

COMMISSIONERS:

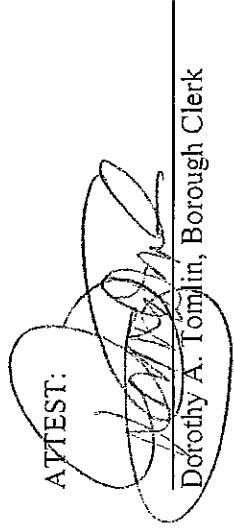
Mayor Christopher J. Fox



Commissioner Rita Maroldo
ABSENT

Commissioner Alan F. Christensen

ATTEST:



Dorothy A. Tomlin, Borough Clerk

**BOROUGH OF WEST WILDWOOD
CAPE MAY COUNTY, NEW JERSEY
ORDINANCE NO. 477**

**“ORDINANCE FOR MANDATORY RECYCLING
AN ORDINANCE ESTABLISHING A SOURCE SEPARATION AND
RECYCLING POLICY FOR THE BOROUGH OF WEST WILDWOOD FOR
DESIGNATED RECYCLABLES”**

WHEREAS, the New Jersey Statewide Mandatory Source Separation and Recycling Act establishes a goal of fifty (50%) percent reduction of Municipal Solid Waste and a sixty (60%) percent 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 list, included herein, of mandatory 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.

NOW, THEREFORE, BE IT ORDAINED, by the Board of Commissioners of the Borough of West Wildwood, in the County of Cape May, New Jersey, the Governing Body of the Borough of West Wildwood, as follows:

SECTION 1

The allegations of the preamble are incorporated herein as if set forth in full.

SECTION 2- SHORT TITLE

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

SECTION 3- DEFINITIONS

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

Commingled - means a combining of non-putrescible source-separated recyclable materials for the purpose of recycling;

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. These materials can not be deposited in the landfill and include:

Materials to be set out at curbside — **Category 1:**

- (a) Paper Products — Newspaper with inserts, magazines, office paper, junk mail including shredded paper, telephone and paperback books, corrugated cardboard, brown paper grocery bags;
- (b) Glass, Food and Beverage Containers — Clear, green and brown food and beverage bottles and jars, excluding however, blue and flat glass commonly known as “window glass”;
- (c) Metal Food and Beverage Containers — Aluminum, hi-metal and steel food and beverage containers 2½ gallons or less in size, including empty aerosol cans;
- (d) Plastic Bottles and Jugs — Plastic containers imprinted with a (PETE) or (HDPE) on the bottom including food, beverage, health, beauty and cleaning products, bottles 2½ gallons or less in size. Automotive fluid containers and other bottles which contained hazardous products are not included; NO motor oil bottles, NO pesticide containers.
- (e) Christmas Trees — Free of decorations, tree stands and plastic bags;
- (f) Leaves — Comprised mainly of tree and plant leaves and not contaminated with brush or other material; and
- (g) Grass - Lawn grass clippings.

Materials to be recycled by the individual generator — **Category 2:**

- (a) Brush, Tree Branches and Stumps — All parts of vegetative growth from trees, and vegetative materials generated during land clearing;
- (b) 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;
- (c) Electronic Waste — shall mean a computer central processing unit and associated hardware including keyboards, modems, printers, scanners and fax machines, cathode ray tubes, flat panel displays, 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;
- (d) 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;
- (e) Wood Pallets and Crates — Clean untreated, unpainted pallets and crates only;
- (f) Batteries - Lead Acid Batteries — Used SLA (sealed lead acid) batteries generated from motor vehicles, aviation and marine equipment;
- (g) Propane Tanks — Empty 20 to 30 lb BBQ type tanks;
- (h) 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;
- (i) Commercial Cooking Grease — Grease and oil generated from food preparation by commercial sources only;
- (j) Asphalt and Concrete — Asphalt and concrete materials from construction and demolition projects;
- (k) Auto and Truck Bodies — All junk automobiles and trucks and parts thereof;
- (l) Tires -- Worn truck and passenger car tires;
- (m) Used Oil Filters — Used filters that are generated from changing crankcase oil in automobiles, trucks and other vehicles;
- (n) Anti-freeze — Used antifreeze generated from automobiles, trucks and other vehicles/sources; and
- (o) 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 Board of Commissioners 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;

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

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;

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 4 - 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 separately at the curb in a manner and on such days and times as may be hereinafter established by the West Wildwood Department of Public Works.
- 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 (CMCMA) recycling facilities located at the Sanitary Landfill and/or Transfer Station as applicable, or to a private sector market for recycling.

SECTION 5- 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 separate placement of recyclables for curbside collection as follows: Paper Products may be commingled in one container or may be placed in brown paper bags, however, plastic bags shall not be used for curbside collection of Paper Products; Glass, Food and Beverage Containers, Metal Food and Beverage Containers, and Plastic Bottles and Jugs may be commingled in one container. All containers and brown paper bags containing Source Separated 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 anytime after 5:00 PM. of the day immediately preceding the day of collection, but no later than 6:00 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.
- B. All receptacles or dumpsters shall be maintained in a clean and safe manner.
- C. The following materials must be Source Separated and recycled through the municipal recycling program in accordance with notices provided by the West Wildwood Department of Public Works:
 - 1) Leaves and Grass
 - 2) Christmas Trees
 - 3) Brush, Tree Branches and Tree Stumps
 - 4) White Goods
 - 5) Ferrous and Non-Ferrous Scrap
- D. The following materials must be Source Separated and recycled by the generator at authorized CMCMA recycling facilities or any NJDEP approved recycling center:
 - 1) Wood Pallets and Crates
 - 2) Propane Tanks
 - 3) Electronics
 - 4) Tires
 - 5) Antifreeze
 - 6) Batteries
 - 7) Used Motor Oil
 - 8) Kerosene / #2 Heating Oil
 - 9) Asphalt and Concrete
 - 10) Auto and Truck Bodies
 - 11) Contaminated Soil

12) Cooking Grease

13) Consumer Rechargeable NiCad and Small Sealed Lead Acid Batteries

Subsection 5.1 - Residential Dwelling Compliance Requirements

The owner of each property shall be responsible for compliance with this Ordinance. For multi-family units, including but not limited to condominium complexes and seasonal hotels/motels and guest houses, the management or owner is responsible for setting up and maintaining the recycling system, including collection of Source Separated 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 5.2 - 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 Mandatory Recyclables 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 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 5.3 - 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 3 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 Borough does not otherwise provide this service.

SECTION 6 - 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 load 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 or its authorized agent. 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 7- 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 7.1 - Compliance with Diversion Requirement

The Borough 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 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 8- ENFORCEMENT

The Borough Recycling Coordinator and the Supervisor of the Department of Public Works are hereby individually and severally empowered to enforce the provisions of this Ordinance. The enforcers of the ordinance may conduct an inspection 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 prior law enforcement actions.

SECTION 9- 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 10- RULES AND REGULATIONS

The Board of Commissioners 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 Board of Commissioners. Such rules and regulations shall be duly promulgated subsequent to publication so that the public has had notice thereof.


SECTION 11- 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 Fifty (\$50.00) Dollars and not more than Five Hundred (\$500.00) Dollars or by imprisonment for a term not to exceed ninety (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 one warning at the discretion of the enforcement designees before the issuance of any fines.

COMMISSIONERS:



Mayor Christopher J. Fox

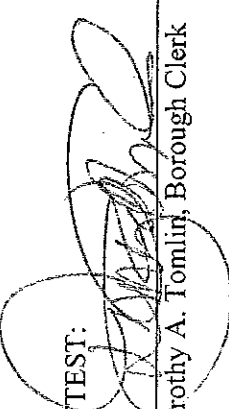


Commissioner Rita Maroldo

ABSENT

Commissioner Alan F. Christensen

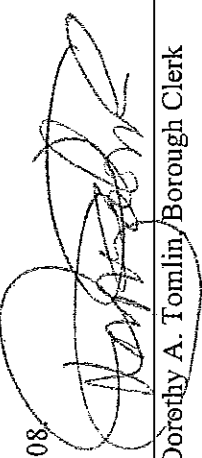
ATTEST:



Dorothy A. Tomlin, Borough Clerk

**NOTICE
ORDINANCE NO. 477**

The foregoing Ordinance was introduced and passed on the first reading at a meeting of the Board of Commissioners of the Borough of West Wildwood, New Jersey on the 7th day of December, 2007 and will be considered for final passage after public hearing at the regular meeting of said Board of Commissioners at Borough Hall, 701 W. Glenwood Avenue, West Wildwood, New Jersey on January 4, 2008.



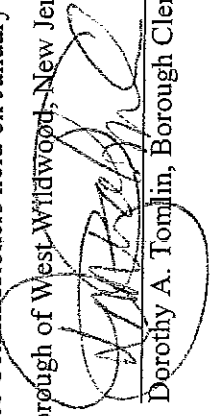
Dorothy A. Tomlin/Borough Clerk

TO BE PUBLISHED AFTER SECOND AND FINAL READING:

NOTICE
ORDINANCE NO. 477

TAKE NOTICE that the above Ordinance was introduced and passed on first reading of the Board of Commissioners of the Borough of West Wildwood, in the County of Cape May and State of New Jersey on December 7, 2007 and finally passed and adopted at a meeting of said Board of Commissioners held on January 4, 2008.

Done by order of the Board of Commissioners of the Borough of West Wildwood, New Jersey



Dorothy A. Tomlin, Borough Clerk

**BOROUGH OF WEST WILDWOOD
CAPE MAY COUNTY, NEW JERSEY
ORDINANCE NO. 478**

**AMENDING THOSE PORTIONS OF ORDINANCE No. 419, AND ANY
AMENDMENTS THERETO OF THE BOROUGH OF WEST WILDWOOD, ENTITLED,
“ENTERPRISE ZONE DEVELOPMENT CORPORATION OF THE WILDWOODS”**

WHEREAS, on June 2, 2002 Ordinance No. 419 was adopted by the Board of Commissioners of the Borough of West Wildwood; and

WHEREAS, Ordinance No. 419 authorized the Borough of West Wildwood to act as an incorporator with the Cities of Wildwood and North Wildwood and the Borough of Wildwood Crest to create a non-profit corporation known as the “Enterprise Zone Development Corporation of the Wildwoods” which non-profit corporation implemented the New Jersey Urban Enterprise Zone Act within an Urban Enterprise Zone that has been established in the Wildwoods; and

WHEREAS, it is the desire of the participating municipalities to amend a portion of their respective enabling ordinances which, in the case of the Borough of West Wildwood, is Ordinance No. 419;

NOW, THEREFORE, BE IT ORDAINED, by the Board of Commissioners of the Borough of West Wildwood, in the County of Cape May, New Jersey, the Governing Body of the Borough of West Wildwood, as follows:

Section 1. The allegations of the preamble are incorporated herein as if set forth in full.

Section 2. Those portions of Ordinance No. 419 of the Borough of West Wildwood, and any amendments thereto, shall be and they hereby are repealed and are replaced with the following:

§9 Annual financial contributions. The City of North Wildwood, the City of Wildwood, the Borough of West Wildwood and the Borough of Wildwood Crest each shall be obligated to contribute annually to the Urban Enterprise Zone total budget for “administration, salary and wages” and “other expenses” based upon the precise percentage of sales tax collected by each municipality during the preceding year; said money is to be charged against the current years Urban Enterprise Zone Administration Account balances, with any deficits to be born with each municipality based upon the percentages referenced previously in this section.

Section 3. All Ordinances or parts of Ordinances inconsistent with this Ordinance, to the extent of such inconsistencies only, shall be, and the same hereby are, repealed.

Section 4. Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason, the remaining portion of this 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.

Section 5. This Ordinance shall take effect immediately upon final passage publication as provided by law and adoption of substantially similar ordinances by the Cities of Wildwood and North Wildwood and the Borough of Wildwood Crest.

COMMISSIONERS:



Mayor Christopher J. Fox



Commissioner Rita Maroldo

BOROUGH OF WEST WILDWOOD
CAPE MAY COUNTY, NEW JERSEY

ORDINANCE NO. 479

**ORDINANCE AUTHORIZING THE SALE TO THE CITY OF WILDWOOD
OF OWNERSHIP INTEREST IN MUNICIPALLY OWNED
REAL PROPERTY NOT NEEDED FOR PUBLIC USE**

WHEREAS, the Cities of North Wildwood and Wildwood along with the Boroughs of Wildwood Crest and West Wildwood jointly own real estate that is shown on the City of Wildwood Tax Map as Lots 14.02, 15.02, 29.01, 29.02, 30.01 and 30.02 in Block 136 which is commonly known as 4004 Pacific Avenue, Wildwood, New Jersey; and

WHEREAS, the ownership interests of the four (4) municipalities in the aforementioned property are as follows: Wildwood = thirty-six (36%) percent, North Wildwood = thirty-six (36%) percent, Wildwood Crest = twenty-one (21%) percent and West Wildwood = seven (7%) percent; and

WHEREAS, the Borough of West Wildwood is no longer in need of its ownership interest in the subject property for public use and the City of Wildwood has expressed interest in acquiring West Wildwood's ownership interest; and

WHEREAS, the Local Lands and Buildings Law, specifically, N.J.S.A. 40A:12-13, authorized municipalities to sell municipally owned real property, or interests therein, at private sale, when authorized by Ordinance, to a political subdivision of the State of New Jersey; and

WHEREAS, the City of Wildwood is a political subdivision of the State of New Jersey; and

WHEREAS, fair consideration for West Wildwood's interest in the subject property is deemed to be not less than Thirteen Thousand Three Hundred (\$13,300.00) Dollars.

NOW, THEREFORE, BE IT ORDAINED, by the Board of Commissioners of the Borough of West Wildwood, in the County of Cape May, New Jersey, the Governing Body of the Borough of West Wildwood, as follows:

Section 1. The allegations of the preamble are incorporated herein as if set forth in full.

Section 2. The Mayor and Borough Clerk shall be, and hereby are, authorized to execute an Agreement of Sale under the terms of which the Borough of West Wildwood shall sell its seven (7%) percent ownership interest in the real property that is shown on the Tax Map of the City of Wildwood as Lots 14.02, 15.02, 29.01, 29.02, 30.01 and 30.02 in Block 136 and which is commonly known as 4004 Pacific Avenue, Wildwood, New Jersey to the City of Wildwood for a sum or not less than Thirteen Thousand Three Hundred (\$13,300.00) Dollars.

Section 3. The Borough Solicitor, Chief Financial Officer, Borough Clerk and/or such other municipal officials as are necessary and proper shall be, and hereby are, authorized to prepare such documents as are necessary to effectuate the purpose and intent of this Ordinance.

Section 4. All Ordinances or parts of Ordinances inconsistent with this Ordinance, to the extent of such inconsistencies only, shall be, and the same hereby are, repealed.

Section 5. Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason, the remaining portion of this 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.

Section 6. This Ordinance shall take effect immediately upon final passage and publication as provided by law.

COMMISSIONERS:

**BOROUGH OF WEST WILDWOOD
CAPE MAY COUNTY, NEW JERSEY
ORDINANCE NO. 481**

**"ORDINANCE AUTHORIZING THE BOROUGH OF WEST
WILDWOOD TO EXCEED THE MUNICIPAL BUDGET
APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK"**

WHEREAS, the Local Government Cap Law, *N.J.S.A. 40A:4-45.1 et seq.* provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to two and one-half (2.5%) percent unless authorized by ordinance to increase it to three and one-half (3.5%) percent over the previous year's final appropriations, subject certain exceptions; and

WHEREAS, *N.J.S.A. 40A:4-45.15a* provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the three and one-half (3.5%) percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

WHEREAS, the Board of Commissioners of the Borough of West Wildwood in the County of Cape May finds it advisable and necessary to increase the CY 2008 budget by up to three and one-half (3.5%) percent over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens of the Borough of West Wildwood; and

WHEREAS, the Board of Commissions of the Borough of West Wildwood hereby determines that a three and one-half (3.5%) percent increase in the budget for said year, amounting to Thirteen Thousand Six Hundred Forty-four (\$13,644.00) Dollars in excess of the increase in final appropriations otherwise permitted by Local Government Cap Law, is advisable and necessary.

WHEREAS, the Board of Commissions of the Borough of West Wildwood hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW, THEREFORE, BE IT ORDAINED, by the Board of Commissioners of the Borough of West Wildwood, in the County of Cape May, New Jersey, the Governing Body of the Borough of West Wildwood, as follows:

Section 1. The allegations of the preamble are incorporated herein as if set forth in full.

Section 2. In the CY 2008 budget year, the final appropriations of the Borough of West Wildwood shall, in accordance with this Ordinance and *N.J.S.A. 40A:4-45.14*, be increased by three and one-half (3.5%) percent, amounting to Forty-seven Thousand Seven Hundred Fifty-three (\$47,753.00) Dollars, and that the CY 2008 municipal budget for the Borough of West Wildwood be approved and adopted in accordance with this Ordinance.

Section 3. A certified copy of this Ordinance as introduced shall be filed with the Director of the Division of Local Government Services within five (5) days of introduction.

Section 4. A certified copy of this Ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within five (5) days after such adoption.

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

ORDINANCE NO. 482

**“BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO BAY AVENUE
AND OTHER STREETS IN AND BY THE BOROUGH OF WEST WILDWOOD,
IN THE COUNTY OF CAPE MAY, NEW JERSEY, APPROPRIATING ONE
HUNDRED SIXTY THOUSAND (\$160,000.00) DOLLARS THEREFOR AND
AUTHORIZING THE ISSUANCE OF ONE HUNDRED SIXTY THOUSAND
(\$160,000.00) DOLLARS IN BONDS OR NOTES OF THE BOROUGH TO
FINANCE PART OF THE COST THEREOF”**

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

Section 1. The improvement described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the Borough of West Wildwood, New Jersey (the “Borough”) as a general improvement. For the improvement or purpose described in Section 3, there is hereby appropriated the sum of One Hundred Sixty Thousand (\$160,000.00) Dollars. In addition to the amount appropriated herein for the cost of the improvement or purpose described in Section 3, the Borough will receive a State of New Jersey Department of Transportation Grant in the amount of One Hundred Forty Thousand (\$140,000.00) Dollars (the “State Grant”), for a total project cost of Three Hundred Thousand (\$300,000.00) Dollars. Pursuant to N.J.S.A. 40A:2-11(c), no down payment is provided for the cost of the improvement since the project described in Section 3(a) hereof is being partially funded by the State Grant.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the State Grant referred to in Section 1 hereof, negotiable bonds are hereby authorized to be issued in the principal amount of One Hundred Sixty Thousand (\$160,000.00) Dollars pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is improvements to Bay Avenue and other streets within the Borough, including all work and materials necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor together with the amount of the State Grant.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its

date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. It is an improvement or purpose that the Borough may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this ordinance, is ten (10) years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by One Hundred Sixty Thousand (\$160,000.00) Dollars, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding One Hundred Thousand (\$100,000.00) Dollars for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

Section 7. Any grant moneys received for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 8. The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.


Section 9. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 10. All Ordinances or parts of Ordinances inconsistent with this Ordinance, to the extent of such inconsistencies only, shall be, and the same hereby are, repealed.


Section 11. Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason, the remaining portion of this 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.

Section 12. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

COMMISSIONERS:



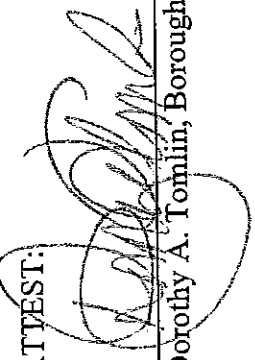
Mayor Christopher J. Fox



Commissioner Rita Maroldo

Commissioner Alan F. Christensen

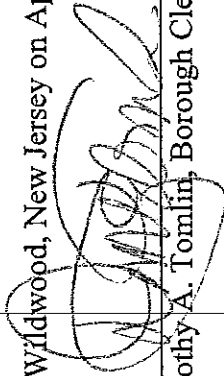
ATTEST:



Dorothy A. Tomlin, Borough Clerk

**NOTICE
ORDINANCE NO. 482**

The foregoing Ordinance was introduced and passed on the first reading at a meeting of the Board of Commissioners of the Borough of West Wildwood, New Jersey on the 12th day of March, 2008 and will be considered for final passage after public hearing at the meeting of said Board of Commissioners at Borough Hall, 701 W. Glenwood Avenue, West Wildwood, New Jersey on April 2, 2008.



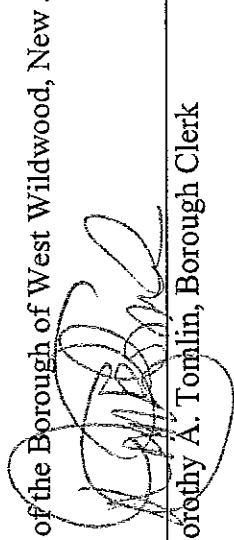
Dorothy A. Tomlin, Borough Clerk

TO BE PUBLISHED AFTER SECOND AND FINAL READING:

**NOTICE
ORDINANCE NO. 482**

TAKE NOTICE that the above Ordinance was introduced and passed on first reading of the Board of Commissioners of the Borough of West Wildwood, in the County of Cape May and State of New Jersey on March 12, 2008 and finally passed and adopted at a meeting of said Board of Commissioners held on April 2, 2008.

Done by order of the Board of Commissioners of the Borough of West Wildwood, New Jersey



Dorothy A. Tomlin, Borough Clerk

**BOROUGH OF WEST WILDWOOD
CAPE MAY COUNTY, NEW JERSEY
ORDINANCE NO. 483**

**"ORDINANCE REGULATING THE CONSTRUCTION AND
ERECTION OF SWIMMING POOLS, FENCES AND CONCRETE
IN THE BOROUGH OF WEST WILDWOOD"**

WHEREAS, in order to protect and foster public health, safety and welfare it has been determined by the Board of Commissioners of the Borough of West Wildwood that it is necessary to regulate the construction and erection of swimming pools, fences and concrete work in the Borough of West Wildwood.

NOW, THEREFORE, BE IT ORDAINED, by the Board of Commissioners of the Borough of West Wildwood, in the County of Cape May, New Jersey, the Governing Body of the Borough of West Wildwood, as follows:

Section 1. The allegations of the preamble are incorporated herein as if set forth in full.

Section 2. Definitions

- a. The term "Concrete", for purposes of this Ordinance, shall mean any type of hard masonry surface installed for parking, sidewalks, curbing, fencing, patios and/or other similar purposes.
- b. The term "Concrete Work", for purposes of this Ordinance, shall mean the installation of Concrete.
- c. The term "Fence", for purposes of this Ordinance, shall mean a structure erected as a solid or partially open vertical enclosure or barrier to access to or from a part or whole of a property.
- d. The term "Private Swimming Pool", for purposes of this Ordinance, shall mean a pool, other than a Wading Pool, whether fixed or portable, that is located on a lot principally used for a dwelling unit by one (1) housekeeping unit, and including all buildings, structures and equipment appurtenant thereto.
- e. The term "Public Swimming Pool", for purposes of this Ordinance, shall mean any pool other than a Private Swimming Pool or a Wading Pool designed to be used collectively by persons for swimming and bathing purposes including pools designed as part of any hotel or motel use or apartment or townhouse development, and including all buildings, structures and equipment appurtenant thereto.
- f. The term "Wading Pool", for purposes of this Ordinance, is defined as a pool that is not permanently installed and meets all of the following criteria: (i) does not require water filtration or circulation; (ii) does not exceed fifteen (15") inches in depth; (iii) has a capacity of three hundred (300) gallons or less; and (iv) does not require braces or supports.

Section 2. Permit Required

No person shall erect, install or construct a Public Swimming Pool or Private Swimming Pool, a fence, or concrete without having first obtained a Permit to do so from the Borough Zoning Officer. All work must be completed in accordance with the terms and conditions of the Permit and all work is subject to the inspection by, and approval of, the Borough Zoning Officer.

Section 3. Application Contents

The application for a Permit shall contain the following information:

- a. The name, permanent mailing address and telephone number of the applicant.

- b. The name, permanent mailing address and telephone number of the owner of the property where the work is to be performed.
- c. The address of the property where the work is to be performed.
- d. The name, address and telephone number of the contractor performing the work.
- e. A survey of the property where the work is to be performed.
- f. A drawing, sketch and/or diagram, accurately dimensioned, depicting the work to be performed.

Section 4. Application Fee

An application for the Permit required under this Ordinance shall be made to the Borough Zoning Officer on forms provided by the Borough Zoning Officer. The fee for such Permit shall be Twenty-five (\$25.00) Dollars, which fee is subject to change by Resolutions that may, from time to time, be adopted by the governing body of the Borough of West Wildwood.

Section 5. Duration of Permit

A Permit lawfully issued hereunder shall be valid and effective for a period of one (1) year after the date of issuance.

Section 6. Penalty for Violations

Any person or association of persons convicted of a violation of this Ordinance shall, upon conviction thereof, be subject to a fine of not less than One Hundred (\$100.00) Dollars or more than One Thousand (\$1,000.00) Dollars and/or imprisonment in the County Jail for up to thirty (30) days for each offense. Each day that a violation continues after service of official notice of such violation shall be considered a separate offense subject to separate additional penalties.

Section 7. Repealer


Any and all ordinances or parts of ordinances inconsistent with this ordinance shall be, and the same are, hereby repealed.

Section 8. Survival


In the event that any section or part of this Ordinance is declared invalid or unconstitutional, the remainder of this ordinance shall not be rendered invalid as a result thereof, since each part of section is deemed to be severable.


Section 9. Effective Date of Ordinance

This Ordinance shall take effect immediately upon final passage and publication according to law.

ATTEST:

 Dorothy A. Tomlin, Borough Clerk

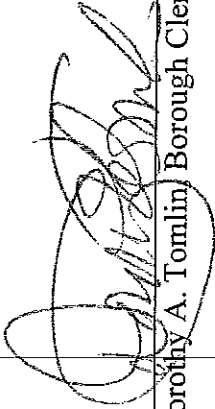
COMMISSIONERS:


 Mayor Christopher J. Fox


 Commissioner Rita Maroldo

NOTICE
ORDINANCE NO. 483

The foregoing Ordinance was introduced and passed on the first reading at a meeting of the Board of Commissioners of the Borough of West Wildwood, New Jersey on the 2nd day of April, 2008 and will be considered for final passage after public hearing at the meeting of said Board of Commissioners at Borough Hall, 701 W. Glenwood Avenue, West Wildwood, New Jersey on May 2, 2008.



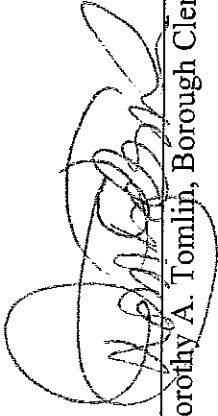
Dorothy A. Tomlin, Borough Clerk

TO BE PUBLISHED AFTER SECOND AND FINAL READING:

**NOTICE
ORDINANCE NO. 483**

TAKE NOTICE that the above Ordinance was introduced and passed on first reading of the Board of Commissioners of the Borough of West Wildwood, in the County of Cape May and State of New Jersey on April 2, 2008 and finally passed and adopted at a meeting of said Board of Commissioners held on May 2, 2008.

Done by order of the Board of Commissioners of the Borough of West Wildwood, New Jersey



Dorothy A. Tomlin, Borough Clerk

**BOROUGH OF WEST WILDWOOD
CAPE MAY COUNTY, NEW JERSEY
ORDINANCE NO. 480**

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

WHEREAS, N.J.S.A. 40:55D-26 of the Municipal Land Use Law requires proposed changes to the local zoning ordinance to be reviewed by and recommended by the municipality's local planning board; and

WHEREAS, the Planning Board of the Borough of West Wildwood adopted Resolution No. 2006-15 which resolution recommended changes to Article IV Section 1-28 I. and Article V Section 1-32 H. of the Land Development Ordinance of the Borough of West Wildwood with respect to the number of habitable stories allowable in the R-1 and TC Zoning Districts; and

WHEREAS, the Planning Board has recommended the proposed zone changes in order to maintain proper zoning and planning and to promote the quality of life and public safety in the Borough of West Wildwood; and

WHEREAS, the Board of Commissioners has met to discuss the Planning Board's recommendation and has agreed that the suggested changes to the Land Development Ordinance are warranted to promote the quality of life and public safety in the Borough of West Wildwood.

NOW, THEREFORE, BE IT ORDAINED, by the Board of Commissioners of the Borough of West Wildwood, in the County of Cape May, New Jersey, the Governing Body of the Borough of West Wildwood, as follows:

Section 1. The allegations of the preamble are incorporated herein as if set forth in full.

Section 2. ARTICLE IV R-1, Residential Zone, §1-28 I. of Ordinance No. 398, as amended by Ordinance 433, shall be deleted and replaced with the following:

“I. Maximum building height shall be three (3) habitable stories and shall not exceed thirty-five (35) feet in height to the topmost point of the roof from the base flood elevation.”

Section 3. ARTICLE V TC, Town Commercial Zone, §1-32 H. of Ordinance No. 398, as amended by Ordinance 433, shall be deleted and replaced with the following:

“H. Maximum building height shall be three (3) habitable stories and shall not exceed thirty-five (35) feet in height to the topmost point of the roof from the base flood elevation.”

Section 4. All portions of Ordinance No. 398, Ordinance No. 433 and any and all other Ordinances inconsistent with this Ordinance, to the extent of such inconsistencies only, shall be, and the same hereby are, repealed.

Section 5. Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason, the remaining portion of this 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.

Section 6. This Ordinance shall take effect immediately upon final passage and publication according to law.

DISAPPROVED

ORDINANCE NO. 484 (2008)

AN ORDINANCE AMENDING ORDINANCE NO. 438 ENTITLED FIXING AND DETERMINING THE SALARIES AND COMPENSATIONS TO BE PAID TO THE ELECTIVE AND APPOINTED OFFICIALS AND EMPLOYEES OF THE BOROUGH OF WEST WILDWOOD IN THE COUNTY OF CAPE MAY, STATE OF NEW JERSEY, PROVIDING FOR THE RAISING OF THE AMOUNTS THEREOF BY TAXATION AND PROVIDING FOR THE TIME AND METHOD OF PAYMENT THEREOF TO INCLUDE THE POSITION OF SUPERINTENDENT OF PUBLIC WORKS

WHEREAS, the Borough of West Wildwood deems it in the best interest of the Borough for the health, welfare and safety of the citizens of the Borough of West Wildwood to create the position of Superintendent of Public Works; and

WHEREAS, the Board of Commissioners deem that the position of Superintendent shall be compensated by way of a salary and compensations; and

NOW THEREFORE BE IT ORDAINED by the Board of Commissioners of the Borough of West Wildwood, County of Cape May and State of New Jersey, the Governing Body of the Borough of West Wildwood as follows:

Section. 1. The position of Superintendent of Public Works shall be created effective immediately. Said position shall be compensated by way of a minimum salary \$25,000.00 per year to a maximum salary of \$30,000.00 per year.

Section 2. **REPEALER** Any and all ordinances or parts of ordinances inconsistent shall be, and the same are hereby repealed.

Section 3. **Survival**. In the event that any section or part of this Ordinance is declared invalid or unconstitutional, the remainder of this Ordinance shall not be rendered invalid as a result thereof, since each part of section is deemed to be serviceable.

BOROUGH OF WEST WILDWOOD
CAPE MAY COUNTY, NEW JERSEY

ORDINANCE NO. 485 (2008)

AN ORDINANCE AMENDING ORDINANCE NO. 460, ENTITLED " AN ORDINANCE REPLACING ORDINANCE NO. 125, ORDINANCE NO. 294 AND 437 RESPECTING THE ESTABLISHMENT OF THE WEST WILDWOOD POLICE DEPARTMENT", TO CREATE THE POSITION OF THE DIRECTOR OF PUBLIC SAFETY.

WHEREAS, the Board of Commissioners of the Borough of West Wildwood established the West Wildwood Police Department in Ordinance No. 125; and

WHEREAS, Ordinance No. 125 was subsequently amended by Ordinance No. 294 and then repealed by Ordinance No. 437; and

WHEREAS, Ordinance No. 460 was subsequently created to repeal and replace all previous Ordinances; and

WHEREAS, the Board of Commissioners of the Borough of West Wildwood seek to create the position of the Director of Public Safety, in the interest of public health, safety and welfare of the citizens of the Borough of West Wildwood pursuant to N.J.S.A. 40A:14-118.

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

Section 1. **CREATION OF THE DIRECTOR OF PUBLIC SAFETY.** There shall be a Director of Public Safety who shall supervise the work of the Department of Police and its subdivisions. The Director shall, subject to the approval of the Board of Commissioners, make rules and regulations for the various divisions assigned to the Department. The Director shall be the Municipal Authority hereby designated to oversee the Police Department and perform those functions designated in N.J.S.A. 40A:14-118. The Director shall be responsible for adopting rules and regulations governing the conduct of the Police Department and its members and its discipline of such members. Moreover, the Director shall be the "Appropriate Authority" to conduct investigations of the police force, and shall have the power to examine the operations of the police force and the performance of any law officer therein. The Director shall have the power to issue special directives concerning the police function in emergency situations.

Section 2. **DIRECTOR'S DUTIES.** The Director shall serve at the pleasure of the Commissioner of Public Safety and be responsible to the governing body for the overall

performance of the Police Department. The Director shall report to the Commissioner of Public Safety in such form as the Commissioner of Public Safety shall prescribe. Such reports may include, but are not limited to, the operation of the Police Department, recommendations and suggestions for administrative improvement, and hearings and reports on personnel matters. The Director of Public Safety shall also assume any and all responsibilities delegated to the Director by the Commissioner of Public Safety.

The Director of Public Safety shall be the Administrative Head of the Department of Public Safety. In the event that the Chief of Police is not available to run the day-to-day operations due to incapacity, retirement, illness, death or any other reason, the Director of Public Safety shall be responsible for the efficiency, day-to-day operations, and all other administrative functions of the Police Department. Nothing herein shall be construed as, or have the affect of, providing law enforcement authority to a civilian Director of Public Safety.

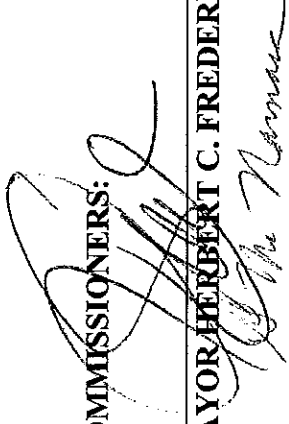
Section 3. **REPEALER** Any and all ordinances or parts of ordinances inconsistent shall be, and the same are hereby repealed.

Section 4. **SURVIVAL**. In the event that any section or part of this Ordinance is ~~declared invalid or unconstitutional, the remainder of this Ordinance shall not be rendered~~

invalid as a result thereof, since each part of section is deemed to be severable.

Section 5. **EFFECTIVE DATE OF ORDINANCE**. This Ordinance shall take effect immediately upon final passage and publication according to law.

COMMISSIONERS:

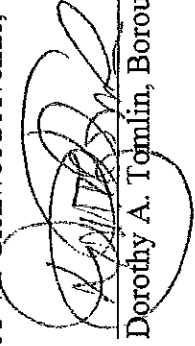


MAYOR HERBERT C. FREDERICK

COMMISSIONER GERARD P. MCNAMARA

COMMISSIONER SCOTT GOLDEN

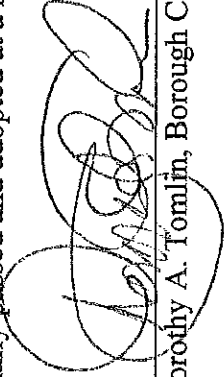
The foregoing Ordinance was introduced and passed on the first reading at a meeting of the Board of Commissioners of the Borough of West Wildwood, New Jersey on the 3rd day of October, 2008 and will be considered for final passage after public hearing at the meeting of said Board of Commissioners at Borough Hall, 701 W. Glenwood Avenue, West Wildwood, New Jersey on November 7, 2008.



Dorothy A. Tomlin, Borough Clerk

NOTICE
ORDINANCE NO. 485

TAKE NOTICE that the above Ordinance was introduced and passed on first reading of the Board of Commissioners of the Borough of West Wildwood, in the County of Cape May and State of New Jersey on October 3, 2008 and finally passed and adopted at a meeting of the Board of Commissioners held on November 7, 2008.



Dorothy A. Tomlin, Borough Clerk

BOROUGH OF WEST WILDWOOD
CAPE MAY COUNTY, NEW JERSEY

ORDINANCE NO. 486 (2008)

AN ORDINANCE REPLACING ORDINANCE NO. 438 FIXING AND DETERMINING THE SALARIES AND COMPENSATION TO BE PAID TO THE ELECTIVE AND APPOINTED OFFICIALS AND EMPLOYEES OF THE BOROUGH OF WEST WILDWOOD IN THE COUNTY OF CAPE MAY, STATE OF NEW JERSEY, PROVIDING FOR THE RAISING OF THE AMOUNTS THEREOF BY TAXATION AND PROVIDING FOR THE TIME AND METHOD OF PAYMENT THEREOF.

BE IT ORDAINED, by the Board of Commissioners of the Borough of West Wildwood, in the County of Cape May, New Jersey, the Governing Body of the Borough of West Wildwood, as follows:

Section 1. The salaries and compensation to be paid to the elective officers and appointive officers and employees of the Borough of West Wildwood, in the County of Cape May and State of New Jersey, shall be within the ranges specified herein; said salary or compensation shall be paid no more frequently than bi-monthly and shall be paid by check, signed by the Mayor, Commissioner of Revenue and Finance and Borough Clerk.

Section 2. All fees to any of said officers for services required by him or her by Ordinance or Resolution of the governing body shall, within the calendar month of the receipt by him or her, be paid into the Borough Treasury by each officer for the use of the Borough, provided however, that this section shall not apply to officers herein mentioned who are paid their compensation in fees.

Section 3. The following designated elective and appointive officials and employees of the Borough of West Wildwood from and after the adoption thereof, shall be paid an annual salary in full compensation for all services rendered as follows:

TITLE	MINIMUM	MAXIMUM
Administrative Assistant (hourly rate)	\$ 10.10	\$ 15.00
Borough Clerk	\$28,000.00	\$60,000.00
Deputy Borough Clerk	\$26,000.00	\$58,000.00
Clerk Typist (hourly rate)	\$ 10.10	\$ 15.00
Chief Financial Officer	\$ 7,500.00	\$27,000.00
Code Enforcement Officer/Licensing Inspector	\$ 1,000.00	\$ 6,000.00
Collector of Utility Rents	\$ 5,000.00	\$46,000.00

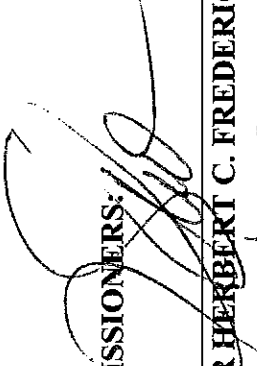
Commissioner	\$ 6,000.00	\$12,000.00
Computer Clerk	\$23,400.00	\$55,000.00
Court Administrator	\$ 1,500.00	\$ 7,500.00
Deputy Collector of Utility Rents	\$ 3,000.00	\$42,000.00
Deputy Court Administrator	\$ 1,000.00	\$ 5,000.00
Director of Public Safety (per diem)	\$ 200.00	\$ 300.00
Election Board members (per election)	AS REQUIRED BY STATUTE	
Emergency Management Coordinator	\$ 150.00	\$ 1,000.00
Fire Code Official	\$ 1,500.00	\$ 5,000.00
Improvement Search Officer	FEES COLLECTED	
Judge	\$ 2,500.00	\$ 7,500.00
Police Chief	\$45,000.00	\$70,000.00
Police Officer (Full Time)	\$22,500.00	\$60,000.00
Police Officer (Class II) (hourly rate)	\$ 11.00	\$ 20.00
Prosecutor	\$ 1,500.00	\$ 5,000.00
Public Defender (per case)	\$ 75.00	\$ 150.00
Public Works Supervisor	\$37,500.00	\$50,000.00
Public Works Foreman	\$32,000.00	\$45,000.00
Public Works Mechanic	\$25,000.00	\$35,000.00
Public Works Laborer	\$23,500.00	\$30,000.00
Public Works Mech./Laborer (Part Time)(hrly rate)	\$ 11.00	\$ 20.00
Public Works Superintendent (Part Time)	\$20,000.00	\$30,000.00
Public Works Custodian/Housekeeper (hourly rate)	\$ 12.00	\$ 20.00
Recycling Coordinator	\$ 500.00	\$ 3,500.00
Registrar of Vital Statistic	FEES COLLECTED	
Secretary/Land Use	\$ 500.00	\$ 5,000.00
Solicitor (excluding costs/litigation)	\$15,000.00	\$30,000.00
Tax Assessor	\$15,000.00	\$30,000.00
Tax Collector	\$ 5,000.00	\$30,000.00
Deputy Tax Collector	\$ 2,500.00	\$25,000.00
Tax Search Officer	FEES COLLECTED	
Treasurer	\$ 5,000.00	\$20,000.00
Waste Water Superintendent	\$ 500.00	\$ 5,000.00
Water Superintendent	\$ 500.00	\$ 5,000.00
Web Master (Part Time)	\$ 4,000.00	\$ 5,500.00
Zoning Official	\$ 1,500.00	\$ 6,000.00

Section 4. The Board of Commissioners of the Borough of West Wildwood are hereby directed to include in the Annual Appropriation Ordinance the sum necessary to be raised to pay said salaries and compensations, and there shall be raised in the same manner and at the same time as other taxes are levied, a tax upon all taxable property in the Borough of West Wildwood, in the County of Cape May and State of New Jersey, sufficient to produce said amounts.

Section 5. All preceding Salary Ordinances of the Borough of West Wildwood are superseded hereby and are hereby repealed.

Section 6. This Ordinance shall be known as the "Salary Ordinance" and shall remain in full force and effect unless repealed or amended according to law.

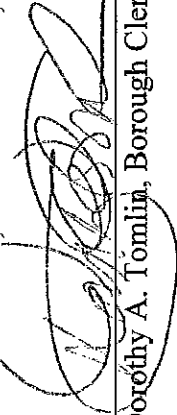
Section 7. This Ordinance shall be in effect upon its final passage and publication as provided by law.

COMMISSIONERS:

MAYOR HERBERT C. FREDERICK


COMMISSIONER GERARD P. MCNAMARA

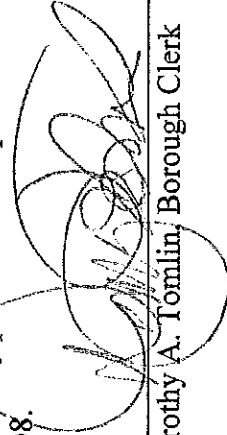
COMMISSIONER SCOTT GOLDEN

The foregoing Ordinance was introduced and passed at the special meeting of the Board of Commissioners of the Borough of West Wildwood, New Jersey on the 22nd day of September, 2008 and will be considered for final passage after public hearing at the meeting of said Board of Commissioners at Borough Hall, 701 W. Glenwood Avenue, West Wildwood, New Jersey on October 3, 2008.


Dorothy A. Tomlin, Borough Clerk

NOTICE
ORDINANCE NO. 486

TAKE NOTICE that the above Ordinance was introduced and passed on first reading of the Board of Commissioners of the Borough of West Wildwood, in the County of Cape May and State of New Jersey on September 22, 2008 and finally passed and adopted at a meeting of the Board of Commissioners held on October 3, 2008.


Dorothy A. Tomlin, Borough Clerk

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

ORDINANCE NO. 487 (2008)

**AN ORDINANCE AMENDING ORDINANCE NO. 471 ENTITLED
“ORDINANCE ESTABLISHING HANDICAP ZONES IN THE BOROUGH
OF WEST WILDWOOD” TO AMEND SECTIONS PERTAINING
TO DESIGNATION OF HANDICAPPED PARKING SPACES.**

WHEREAS, the Borough of West Wildwood deems has concerns with the flow of traffic as well as the need for additional parking in certain areas; and

WHEREAS, the Board of Commissioners deems it not only desirable, but necessary for the Borough of West Wildwood to Amend Ordinance No. 471 to reflect the Borough’s changing needs as noted;

NOW THEREFORE BE IT ORDAINED by the Board of Commissioners of the

Borough of West Wildwood, County of Cape May and State of New Jersey, the Governing Body of the Borough of West Wildwood as follows:


SECTION. 1. Section 3A entitled “Handicapped Parking” is hereby amended to add the following Sections to Schedule A:


#2 E Avenue West Wildwood, New Jersey 08260

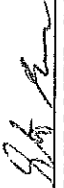
SECTION 2. Severability. If for any reason any section of this Ordinance shall be declared illegal by any Court of competent jurisdiction, the remaining section of the Ordinance shall remain in full force and effect notwithstanding.

SECTION 3. Repealer. Any and all ordinances or parts of ordinances inconsistent shall be, and the same are hereby repealed.

SECTION 4. Publication. This Ordinance shall take effect immediately upon the adoption and publication in accordance with the law.

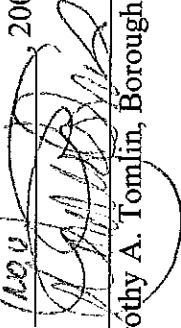
COMMISSIONERS:


MAYOR HERBERT C. FREDERICK


COMMISSIONER GERARD P. MCNAMARA


COMMISSIONER SCOTT GOLDEN

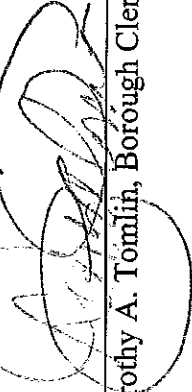
The foregoing Ordinance was introduced and passed on the first reading at a meeting of the Board of Commissioners of the Borough of West Wildwood, New Jersey on the 14th day of OCTOBER, 2008 and will be considered for final passage after public hearing at the meeting of said Board of Commissioners at Borough Hall, 701 W. Glenwood Avenue, West Wildwood, New Jersey on the 7th day of NOV, 2008.



Dorothy A. Tomlin, Borough Clerk

**NOTICE
ORDINANCE NO. 487**

TAKE NOTICE that the above Ordinance was introduced and passed on first reading of the Board of Commissioners of the Borough of West Wildwood, in the County of Cape May and State of New Jersey on OCT. 14, 2008 and finally passed and adopted at a meeting of the Board of Commissioners held on NOV. 7, 2008.



Dorothy A. Tomlin, Borough Clerk

BOROUGH OF WEST WILDWOOD
CAPE MAY COUNTY, NEW JERSEY

ORDINANCE NO. 488 (2008)

AN ORDINANCE REPEALING ORDINANCE NO. 485 (2008)
AND ORDINANCE NO. 486 (2008), TO AVOID THE COST AND STRAIN
ON LIMITED RESOURCES OF A SPECIAL ELECTION REGARDING THE
DIRECTOR OF PUBLIC SAFETY.

WHEREAS, the Board of Commissioners of the Borough of West Wildwood, County of Cape May created the temporary position of Director of Public Safety in Ordinance No. 485 (2008); and

WHEREAS, Ordinance No. 486 (2008) included an acknowledged the position of Director of Public Safety was to be paid on a per diem basis; and

WHEREAS, a petition was formed in the Borough of West Wildwood to request a vote on whether the Director of Public Safety position should exist; and

WHEREAS, the Borough recognizes that the potential vote will cause a substantial cost to be incurred by the Borough in both effectuating a vote by the public and holding a special election challenging the ballot question regarding the Director of Public Safety; and

WHEREAS, the Borough seeks to avoid these expenses and costs despite the Borough's desire for a Director of Public Safety; and

WHEREAS, the Board of Commissioners deems this Ordinance to be in the interest of the public health, safety and general welfare.

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

Section 1. Ordinance No. 485 (2008 and Ordinance No. 486 (2008) shall be repealed in their entirety due to the Borough's desire to avoid costs of special election and undue expenses that will likely occur as a result of petition to challenge the position of temporary Director of Public Safety.

Section 2. **REPEALER** Any and all ordinances or parts of ordinances inconsistent shall be, and the same are hereby repealed.

BOROUGH OF WEST WILDWOOD
CAPE MAY COUNTY, NEW JERSEY

ORDINANCE NO. 489 (2008)

AN ORDINANCE REPLACING ORDINANCE NO. 438 FIXING AND DETERMINING THE SALARIES AND COMPENSATION TO BE PAID TO THE ELECTIVE AND APPOINTED OFFICIALS AND EMPLOYEES OF THE BOROUGH OF WEST WILDWOOD IN THE COUNTY OF CAPE MAY, STATE OF NEW JERSEY, PROVIDING FOR THE RAISING OF THE AMOUNTS THEREOF BY TAXATION AND PROVIDING FOR THE TIME AND METHOD OF PAYMENT THEREOF.

BE IT ORDAINED, by the Board of Commissioners of the Borough of West Wildwood, in the County of Cape May, New Jersey, the Governing Body of the Borough of West Wildwood, as follows:

Section 1. The salaries and compensation to be paid to the elective officers and appointive officers and employees of the Borough of West Wildwood, in the County of Cape May and State of New Jersey, shall be within the ranges specified herein; said salary or compensation shall be paid no more frequently than bi-monthly and shall be paid by check, signed by the Mayor, Commissioner of Revenue and Finance and Borough Clerk.

Section 2. All fees to any of said officers for services required by him or her by Ordinance or Resolution of the governing body shall, within the calendar month of the receipt by him or her, be paid into the Borough Treasury by each officer for the use of the Borough, provided however, that this section shall not apply to officers herein mentioned who are paid their compensation in fees.

Section 3. The following designated elective and appointive officials and employees of the Borough of West Wildwood from and after the adoption thereof, shall be paid an annual salary in full compensation for all services rendered as follows:

TITLE	MINIMUM	MAXIMUM
Administrative Assistant (hourly rate)	\$ 10.10	\$ 15.00
Borough Clerk	\$28,000.00	\$60,000.00
Deputy Borough Clerk	\$26,000.00	\$58,000.00
Clerk Typist (hourly rate)	\$ 10.10	\$ 15.00
Chief Financial Officer	\$ 7,500.00	\$27,000.00
Code Enforcement Officer/Licensing Inspector	\$ 1,000.00	\$ 6,000.00
Collector of Utility Rents	\$ 5,000.00	\$46,000.00


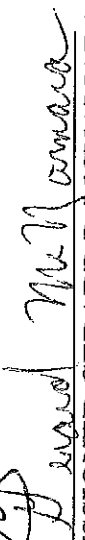
Commissioner	\$ 6,000.00	\$ 12,000.00
Computer Clerk	\$23,400.00	\$55,000.00
Court Administrator	\$ 1,500.00	\$ 7,500.00
Deputy Collector of Utility Rents	\$ 3,000.00	\$42,000.00
Deputy Court Administrator	\$ 1,000.00	\$ 5,000.00
Election Board members (per election)	AS REQUIRED BY STATUTE	
Emergency Management Coordinator	\$ 150.00	\$ 1,000.00
Fire Code Official	\$ 1,500.00	\$ 5,000.00
Improvement Search Officer	FEEES COLLECTED	
Judge	\$ 2,500.00	\$ 7,500.00
Police Chief	\$45,000.00	\$70,000.00
Police Officer (Full Time)	\$22,500.00	\$60,000.00
Police Officer (Class II) (hourly rate)	\$ 11.00	\$ 20.00
Prosecutor	\$ 1,500.00	\$ 5,000.00
Public Defender (per case)	\$ 75.00	\$ 150.00
Public Works Supervisor	\$37,500.00	\$50,000.00
Public Works Foreman	\$32,000.00	\$45,000.00
Public Works Mechanic	\$25,000.00	\$35,000.00
Public Works Laborer	\$23,500.00	\$30,000.00
Public Works Mech./Laborer (Part Time)(hrly rate)	\$ 11.00	\$ 20.00
Public Works Custodian/Housekeeper (hourly rate)	\$ 12.00	\$ 20.00
Recycling Coordinator	\$ 500.00	\$ 3,500.00
Registrar of Vital Statistic	FEEES COLLECTED	
Secretary/Land Use	\$ 500.00	\$ 5,000.00
Solicitor (excluding costs/litigation)	\$15,000.00	\$30,000.00
Tax Assessor	\$15,000.00	\$30,000.00
Tax Collector	\$ 5,000.00	\$30,000.00
Deputy Tax Collector	\$ 2,500.00	\$25,000.00
Tax Search Officer	FEEES COLLECTED	
Treasurer	\$ 5,000.00	\$20,000.00
Waste Water Superintendent	\$ 500.00	\$ 5,000.00
Water Superintendent	\$ 500.00	\$ 5,000.00
Web Master (Part Time)	\$ 4,000.00	\$ 5,500.00
Zoning Official	\$ 1,500.00	\$ 6,000.00

Section 4. The Board of Commissioners of the Borough of West Wildwood are hereby directed to include in the Annual Appropriation Ordinance the sum necessary to be raised to pay said salaries and compensations, and there shall be raised in the same manner and at the same time as other taxes are levied, a tax upon all taxable property in the Borough of West Wildwood, in the County of Cape May and State of New Jersey, sufficient to produce said amounts.


Section 5. All preceding Salary Ordinances of the Borough of West Wildwood are superseded hereby and are hereby repealed.

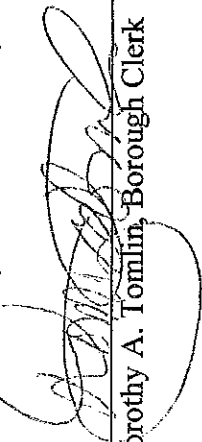
Section 6. This Ordinance shall be known as the "Salary Ordinance" and shall remain in full force and effect unless repealed or amended according to law.

Section 7. This Ordinance shall be in effect upon its final passage and publication as provided by law.


COMMISSIONERS:

MAYOR HERBERT C. FREDERICK

COMMISSIONER GERARD P. MCNAMARA

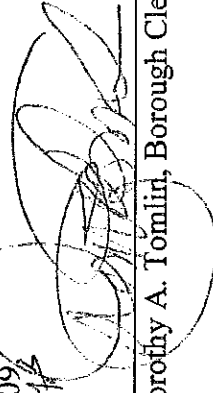
COMMISSIONER SCOTT GOLDEN

The foregoing Ordinance was introduced and passed at the special meeting of the Board of Commissioners of the Borough of West Wildwood, New Jersey on the 5th day of December, 2008 and will be considered for final passage after public hearing at the meeting of said Board of Commissioners at Borough Hall, 701 W. Glenwood Avenue, West Wildwood, New Jersey on January 2nd 2009 


Dorothy A. Tomlin, Borough Clerk

NOTICE
ORDINANCE NO. 489

TAKE NOTICE that the above Ordinance was introduced and passed on first reading of the Board of Commissioners of the Borough of West Wildwood, in the County of Cape May and State of New Jersey on December 5, 2008 and finally passed and adopted at a meeting of the Board of Commissioners held on January 2nd 2009 


Dorothy A. Tomlin, Borough Clerk

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

ORDINANCE NO. 490 (2009)

**AN ORDINANCE AMENDING ORDINANCE NO. 471 ENTITLED
“ORDINANCE ESTABLISHING HANDICAP ZONES IN THE BOROUGH
OF WEST WILDWOOD” TO AMEND SECTIONS PERTAINING
TO DESIGNATION OF HANDICAPPED PARKING SPACES.**

WHEREAS, the Borough of West Wildwood has concerns with the flow of traffic as well as the need for additional parking in certain areas; and

WHEREAS, the Board of Commissioners deems it not only desirable, but necessary for the Borough of West Wildwood to Amend Ordinance No. 471 to reflect the Borough’s changing needs as noted;

NOW THEREFORE BE IT ORDAINED by the Board of Commissioners of the Borough of West Wildwood, County of Cape May and State of New Jersey, the Governing Body of the Borough of West Wildwood as follows:

SECTION. 1. Section 3A entitled “Handicapped Parking” is hereby amended to add the following Sections to Schedule A:

737 West Glenwood Avenue, West Wildwood, New Jersey 08260

SECTION 2. Severability. If for any reason any section of this Ordinance shall be declared illegal by any Court of competent jurisdiction, the remaining section of the Ordinance shall remain in full force and effect notwithstanding.

SECTION 3. Repealer. Any and all ordinances or parts of ordinances inconsistent shall be, and the same are hereby repealed.

BOROUGH OF WEST WILDWOOD
CAPE MAY COUNTY, NEW JERSEY

ORDINANCE NO. 491 (2009)

AN ORDINANCE AMENDING ORDINANCE NO. 465 AND FURTHER
AMENDING ORDINANCE NO. 392 AND ORDINANCE NO. 390
PERTAINING TO THE RATES FOR SEWER SERVICE.

WHEREAS, Ordinance No. 392 adopted by the Board of Commissioners of the Borough of West Wildwood on August 6, 1999 sets forth rates to be charges for sewer service provided by the Wildwood Sewer Department; and

WHEREAS, it has been determined by the Board of Commissioners of the Borough of West Wildwood that certain changes are required in the sewer rates.

NOW, THEREFORE, BE IT ORDAINED, by the Board of Commissioners of the Borough of West Wildwood, in the County of Cape May, New Jersey, the Governing Body of the Borough of West Wildwood, as follows:

Section 1. The allegations of the preamble are incorporated herein as if set forth in full.

Section 2. The sewer rates for the Borough of West Wildwood are hereby amended to reflect the amounts as follows:

5/8" Meter	\$450.00 per year
3/4" Meter	\$675.00 per year
Marinas	\$675.00 per year
Bars/Restaurants and other food-sit down service	\$900.00 per year

New rates to be applied, pro rated quarterly beginning April 1, 2009.

Section 3. All portions of Ordinance No. 392, and any and all other Ordinances inconsistent with this Ordinance, to the extent of such inconsistencies only, shall be, and the same hereby are, repealed.

Section 4. Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason, the remaining portion of this 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.

BOROUGH OF WEST WILDWOOD
CAPE MAY COUNTY, NEW JERSEY

ORDINANCE NO. 492 (2009)

AN ORDINANCE AUTHORIZING THE BOROUGH OF WEST WILDWOOD TO ENTER INTO A SHARED SERVICES AGREEMENT BETWEEN THE BOROUGH OF WEST WILDWOOD AND THE CITY OF WILDWOOD PURSUANT TO THE PROVISIONS OF N.J.S.A. 40A:65-1 ET SEQ. KNOWN AS THE UNIFORM SHARED SERVICES AND CONSOLIDATION ACT.

WHEREAS, the Borough of West Wildwood is desirous to enter into a Shared Services Agreement between the Borough of West Wildwood and the City of Wildwood for shared water services for respective residents and visitors of the Borough of West Wildwood; and

WHEREAS, the City of Wildwood owns and operates a Water Utility which is capable of operating the West Wildwood Water System; and

WHEREAS, the Borough has the need to utilize such services available by the City of Wildwood for the aforesaid period of time; and

WHEREAS, the Borough of West Wildwood has determined through its governing body that the exchange of such services is fair and equitable, shall serve to save the Borough of West Wildwood substantial sums of money and serve the best interest and health and welfare for each of its residents and visitors; and

NOW, THEREFORE, BE IT ORDAINED, by the Board of Commissioners of the Borough of West Wildwood, in the County of Cape May, New Jersey, the Governing Body of the Borough of West Wildwood, as follows:

Section 1. The allegations of the preamble are incorporated herein as if set forth in full.

Section 2. The Mayor and City Clerk in their respective official capacities are hereby authorized and directed to execute a Shared Services Agreement between the Borough of West Wildwood and the City of Wildwood for shared water services.

Section 3. REPEALER Any and all ordinances or parts of ordinances inconsistent shall be, and the same are hereby repealed.

Section 4. SURVIVAL. In the event that any section or part of this Ordinance is declared invalid or unconstitutional, the remainder of this Ordinance shall not be rendered invalid as a result thereof, since each part of section is deemed to be severable.

Section 5. **EFFECTIVE DATE OF ORDINANCE.** This Ordinance shall take effect immediately upon final passage and publication according to law.

COMMISSIONERS:



MAYOR HERBERT C. FREDERICK

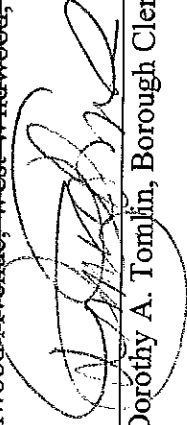
 (yes)

COMMISSIONER GERARD P. MCNAMARA

(no)

COMMISSIONER SCOTT GOLDEN

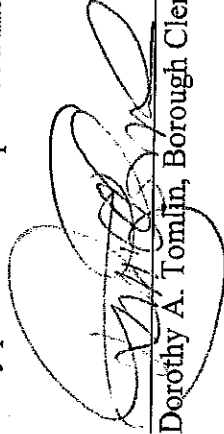
The foregoing Ordinance was introduced and passed at the special meeting of the Board of Commissioners of the Borough of West Wildwood, New Jersey on the 18th day of March, 2009 and will be considered for final passage after public hearing at the meeting of said Board of Commissioners at Borough Hall, 701 W. Glenwood Avenue, West Wildwood, New Jersey on April 3, 2009.



Dorothy A. Tomlin, Borough Clerk

**NOTICE
ORDINANCE NO. 492**

TAKE NOTICE that the above Ordinance was introduced and passed on first reading of the Board of Commissioners of the Borough of West Wildwood, in the County of Cape May and State of New Jersey on March 18, 2009 and finally passed and adopted at a meeting of the Board of Commissioners held on April 3, 2009.



Dorothy A. Tomlin, Borough Clerk

**SHARED SERVICES AGREEMENT BETWEEN
THE BOROUGH OF WEST WILDWOOD AND CITY OF WILDWOOD
PURSUANT TO THE PROVISIONS OF N.J.S.A. 40A:65-1 ET SEQ.
KNOWN AS THE UNIFORM SHARED SERVICES ACT AND
CONSOLIDATION ACT**

THIS AGREEMENT dated this 1ST day of April, 2009 by and between Borough of West Wildwood, a Municipal Corporation of the State of New Jersey and the City of Wildwood, a Municipal Corporation of the State of New Jersey.

WITNESSETH:

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

WHEREAS, the City of Wildwood owns and operates a Water Utility which is capable of operating the West Wildwood Water System; and

WHEREAS, the Borough of West Wildwood desires the services described below for their respective residents and visitors; and

WHEREAS, each respective municipality has determined through it’s governing body that the exchange of money and services is fair and equitable, and shall serve to save respective municipality substantial sums of money and serve the best interests and for the exchange of mutual covenants and conditions and such other consideration as set forth in this agreement and as authorized by the provisions of N.J.S.A. 40A:65-1 et seq. the parties agree as follows:

- A. This agreement shall commence on April 15, 2009 and shall terminate on April 14, 2010; however, the agreement shall automatically renew for another one year period unless one of the parties objects to such renewal, in writing, at least ninety (90) calendar days prior to the expiration of the term. This agreement shall be automatically renewed in this fashion for up

to four (4) additional one-year terms, to wit: April 14, 2010, April 14, 2011, April 14, 2012 and April 14, 2013 absent a written objection to such renewal by one of the parties. Such objection must be served in writing to the Municipal Clerk of both municipalities.

- B. The Wildwood Water Utility will operate the West Wildwood water system in accordance with the New Jersey Board of Public Utilities Rules and Regulations for Service (Title 14) and all Regulations of the New Jersey Department of Environmental Protection (N.J.A.C. 7:10).
- C. The Wildwood Water Utility will pay Sixty Five Thousand Five Hundred Twenty Two (\$65,522.00) Dollars per year for each year to the Borough of West Wildwood that the contract remains in place. This represents the principal and interest payments on the West Wildwood Water Bonds. Payments will be made monthly in twelve (12) equal payments beginning on April 15, 2009.
- D. At its option, in the future, the Wildwood Water Utility may bond the remaining principal of the West Wildwood Water Bonds and pay it to the Borough of West Wildwood as payment in full for title to the West Wildwood water system at which time it will become owned by the Wildwood Water Utility.
- E. The accounts receivable of the Borough of West Wildwood water system will remain with the Borough. All future revenue beginning with the 2009 first quarter billing will accrue to the Wildwood Water Utility.
- F. The Wildwood Water Utility will assist the Borough of West Wildwood with the collection of its current and past due bills by turning off rate payers when requested by West Wildwood.
- G. During the contract period, the Borough of West Wildwood will not increase bonding on the water system.

WHEREAS, as aforesaid, the Wildwood Water Utility will pay to the Borough of West Wildwood the sum of Sixty Five Thousand Five Hundred Twenty Two (\$65,522.00) Dollars per year for each year of the contract with payments being made monthly in twelve equal payments of \$5,460.16 beginning April 15, 2009; and

WHEREAS, the Borough of West Wildwood has agreed to accept these funds and to permit Wildwood Water Utility to perform the services under the terms set forth above which are incorporated herein as if set forth at length; now,

THEREFORE, BE IT RESOLVED, that the Mayor of each municipality be, and is hereby authorized to sign this contract; and

BE IT FURTHER RESOLVED that there “WHEREAS” clauses are incorporated into this agreement and made a part of the terms of the contract as if set out in full herein. Either party may cancel the agreement pursuant to its terms.

BE IT FURTHER RESOLVED that this contract shall be deemed to have commenced on April 15, 2009.

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

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

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

CITY OF WILDWOOD

ATTEST:

Christopher Wood, City Clerk

Ernest Troiano, Mayor and
Commissioner of Public Works

BOROUGH OF WEST WILDWOOD

ATTEST:

Dorothy A. Tomlin, City Clerk

Dr. Herbert Frederick, Mayor and

LAW OFFICES
PAUL J. BALDINI, P.A.
A PROFESSIONAL CORPORATION

4413 New Jersey Avenue
Wildwood, NJ 08260
(609) 729-2600
(609) 729-8627 Fax

8405 E. Landis Avenue
Sea Isle City, NJ 08243
(609) 263-1100
(609) 263-8196 Fax
Please reply to:

PAUL J. BALDINI, ESQUIRE

Wildwood Office

File No.: 3333-10

April 8, 2009

Marcus H. Karavan, Esquire
3311 New Jersey Avenue
P.O. Box 1310
Wildwood, NJ 08260

RE: Acceptance of Shared Services Agreement for water services with changes.

Dear Marc:

Please be advised on April 3, 2009 at the regular meeting of the West Wildwood Commissioners Ordinance No. 492 (2009) was adopted by a 2-1 vote authorizing the Borough of West Wildwood to enter into a Shares Services Agreement between the Borough of West Wildwood and the City of Wildwood for the City of Wildwood to operate under its water utility company the water utility of West Wildwood.

Two changes to the proposed Agreement were authorized by the Commissioners. First, page 2 subparagraph (d) which provides for the potential in the future for the Wildwood Water Utility to bond the remaining debt of the West Wildwood water bond in order to obtain title to the West Wildwood water system. That paragraph provides that at the option of the Wildwood Water Utility such may occur. The Commissioners of West Wildwood are requesting that this be changed to by mutual consent of both West Wildwood and Wildwood Water Utility.

The second change is sought in paragraph (g) on page 2 of the Agreement which prohibits the Borough of West Wildwood from increasing its bonding on the water system during the contract period. The Commissioners want to see that language changed to provide that West Wildwood can increase its bonding on the water system after consultation and consent of the Wildwood Water Utility. This change is sought in the event there is a significant or major failure in part of the system and an expensive repair has to be undertaken which would be the type of repair normally bonded.

I would be appreciative if you would get back to me on these two proposed changes and if acceptable submit a revised Agreement for review.

I thank you for your time and attention to this matter. I will await a response from you.

Sincerely,



Paul J. Baldini, Esquire

PJB/th

cc: Mayor and Commissioners
Dorothy Tomlin, Clerk

BOROUGH OF WEST WILDWOOD
CAPE MAY COUNTY, NEW JERSEY

ORDINANCE NO. 493 (2009)

AN ORDINANCE AUTHORIZING THE BOROUGH OF WEST WILDWOOD
TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND
TO ESTABLISH A CAP BANK.

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A:4-45-1 et seq. provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to two and one-half (2.5%) percent unless authorized by ordinance to increase it to three and one-half (3.5%) percent over the previous year's final appropriations, subject certain exceptions; and

WHEREAS, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the three and one-half (3.5%) percent rate as an exception to its final appropriations in either of the next two succeeding years; and

WHEREAS, the Board of Commissioners of the Borough of West Wildwood in the County of Cape May finds it advisable and necessary to increase the CY 2009 budget by up to three and one-half (3.5%) percent over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens of the Borough of West Wildwood; and

WHEREAS, the Board of Commissioners of the Borough of West Wildwood hereby determines that a three and one-half (3.5%) percent increase in the budget for said year, amounting to Fourteen Thousand Eight Hundred Sixty-Two Dollars and Twenty-One Cents (\$14,862.21) in excess of the increase in final appropriations otherwise permitted by Local Government Cap Law, is advisable and necessary.

WHEREAS, the Board of Commissioners of the Borough of West Wildwood hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.


NOW, THEREFORE, BE IT ORDAINED, by the Board of Commissioners of the Borough of West Wildwood, in the County of Cape May, New Jersey, the Governing Body of the Borough of West Wildwood, as follows:


- Section 1. The allegations of the preamble are incorporated herein as if set forth in full.
- Section 2. In the CY 2009 budget year, the final appropriations of the Borough of West Wildwood shall, in accordance with this Ordinance and N.J.S.A. 40A:4-45.14, be increase by three and one/half (3.5%) percent amount to Fifty-Two Thousand Seventeen Dollars and Seventy-Four Cents (\$52,017.74), and that the CY 2009 municipal budget for the Borough of West Wildwood be approved and adopted in accordance with this Ordinance.
- Section 3. A certified copy of this Ordinance as introduced shall be filed with the Director of the Division of Local Government Services within five (5) days of introduction.
- Section 4. A certified copy of this Ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within five (5) days after such adoption.
- Section 5. All Ordinances or parts of Ordinances inconsistent with this Ordinance, to the extent of such inconsistencies only, shall be, and the same hereby are, repealed.
- Section 6. Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason, the remaining portion of this 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.

Section 7. This Ordinance shall take effect immediately upon final passage and publication according to law.

COMMISSIONERS:


MAYOR HERBERT C. FREDERICK


COMMISSIONER GERARD P. MCNAMARA


COMMISSIONER SCOTT GOLDEN

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

ORDINANCE NO. 494 (2009)

**AN ORDINANCE AMENDING ORDINANCE NO. 471 ENTITLED
“ORDINANCE ESTABLISHING HANDICAP ZONES IN THE BOROUGH
OF WEST WILDWOOD” TO AMEND SECTIONS PERTAINING
TO DESIGNATION OF HANDICAPPED PARKING SPACES.**

WHEREAS, the Borough of West Wildwood has concerns with the flow of traffic as well as the need for additional parking in certain areas; and

WHEREAS, the Board of Commissioners deems it not only desirable, but necessary for the Borough of West Wildwood to Amend Ordinance No. 471 to reflect the Borough’s changing needs as noted;

NOW THEREFORE BE IT ORDAINED by the Board of Commissioners of the Borough of West Wildwood, County of Cape May and State of New Jersey, the Governing Body of the Borough of West Wildwood as follows:

SECTION. 1. Section 3A entitled “Handicapped Parking” is hereby amended to add the following Sections to Schedule A:

727 West Glenwood Avenue, West Wildwood, New Jersey 08260

SECTION 2. Severability. If for any reason any section of this Ordinance shall be declared illegal by any Court of competent jurisdiction, the remaining section of the Ordinance shall remain in full force and effect notwithstanding.

SECTION 3. Repealer. Any and all ordinances or parts of ordinances inconsistent shall be, and the same are hereby repealed.

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

ORDINANCE NO. 495 (2009)

AN ORDINANCE REPEALING ORDINANCE NO. 492 (2009) PROVIDING FOR SHARED SERVICES AGREEMENT BETWEEN THE BOROUGH OF WEST WILDWOOD AND THE CITY OF WILDWOOD FOR SHARED WATER SERVICES UPON CERTAIN TERMS AND CONDITIONS BECAUSE THE BOROUGH OF WEST WILDWOOD WAS NOT ABLE TO NEGOTIATE TERMS CONSISTENT WITH THE ADOPTION OF SAID ORDINANCE AND THE BOROUGH IS IN RECEIPT OF A PETITION SEEKING THE REPEAL OF ORDINANCE NO. 492 (2009).

WHEREAS, the Board of Commissioners of the Borough of West Wildwood, County of Cape May has adopted Ordinance No. 492 (2009) on April 3, 2009 providing for certain shared water services between the Borough of West Wildwood and the City of Wildwood upon certain terms and conditions; and

WHEREAS, the Borough of West Wildwood was not able to negotiate terms with the City of Wildwood consistent with the terms contemplated under adoption of Ordinance No. 492 (2009) and as expressed during the public comments on Ordinance No. 492 (2009) at the time of adoption; and

WHEREAS, the Borough of West Wildwood has received a Petition demanding the repeal of Ordinance No. 492 (2009) if not submitted to the voters by way of referendum; and

WHEREAS, the Borough of West Wildwood determines that it is in the best interest of the citizens of the Borough of West Wildwood to repeal Ordinance No. 492 (2009) in its entirety until or unless terms can be arranged with the City of Wildwood and appropriate enabling Ordinances then being adopted; and

NOW THEREFORE BE IT ORDAINED by the Board of Commissioners of the Borough of West Wildwood, County of Cape May and State of New Jersey, the Governing Body of the Borough of West Wildwood as follows:

SECTION 1. The allegations of the preamble are incorporated herein as if set forth herein in full.

SECTION 2. Ordinance No. 492 (2009) shall be repealed in its entirety.

SECTION 3. Severability. If for any reason any section of this Ordinance shall be declared illegal by any Court of competent jurisdiction, the remaining section of the Ordinance shall remain in full force and effect notwithstanding.

SECTION 4. Repealer. Any and all ordinances or parts of ordinances inconsistent shall be, and the same are hereby repealed.

SECTION 5. Publication. This Ordinance shall take effect immediately upon the adoption and publication in accordance with the law.

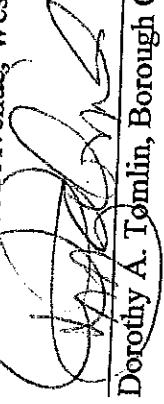
COMMISSIONERS:


MAYOR HERBERT C. FREDERICK


COMMISSIONER GERARD P. MCNAMARA


COMMISSIONER SCOTT GOLDEN

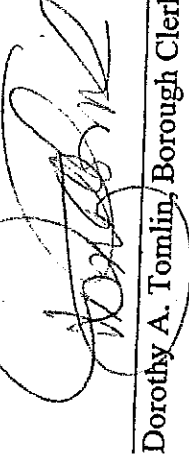
The foregoing Ordinance was introduced and passed on the first reading at a meeting of the Board of Commissioners of the Borough of West Wildwood, New Jersey on the 1st^h day of May, 2009 and will be considered for final passage after public hearing at the meeting of said Board of Commissioners at Borough Hall, 701 W. Glenwood Avenue, West Wildwood, New Jersey on the 5th day of June, 2009.



Dorothy A. Tomlin, Borough Clerk

NOTICE
ORDINANCE NO.

TAKE NOTICE that the above Ordinance was introduced and passed on first reading of the Board of Commissioners of the Borough of West Wildwood, in the County of Cape May and State of New Jersey on May 1, 2009 and finally passed and adopted at a meeting of the Board of Commissioners held on June 5, 2009.



Dorothy A. Tomlin, Borough Clerk

BOROUGH OF WEST WILDWOOD
CAPE MAY COUNTY, NEW JERSEY

ORDINANCE NO. 496 (2009)

AN ORDINANCE PROVIDING FOR SHARED SERVICES AGREEMENT BETWEEN THE BOROUGH OF WEST WILDWOOD AND THE CITY OF WILDWOOD FOR SHARED WATER SERVICES UPON TERMS AND CONDITIONS SET FORTH IN THE ATTACHED AGREEMENT, WITH AN OPTION TO ALLOW FOR THE SALE OF THE WATER UTILITY AT WEST WILDWOOD'S OPTION.

WHEREAS, the Borough of West Wildwood is desirous to enter into a Shared Services Agreement between the Borough of West Wildwood and the City of Wildwood for shared water services for respective residents and visitors of the Borough of West Wildwood; and

WHEREAS, the City of Wildwood owns and operates a Water Utility which is capable of operating the West Wildwood Water System; and

WHEREAS, the Borough has the need to utilize such services available by the City of Wildwood for the aforesaid period of time; and

WHEREAS, the Borough of West Wildwood has determined through its governing body that the exchange of such services is fair and equitable, shall serve to save the Borough of West Wildwood substantial sums of money and serve the best interest and health and welfare for each of its residents and visitors; and

NOW, THEREFORE, BE IT ORDAINED, by the Board of Commissioners of the Borough of West Wildwood, in the County of Cape May, New Jersey, the Governing Body of the Borough of West Wildwood, as follows:

Section 1. The allegations of the preamble are incorporated herein as if set forth in full.

Section 2. The Mayor and City Clerk in their respective official capacities are hereby authorized and directed to execute the attached Shared Services Agreement between the Borough of West Wildwood and the City of Wildwood for shared water services.

Section 3. REPEALER Any and all ordinances or parts of ordinances inconsistent shall be, and the same are hereby repealed.

Section 4. **SURVIVAL.** In the event that any section or part of this Ordinance is declared invalid or unconstitutional, the remainder of this Ordinance shall not be rendered invalid as a result thereof, since each part of section is deemed to be severable.

Section 5. **EFFECTIVE DATE OF ORDINANCE.** This Ordinance shall take effect immediately upon final passage and publication according to law.

COMMISSIONERS:



MAYOR HERBERT C. FREDERICK


COMMISSIONER GERARD P. MCNAMARA

COMMISSIONER SCOTT GOLDEN

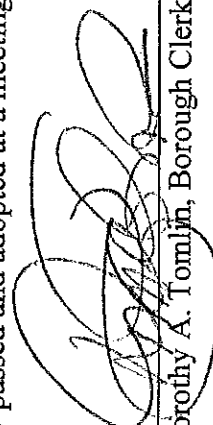
Roll Call Vote: Mayor Frederick, Yes/Commissioner Golden, No,
Commissioner McNamara, Yes.

The foregoing Ordinance was introduced and passed at the special meeting of the Board of Commissioners of the Borough of West Wildwood, New Jersey on the 5th day of June, 2009 and will be considered for final passage after public hearing at the meeting of said Board of Commissioners at Borough Hall, 701 W. Glenwood Avenue, West Wildwood, New Jersey on July 10, 2009.


Dorothy A. Tomlin, Borough Clerk

NOTICE
ORDINANCE NO. 496

TAKE NOTICE that the above Ordinance was introduced and passed on first reading of the Board of Commissioners of the Borough of West Wildwood, in the County of Cape May and State of New Jersey on June 5, 2009 and finally passed and adopted at a meeting of the Board of Commissioners held on July 10, 2009.


Dorothy A. Tomlin, Borough Clerk

SHARED SERVICES AGREEMENT BETWEEN THE BOROUGH OF WEST WILDWOOD AND CITY OF WILDWOOD PURSUANT TO THE PROVISIONS OF N.J.S.A. 40A:65-1 ET SEQ. KNOWN AS THE UNIFORM SHARED SERVICES ACT AND CONSOLIDATION ACT

THIS AGREEMENT dated this 1st day of April, 2009 by and between Borough of West Wildwood, a Municipal Corporation of the State of New Jersey and the City of Wildwood, a Municipal Corporation of the State of New Jersey.

WITNESSETH:

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

WHEREAS, the City of Wildwood owns and operates a Water Utility which is capable of operating the West Wildwood Water System; and

WHEREAS, the Borough of West Wildwood desires the services described below for their respective residents and visitors; and

WHEREAS, each respective municipality has determined through it's governing body that the exchange of money and services is fair and equitable, and shall serve to save respective municipality substantial sums of money and serve the best interests and for the exchange of mutual covenants and conditions and such other consideration as set forth in this agreement and as authorized by the provisions of N.J.S.A. 40A:65-1 et seq. the parties agree as follows:

- A. This agreement shall commence on April 15, 2009 and shall terminate on April 14, 2010; however, the agreement shall automatically renew for another one year period unless one of the parties objects to such renewal, in writing, at least ninety (90) calendar days prior to the expiration of the term. This agreement shall be automatically renewed in this fashion for up to four (4) additional one-year terms, to wit: April 14, 2010, April 14, 2011, April 14, 2012 and April 14, 2013 absent a written objection to such renewal by one of the parties. Such objection must be served in writing to the Municipal Clerk of both municipalities.
- B. The Wildwood Water Utility will operate the West Wildwood water system in accordance with the New Jersey Board of Public Utilities Rules and Regulations for Service (Title 14) and all Regulations of the New Jersey Department of Environmental Protection (N.J.A.C. 7:10).
- C. The Wildwood Water Utility will pay Sixty Five Thousand Five Hundred Twenty Two (\$65,522.00) Dollars per year for each year to the Borough of West Wildwood that the contract remains in place. This represents the principal and interest payments on the West Wildwood Water Bonds. Payments will be made monthly in twelve (12) equal payments beginning on April 15, 2009.

- D. The Wildwood Water Utility, with proper written 90 day notice to the Borough of West Wildwood Board of Commissioners, and with the Borough Commissioners approval, the Wildwood Water Utility can begin the process to bond for the remaining principal and pay the Borough of West Wildwood, as payment in full, for title to the West Wildwood Water Distribution System at which time the water distribution system will become the property of the Wildwood Water Utility. In the event that Borough of West Wildwood Board of Commissioners opts to not approve the sale of the West Wildwood Water Distribution System, then the Borough of West Wildwood agrees to take back the management of the water system and reimburse to Wildwood Water Utility for any and all capital and maintenance costs retroactively to the origin of this agreement. Said reimbursement will not include the monthly payments to West Wildwood of the yearly sixty five thousand five hundred twenty two (\$65,5200) dollars paid against the principal and interest of the debt service, up to and including the date of separation of this agreement.
- E. The accounts receivable of the Borough of West Wildwood water system will remain with the Borough. All future revenue beginning with the 2009 second quarter billing will accrue to the Wildwood Water Utility.
- F. The Wildwood Water Utility will assist the Borough of West Wildwood with the collection of its current and past due bills by turning off rate payers when requested by West Wildwood.
- G. During the contract period, the Borough of West Wildwood will not increase bonding on the water system.
- H. Wildwood Water Utility will not be required to post road opening bonds or road opening payments as is presently required by Ordinance for contractors. However, the Wildwood Water Utility agrees to restore any road openings to the Borough's specification.

WHEREAS, as aforesaid, the Wildwood Water Utility will pay to the Borough of West Wildwood the sum of Sixty Five Thousand Five Hundred Twenty Two (\$65,522.00) Dollars per year for each year of the contract with payments being made monthly in twelve equal payments of \$5,460.16 beginning April 15, 2009; and

WHEREAS, the Borough of West Wildwood has agreed to accept these funds and to permit Wildwood Water Utility to perform the services under the terms set forth above which are incorporated herein as if set forth at length; now,

THEREFORE, BE IT RESOLVED, that the Mayor of each municipality be, and is hereby authorized to sign this contract; and

BE IT FURTHER RESOLVED that there “WHEREAS” clauses are incorporated into this agreement and made a part of the terms of the contract as if set out in full herein. Either party may cancel the agreement pursuant to its terms.

BE IT FURTHER RESOLVED that this contract shall be deemed to have commenced on April 15, 2009.

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

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

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

CITY OF WILDWOOD

ATTEST:

Christopher Wood, City Clerk

Ernest Troiano, Mayor and
Commissioner of Public Works

BOROUGH OF WEST WILDWOOD

ATTEST:

Dorothy A. Tomlin, City Clerk

Dr. Herbert Frederick, Mayor