

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

RESOLUTION 2012-022

**DESIGNATION OF MAYOR AND
DIRECTOR OF PUBLIC AFFAIRS AND PUBLIC SAFETY**

WHEREAS, a Municipal Election for the Board of Commissioners for the Borough of West Wildwood was held on May 08, 2012; and

WHEREAS, Christopher J. Fox, Scott W. Golden, and Cornelius J. Maxwell have been duly elected and the election certified by the Municipal Clerk; and

WHEREAS, they have been properly administered the Oaths of Office and herewith holding a Reorganization Meeting of the Borough of West Wildwood; and

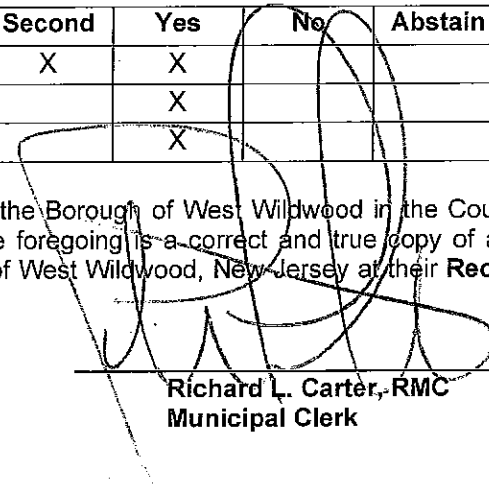
WHEREAS, N.J.S.A. 40:72-10 requires that, at their first meeting after their election, the Board of Commissioners shall choose one of their members to preside at all meetings of the Board and shall be designated "Mayor".

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of West Wildwood, Cape May County, New Jersey that **Commissioner Christopher J. Fox** is hereby chosen to be designated **Mayor** of the Borough of West Wildwood; and

BE IT FURTHER RESOLVED that, in accordance with N.J.S.A. 40:72-4 requiring the specific designation of the Departments of the Borough, **Mayor Christopher J. Fox** shall be designated as the Director of the **Departments of Public Affairs and Public Safety**.

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

I, **Richard L. Carter, RMC, Municipal Clerk** for the Borough of West Wildwood in the County of Cape May and State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a Resolution adopted by the Board of Commissioners of the Borough of West Wildwood, New Jersey at their **Reorganization Meeting** held on **May 15, 2012**.



Richard L. Carter, RMC
Municipal Clerk

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

RESOLUTION 2012-023

DESIGNATION OF DIRECTOR OF
PUBLIC WORKS, PARKS, AND PUBLIC PROPERTY

WHEREAS, a Municipal Election for the Board of Commissioners for the Borough of West Wildwood was held on May 08, 2012; and

WHEREAS, Christopher J. Fox, Scott W. Golden, and Cornelius J. Maxwell have been duly elected and the election certified by the Municipal Clerk; and

WHEREAS, they have been properly administered the Oaths of Office and herewith holding a Reorganization Meeting of the Borough of West Wildwood; and

WHEREAS, N.J.S.A. 40:72-4 requires that the executive, administrative, judicial, and legislative powers, authority, and duties of the five Departments shall be distributed amongst the Commissioners.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of West Wildwood, Cape May County, New Jersey that **Commissioner Scott W. Golden** is hereby designated as Director of the **Department of Public Works, Parks, and Public Property**.

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

I, **Richard L. Carter, RMC, Municipal Clerk** for the Borough of West Wildwood in the County of Cape May and State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a Resolution adopted by the Board of Commissioners of the Borough of West Wildwood, New Jersey at their **Reorganization Meeting** held on **May 15, 2012**.



Richard L. Carter, RMC
Municipal Clerk

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

RESOLUTION 2012-024

**DESIGNATION OF DIRECTOR OF
REVENUE AND FINANCE**

WHEREAS, a Municipal Election for the Board of Commissioners for the Borough of West Wildwood was held on May 08, 2012; and

WHEREAS, Christopher J. Fox, Scott W. Golden, and Cornelius J. Maxwell have been duly elected and the election certified by the Municipal Clerk; and

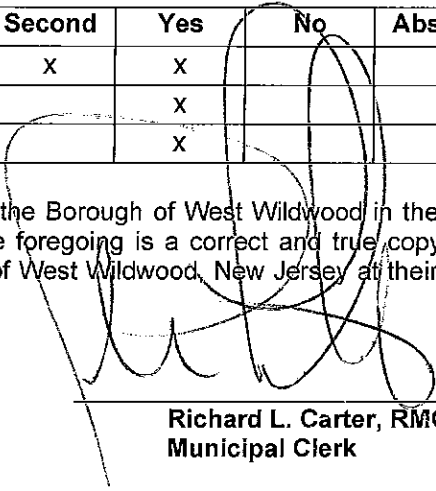
WHEREAS, they have been properly administered the Oaths of Office and herewith holding a Reorganization Meeting of the Borough of West Wildwood; and

WHEREAS, N.J.S.A. 40:72-4 requires that the executive, administrative, judicial, and legislative powers, authority, and duties of the five Departments shall be distributed amongst the Commissioners.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of West Wildwood, Cape May County, New Jersey that **Commissioner Cornelius J. Maxwell** is hereby designated as Director of the **Department of Revenue and Finance**.

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

I, **Richard L. Carter, RMC, Municipal Clerk** for the Borough of West Wildwood in the County of Cape May and State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a Resolution adopted by the Board of Commissioners of the Borough of West Wildwood, New Jersey at their **Reorganization Meeting** held on **May 15, 2012**.


Richard L. Carter, RMC
Municipal Clerk

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

RESOLUTION 2012-025

**ASSIGNMENT OF DEPARTMENTAL POWERS
AND DUTIES**

WHEREAS, N.J.S.A. 40:72-6.1 provides for the Board of Commissioners to assign to each Department the powers and duties to be performed by each Department pursuant to **N.J.S.A. 40:72-5** that have the greatest relevancy to the subject matter as designated in the name of the respective Department and as will result in as nearly as possible, an equal distribution of powers to each Department; and

WHEREAS, it is determined that the following distribution of departmental powers and duties will meet the intent and purpose of **N.J.S.A. 40:72-6.1** as to the overall benefit of the Borough of West Wildwood.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of West Wildwood, Cape May County, New Jersey that the Executive, Judicial, and Administrative powers, authority and duties of the Borough of West Wildwood are hereby distributed into and among the several Departments and elected Officials; as follows:

Board of Commissioners

The Board of Commissioners (Board) shall exercise all legislative powers, functions, and duties, conferred upon the Borough or its Officers. The Board shall make all orders for the doing of the work; shall levy all taxes; apportion and appropriate all funds; and audit and allow all bills, accounts, payrolls, and claims, and order payment thereof. The Board shall make or authorize the making of all contracts, and all ordinances and resolutions making or authorizing and making of contracts shall be drawn by the Municipal Solicitor or approved by such Officer before same is made or passed. The Board shall cause to be made all assessments for the cost of street improvements, sidewalks, sewers, drains, and other related work, improvement and repairs, which may, by law, be specifically assessed.

All Directors of Departments and Officers are the agents of the Board, and their acts shall be subject to the review and the approval of the Board subject to Law. Every Director or Officer shall, from time to time as required by Law or ordinance, or when requested by the Board as deemed necessary for the good of the Public, report to the Board, in writing, respecting the business of the Department or office on matters concerned therewith

Department of Public Affairs and Public Safety

The Mayor shall be designated as the Director of this Department, which Department shall have the right to exercise of all powers, and perform all the duties, provided or prescribed by Law or the Ordinance of the Borough not in conflict with the provisions of this Resolution. As Director of this Department, the Mayor shall be the President of the Board of Commissioners and have general supervision over all Departments and Officers of the Borough. He shall have charge of the supervision and direction over all Officers and employees assigned to said Department; he shall have charge of all purchases of all vehicles, apparatus, and suppliers for said Department. He shall, in the absences of the Commissioner of Revenue and Finance, sign all checks and contracts on behalf of the Borough. He shall have charge of, and direction over, the Department of Public Affairs, the Municipal Solicitor, Planning Board, Preparation of Master Plan, Zoning Board, Zoning Officer, chief of Police and all policeman, officers, and employees of the Police Department, and all Police Stations and property and apparatus used by the Police department, the Chief of the Fire Department and the Fire Stations and property and apparatus belonging thereto, Fire Official, Dog Warden, Emergency Management Services, Municipal Court, Court Administrator, Public Safety Maintenance, Housing Inspections, Code Enforcement , Mercantile Licenses, Public Defender, Municipal Prosecutor, Harbor Master, Ambulance Corps, Emergency Medical Center, Lifeguards, Beach Patrol, Communications, Department of Health, Local Assistance Director and Public Assistance, and all Officers and employees assigned to said Departments.

Department of Revenue and Finance

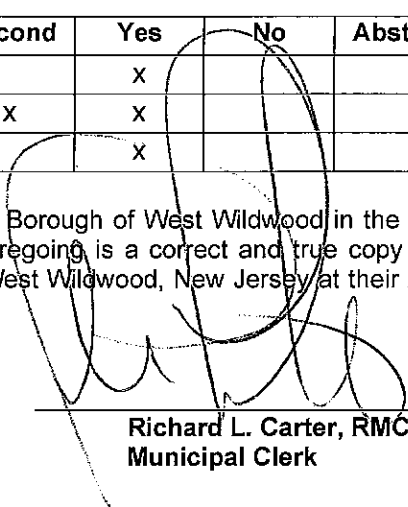
The Commissioner assigned to the Department of Revenue and Finances shall have charge of, and supervision and direction over, all Officers and employees assigned to said Department; shall have charge of, and cause to be prepared and published, all statements and reports required by Law or ordinance or by resolution of the Board of Commissioners. The Commissioner of the Department of Revenue and Finance shall be the Vice President of the Board of Commissioners and, in the case of vacancy in the Office of the Mayor, shall perform the duties of that Office. He shall sign all checks of the Borough. The Commissioner of the Department of Revenue and Finance shall have charge of, and supervision over, all accounts and records of the Borough and all Officers, Boards, or Departments required to keep or make said accounts and records or reports. He shall inspect, or cause to be inspected, all records or accounts required to be kept in any of the Offices of Departments of the Borough; and shall cause proper accounts and records to be made. He shall have charge of the purchases, care and distribution of all supplies or other articles not otherwise provided by Law or herein. He shall have charge of, and supervision over, all printing by or for the Borough. He shall examine, or cause to be examined, and report to the Board of Commissioners upon all bills, accounts, payrolls, and claims before they are acted upon or allowed, unless otherwise provided for by Law. The Municipal Clerk, Municipal Assessor, Commissioners of Assessment, Municipal Tax Collector, Chief Financial Officer, Insurance, Group Insurance for Employees, Other Insurance, Codification of Ordinances, Tourism, Advertising, and Utilities Billing are all distributed and assigned to the Department of Revenue and Finance. The Commissioner of the Department of Revenue and Finance shall cause to be collected all taxes, assessments, franchise taxes, license fees, or other monies which may become due to the Borough, with such recommendation in relation thereto as he may deem proper.

Department of Public Works, Parks and Public Property

The Commissioner of the Department of Public Works, Parks, and Public Property shall have the exercise of all powers and perform all the duties provided or prescribed by Law or the ordinances of the Borough not in conflict with the provisions of this Resolution. The Commissioner shall have charge of, and supervision and direction over, all public buildings, all recreation facilities, and all other property and apparatus and supplies for said departments and the Officers and department assigned thereto. Beach Maintenance, Municipal Engineer, Landfill, Parks, Public Works, Sanitation, Sewer Systems, Street Lighting, Utilities, Gas, Electric, Heat, Water, Recycling, and Public Buildings are all distributed and assigned to the Department of Public Works, Parks, and Public Property

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

I, **Richard L. Carter, RMC, Municipal Clerk** for the Borough of West Wildwood in the County of Cape May and State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a Resolution adopted by the Board of Commissioners of the Borough of West Wildwood, New Jersey at their **Reorganization Meeting** held on **May 15, 2012**.



Richard L. Carter, RMC
Municipal Clerk

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

RESOLUTION NO. 2012-026

**AUTHORIZING THE AWARDING OF A NON-FAIR AND OPEN CONTRACT
FOR THE PROFESSIONAL SERVICES OF A MUNICIPAL SOLICITOR**

WHEREAS, the current Borough Solicitor for the Borough of West Wildwood has indicated that he will submit a Letter of Resignation to the Municipal Clerk; and

WHEREAS, the Board of Commissioners of the Borough of West Wildwood has a need to acquire Professional Services of a Borough Solicitor; and

WHEREAS, Mary D'Arcy Bittner, Esq. is qualified to serve as Borough Solicitor for the Borough of West Wildwood and has submitted a Proposal which is attached hereto; and

WHEREAS, said services will exceed \$17,500.00 for the year, and

WHEREAS, Mary D'Arcy Bittner, Esq. has completed and submitted a Business Entity Disclosure which certifies that Mary D'Arcy Bittner, Esq. has not made any reportable contributions to a political or candidate committee in the name of West Wildwood Borough Commissioner within the previous year and that this Contract will prohibit Mary D'Arcy Bittner, Esq. from making any reportable contributions for the term of this Contract.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Borough of West Wildwood, Cape May County, New Jersey that the Mayor be and he is hereby authorized to execute a Contract with Mary D'Arcy Bittner, Esq. to serve a Municipal Solicitor for the Borough of West Wildwood; and

BE IT FURTHER RESOLVED that the term of appointment shall expire on December 31, 2012; and

BE IT FURTHER RESOLVED that this contract is awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law because N.J.S.A. 40A:11-5, which provides inter alia, that no local unit shall be required to advertise for bids for services rendered or performed by a person authorized by law to practice a recognized professional and whose practice is regulated by law, or to advertise for bids for services which are of such a qualitative nature as will not reasonably permit the drawing of specifications or the receipt of competitive bids all of which classification the aforesaid contract falls within; and

BE IT FURTHER RESOLVED that a copy of this Resolution shall be published by the Municipal Clerk in accordance with the requirements of Law; and

BE IT FURTHER RESOLVED, that a Certificate of Availability of Funds from the Acting Chief Financial Officer is attached hereto.

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

I, Richard L. Carter, RMC, Municipal Clerk for the Borough of West Wildwood in the County of Cape May and State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a Resolution adopted by the Board of Commissioners of the Borough of West Wildwood, New Jersey at the Reorganization Meeting held on May 15, 2012.


Richard L. Carter, RMC
Municipal Clerk

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

RESOLUTION NO. 2012-027

**RESOLUTION AMENDING RESOLUTION 2011-098
SETTING THE MEETING DATES
OF THE BOROUGH COMMISSIONERS FOR YEAR 2012**

WHEREAS, the Open Public Meeting Act (N.J.S.A. 10:4-1, et seq.), commonly referred to as the Sunshine Law, establishes the right of all citizens to have adequate notice of all Public Meetings and permits amendment to the Annual Meeting Notice for the purpose of informing the Public of added or amended meeting dates; and

WHEREAS, a Reorganization Meeting is being held on this date of the Board of Commissioners elected at the Municipal Election held on May 08, 2012; and

WHEREAS, it is the desire of the Board of Commissioners to add a meeting date to the Annual Meeting Date Notice.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Commissioners of the Borough of West Wildwood, County of Cape May, State of New Jersey, that the Annual Meeting Schedule of the West Wildwood Board of Commissioners for the Year 2012, which meetings will be held at the Municipal Building, 401 West Glenwood Avenue, West Wildwood, New Jersey shall be amended to include the following meeting:

**Friday, May 18, 2012
9:00 A.M.**

BE IT FURTHER RESOLVED that the Revised Annual Meeting Notice shall be posted on the West Wildwood Municipal Hall Bulletin Board, to remain there for the remainder of Calendar Year 2012; a copy of same shall be provided to both Official Municipal Newspapers; and shall remain available from the Municipal Clerk's Office upon request; all in accordance with State Law.

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

I, **Richard L. Carter, RMC**, Municipal Clerk for the Borough of West Wildwood in the County of Cape May and State of New Jersey, do hereby certify that the foregoing is a correct and true copy of the Resolution adopted by the Board of Commissioners of the Borough of West Wildwood, New Jersey at a **Reorganization Meeting** held on May 15, 2012.



**Richard L. Carter, RMC
Municipal Clerk**

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

**RESOLUTION NO. 2012-028
DESIGNATING SIGNATURES FOR OFFICIAL DEPOSITORY**

WHEREAS, the Board of Commissioners of the Borough of West Wildwood, Cape May County, New Jersey deem it necessary and advisable to designate official signatures in connection with depositories of the Borough of West Wildwood for funds being designated general, trust account, bond and interest account, water account, school funds account, public assistance one and two accounts, and/or dog license account; and

WHEREAS, Crest Savings Bank is considered a reputable bank for such purpose.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Borough of West Wildwood, Cape May County, New Jersey that Crest Savings Bank shall be designated as the official depository of the Borough of West Wildwood, Cape May County, New Jersey; and

BE IT FURTHER RESOLVED that Crest Savings Bank be and hereby is authorized to honor withdrawals on behalf of the Borough of West Wildwood upon utility funds, general funds, trust funds, bond and interest funds, and public assistance accounts when signed by two (2) of the following, at least one (1) of which must be either the Mayor or the Commissioner of Revenue and Finance:

- Mayor of the Borough
- Commissioner of Revenue and Finance
- Commissioner of Public Works
- Municipal Clerk of the Borough; and

BE IT FURTHER RESOLVED that Crest Savings Bank be and hereby is authorized to honor withdrawals from the school funds on deposit when such are countersigned by the custodian of the school funds; and

BE IT FURTHER RESOLVED that Crest Savings Bank be and hereby is authorized to honor withdrawals on behalf of the Borough of West Wildwood upon the dog license account when such withdrawals are signed by the Municipal Clerk of the Borough; and

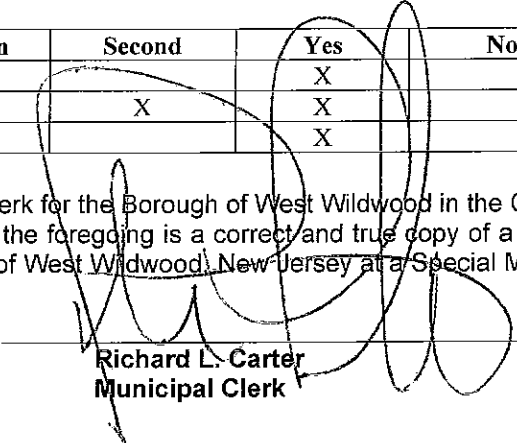
BE IT FURTHER RESOLVED that Crest Savings Bank be and hereby is authorized to honor withdrawals on behalf of the Borough of West Wildwood upon the tax lien redemption account with one (1) signature by either the Municipal Tax Collector or the Municipal Clerk of the Borough being authorized to sign checks; and

BE IT FURTHER RESOLVED that the Municipal Clerk be and hereby is authorized to secure bonding insurance to cover all of the above noted signees in each of the different categories and capacities as noted above; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be delivered to Crest Savings Bank located in the Borough of Wildwood Crest, Cape May County, New Jersey.

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

I, Richard L. Carter, RMC, Municipal Clerk for the Borough of West Wildwood in the County of Cape May and State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a Resolution adopted by the Board of Commissioners of the Borough of West Wildwood, New Jersey at a Special Meeting held on May 18, 2012.


 Richard L. Carter
 Municipal Clerk

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

RESOLUTION NO. 2012-029

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

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

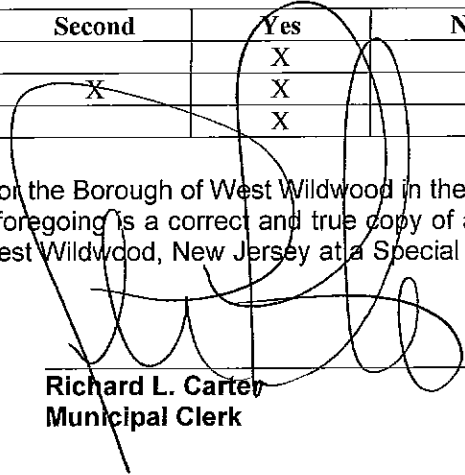
WHEREAS, the Borough anticipates discussion of pending and anticipated litigation as well as terms and conditions of employment for a public officer or employee, which constitute two of the permitted exemptions; and

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

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

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

I, **Richard L. Carter, RMC**, Municipal Clerk for the Borough of West Wildwood in the County of Cape May and State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a Resolution adopted by the Board of Commissioners of the Borough of West Wildwood, New Jersey at a Special Meeting held on May 18, 2012.



Richard L. Carter
Municipal Clerk

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

RESOLUTION NO. 2012-030

AUTHORIZING A TOWN-WIDE YARD SALE

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissions of the Borough of West Wildwood, Cape May County, New Jersey that a town-wide yard sale be permitted on June 09, 2012; and

BE IT FURTHER RESOLVED that, in the event of inclement weather on June 09, the event shall be held on June 10, 2012, and

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

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

I, **Richard L. Carter, RMC**, Municipal Clerk for the Borough of West Wildwood in the County of Cape May and State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a Resolution adopted by the Board of Commissioners of the Borough of West Wildwood, New Jersey at a Special Meeting held on May 18, 2012.



Richard L. Carter
Municipal Clerk

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

RESOLUTION NO. 2012-031

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

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

WHEREAS, the Borough anticipates discussion of pending and anticipated litigation as well as terms and conditions of employment for a public officer or employee, which constitute two of the permitted exemptions; and

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

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

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

I, **Richard L. Carter, RMC**, Municipal Clerk for the Borough of West Wildwood in the County of Cape May and State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a Resolution adopted by the Board of Commissioners of the Borough of West Wildwood, New Jersey at a Special Meeting held on May 25, 2012.



Richard L. Carter
Municipal Clerk

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

RESOLUTION 2012-032

**IMPLIMENTATION OF GUIDANCE FROM COUNTY PROSECUTOR
REGARDING POSITION OF DEPUTY CHIEF OF POLICE.**

WHEREAS, Mr. Robert King was referred to the Borough of West Wildwood and Former Mayor Frederick by the Office of the Cape May County Prosecutor as a candidate for a position as police officer with the Borough's Police Department;

WHEREAS, Former Mayor Frederick, in his capacity as Director of the Department of Public Safety, hired Mr. King as a police officer, assigning Mr. King the position of Deputy Chief of the Borough's Police Department, in accordance with Resolution 2012-013, for a term of employment February 4, 2012 through February 4, 2013;

WHEREAS, the Office of the Cape May County Prosecutor advised Mr. King on or about February 16, 2012 by way of phone call to Mr. King that it had since been learned, pursuant to State Statutes regarding age limits and pension participation, Mr. King is not eligible to be a municipal police officer;

WHEREAS, Mr. King did immediately bring this information to the attention of Former Mayor Frederick;

WHEREAS, Former Mayor Frederick took no action on this information and allowed Mr. King to continue to hold the position of Borough police officer and Deputy Chief of Police;

WHEREAS, the Office of the Cape May County Prosecutor, by correspondence dated April 18, 2012, formally advised Mayor Frederick that Mr. King was not authorized to hold a position as a municipal police officer;

WHEREAS, Former Mayor Frederick took no action in response to this correspondence;

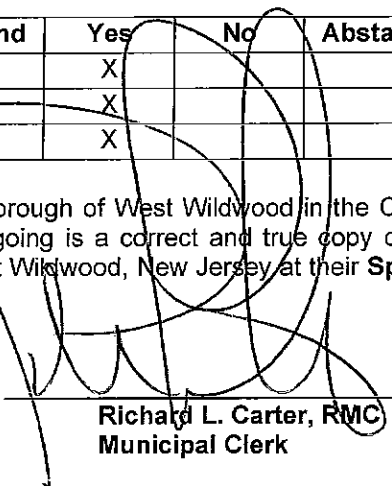
WHEREAS, Mayor Fox, Director of the Department of Public Safety, finds that Mr. King, although an experienced law enforcement officer retired from the New Jersey State Police, is not eligible, under State Law, to hold the position of a municipal police officer;

WHEREAS, Mayor Fox has determined that Mr. King cannot fulfill his obligations under the employment contract approved by Former Mayor Frederick, such that Mr. King shall be relieved of his duties and obligations under that contract;

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of West Wildwood, Cape May County, New Jersey that the determination of and action by Mayor Fox, in his capacity as Director of the Department of Public Safety; is affirmed and ratified, and, implementing the guidance of the Cape May County Prosecutor, the Borough's contract with Mr. King is declared null and void.

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

I, **Richard L. Carter, RMC, Municipal Clerk** for the Borough of West Wildwood in the County of Cape May and State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a Resolution adopted by the Board of Commissioners of the Borough of West Wildwood, New Jersey at their **Special Meeting** held on **May 25, 2012**.



**Richard L. Carter, RMC
Municipal Clerk**

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

**RESOLUTION 2012-033
REINSTATEMENT OF JACQUELYN FERENTZ AS
LIEUTENANT IN THE MUNICIPAL POLICE DEPARTMENT**

WHEREAS, due to personnel changes made under the guidance of the County Prosecutor; the Borough and its Police Department is of an immediate and urgent need, in the interests of public safety, of an additional police officer, as well as an Officer in Charge of the Department; and

WHEREAS, Ms. Jacquelyn Ferentz was initially hired by the Borough as a temporary police officer on December 1, 2000; becoming a permanent officer December 20, 2001; and has served the Borough, its Police Department, and the citizenry of the Borough in an exemplary fashion; and

WHEREAS, in the absence of a Department Chief of Police and/or Deputy Chief of Police, Ms. Ferentz, in her position as Lieutenant, was the highest ranking Officer and Officer in Charge, serving the Borough in that capacity; and

WHEREAS, Lt. Ferentz has proven her ability to serve admirably as a patrol officer, a Lieutenant, and Officer in Charge; and

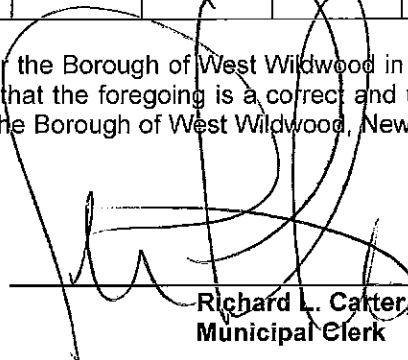
WHEREAS, charges brought by a single individual against Lt. Ferentz, pending in the New Jersey Superior Court, bear no reflection upon Lt. Ferentz's abilities and commitment to serve the Borough and its Police Department; and

WHEREAS, the Governing Body of the Borough of West Wildwood has the utmost confidence in Lt. Ferentz to serve the Borough and its citizenry.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of West Wildwood, Cape May County, New Jersey that Jacqueline Ferentz be reinstated as Lieutenant and Officer in Charge of the Police Department of the Borough of West Wildwood, immediately, such that her employment since December 1, 2000, remains continuous with the Borough and be it further resolved that the Director of the Department of Public Safety is authorized to take all actions necessary to implement this resolution to restore Lt. Ferentz to her position.

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

I, **Richard L. Carter, RMC, Municipal Clerk** for the Borough of West Wildwood in the County of Cape May and State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a Resolution adopted by the Board of Commissioners of the Borough of West Wildwood, New Jersey at the **Special Meeting** held on **May 25, 2012**.



**Richard L. Carter, RMC
Municipal Clerk**

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

RESOLUTION 2012-034

AUTHORIZING THE READING OF THE MUNICIPAL BUDGET BY TITLE ONLY

WHEREAS, N.J.S.A.40A:4-8 permits the reading of the Budget at the Public Hearing by title only if at least one week prior to the date of the Public Hearing:

1. The Budget shall be made available for Public Inspection in the free public library, if any, of the Municipality and in the free county library or regional library located in the Municipality or, if no county library or regional library is located within the Municipality, the county or regional library of the County in which the Municipality is located; and
2. The Public Officer so designated the responsibility for delivering copies of the approved Budget to such libraries has forwarded an attestation to the Governing Body that each such delivery was made; and
3. A copy of the Municipal Budget is made available to each person requesting the same, during said week and during the Public Hearing; and

WHEREAS, the Municipal Clerk has provided the necessary attestation, attached hereto, for the delivering of the copies and has further certified that said Municipal Budget has been made available to each person requesting same; and

WHEREAS, a copy of said Municipal Budget is herewith made available at this Public Hearing of the Municipal Budget.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of West Wildwood herewith determines that the Municipal Budget shall be read by title only and further declares that the conditions as set forth in Paragraphs 1, 2, and 3 have been met.

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

I, **Richard L. Carter, RMC, Municipal Clerk** for the Borough of West Wildwood in the County of Cape May and State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a Resolution adopted by the Board of Commissioners of the Borough of West Wildwood, New Jersey at a **Regularly Scheduled Meeting** held on **June 01, 2012**.



**Richard L. Carter, RMC
Municipal Clerk**

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

RESOLUTION NO. 2012-035

**RESOLUTION AMENDING RESOLUTION 2011-098
ESTABLISHING THE ANNUAL MEETING DATES
OF THE BOROUGH COMMISSIONERS FOR YEAR 2012**

WHEREAS, Resolution 2011-098 established the Annual Meeting Dates of the Borough Commissioners for the Year 2012 in accordance the Open Public Meeting Act (N.J.S.A. 10:4-1, et seq.), commonly referred to as the Sunshine Law, which establishes the right of all citizens to have adequate notice of all Public Meetings; and

WHEREAS, it is the desire of the Board of Commissioners to amend said Resolution so as to establish a later time for the Regular Meeting in order to encourage the General Public's attendance and involvement.

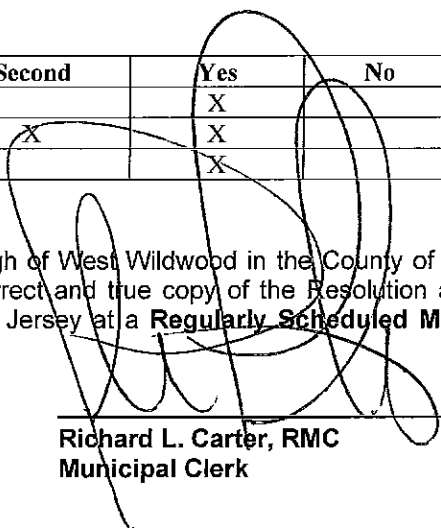
NOW, THEREFORE, BE IT RESOLVED, by the Borough Commissioners of the Borough of West Wildwood, County of Cape May, State of New Jersey, that the Regularly Scheduled Meeting of the West Wildwood Board of Commissioners for the remainder of Year 2012, which meetings will be held at the Municipal Building, 401 West Glenwood Avenue, West Wildwood, New Jersey shall be held on the following dates with the Workshop Meeting beginning at 6:30 P.M, if necessary, and the Regular Meeting beginning at 7:00 P.M., prevailing time unless otherwise noted:

Friday, June 01
Friday, June 15 - 9:00 A.M.
Friday, July 06
Friday, August 03
Friday, September 07
Friday, October 05
Friday, November 09
Friday, December 07, and

BE IT FURTHER RESOLVED that this amending Resolution shall be posted on the West Wildwood Municipal Hall Bulletin Board, to remain there for the full Calendar Year 2012; published in both Official Municipal Newspapers; and shall remain available from the Municipal Clerk's Office upon request; all in accordance with State Law.

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

I, **Richard L. Carter, RMC**, Municipal Clerk for the Borough of West Wildwood in the County of Cape May and State of New Jersey, do hereby certify that the foregoing is a correct and true copy of the Resolution adopted by the Board of Commissioners of the Borough of West Wildwood, New Jersey at a **Regularly Scheduled Meeting** held on **June 01, 2012.**



Richard L. Carter, RMC
Municipal Clerk

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

RESOLUTION 2012-036

AUTHORIZING THE FILING OF THE 2011 RECYCLING TONNAGE GRANT

WHEREAS, the mandatory Source Separation and Recycling Act (P.L. 1987,c.102) has established a recycling fund from which tonnage grants may be made to Municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use tonnage grants to develop new Municipal Recycling Programs and to continue and expand existing programs; and

WHEREAS, the recycling regulations impose on Municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the Municipality; and

WHEREAS, a resolution authorizing the Borough of West Wildwood to apply for the 2011 Recycling Tonnage Grant will memorialize the commitment of the Borough to recycling and to indicate the assent of the Borough to the efforts undertaken and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, Linda Thomas, Certified Recycling Professional, for a fee not to exceed \$100.00 in accordance with the attached Letter of Intent, is hereby designated as the individual authorized to ensure the application is properly completed and timely filed; and

NOW THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of West Wildwood, Cape May County, New Jersey that it hereinafter accepts and approves the Letter of Intent with Linda Thomas, CRP, and further endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection; and

BE IT FURTHER RESOLVED that the Supervisor of Public Works is hereby directed to coordinate with Linda Thomas to assure that the application is properly and timely filed; and

BE IT FURTHER RESOLVED that monies received through said Recycling Tonnage Grant shall be deposited in a dedicated recycling trust fund in accordance with said Grant requirements.

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

I, **Richard L. Carter, RMC, Municipal Clerk** for the Borough of West Wildwood in the County of Cape May and State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a Resolution adopted by the Board of Commissioners of the Borough of West Wildwood, New Jersey at a **Regularly Scheduled Meeting** held on **June 01, 2012**.


Richard L. Carter, RMC
Municipal Clerk

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

RESOLUTION 2012-087

TAX IDENTIFICATION STATEMENT-RECYCLING

WHEREAS, the Recycling Enhancement Act, P.L. 2007, Chapter 311, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling program; and

WHEREAS, there is levied upon the owner or operator of every Solid Waste Facility (with certain exceptions) a recycling tax of \$3.00 per ton on all solid waste accepted for disposal or transfer at the Solid Waste Facility; and

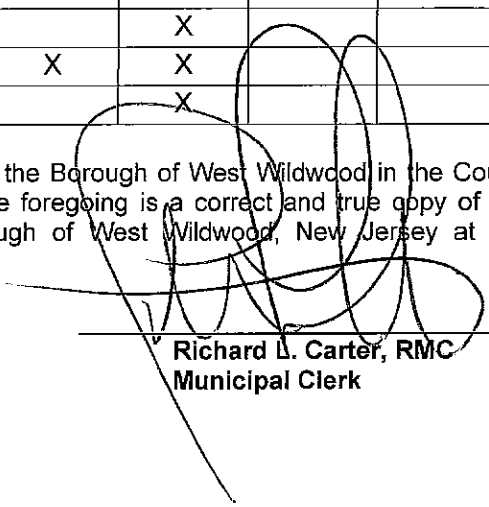
WHEREAS, whenever a municipality operates a municipal service system for solid waste collection, or provides for regular solid waste collection service under a contract awarded pursuant to the "Local Public Contracts Law", the amount of grant monies received by the municipality shall not be less than the annual amount of recycling tax paid by the municipality except that all grant monies received by the municipality shall be expended only for its recycling operation.

NOW THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of West Wildwood, Cape May County, New Jersey that it hereby certifies a submission of expenditure for taxes paid pursuant to P.L. 2007, Chapter 311 for 2011 in the amount of \$922.71; and

BE IT FURTHER RESOLVED that the supporting information is on file and available for inspection in the Offices of the Municipal Clerk at Municipal Hall, 701 W. Glenwood Avenue and shall remain on file for not less than five (5) years.

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

I, **Richard L. Carter, RMC, Municipal Clerk** for the Borough of West Wildwood in the County of Cape May and State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a Resolution adopted by the Board of Commissioners of the Borough of West Wildwood, New Jersey at a **Regularly Scheduled Meeting** held on **June 01, 2012**.


Richard L. Carter, RMC
Municipal Clerk

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

RESOLUTION 2012-038

**AUTHORIZING THE REFUND OF OVERPAYMENT OF PROPERTY TAX
AND UTILITY PAYMENTS**

WHEREAS, the property owners listed below tendered excess utility and real estate tax payments to the Borough of West Wildwood Utility and Tax Collector as indicated below; and

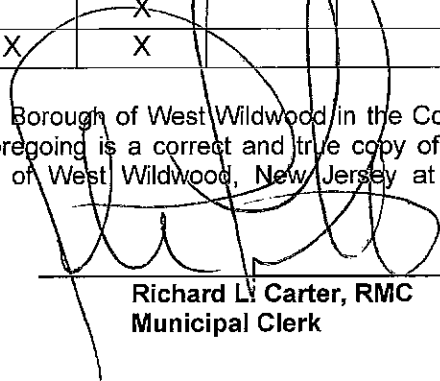
WHEREAS, the excess utility and tax payments need to be refunded.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of West Wildwood, Cape May County, New Jersey that the Acting Chief Financial Officer is hereby authorized to make the following payments in the amount indicated; as follows:

OWNER	BLOCK	LOT	AMOUNT	TAX
James and Lori Perloff (Send to: Bac Tax Services Mail Stop CA6-913-LB-01 P.O. Box 10211 Van Nuys, Ca. 91499-6089)	100.04	2.08	\$6,329.10	Property
Maryann D'Agostino	150	4.02	\$ 650.27	Property
Spray Dock, Inc	148	16	\$ 89.25	Utility
Spray Dock, Inc	148	15	\$ 89.25	Utility

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

I, **Richard L. Carter, RMC, Municipal Clerk** for the Borough of West Wildwood in the County of Cape May and State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a Resolution adopted by the Board of Commissioners of the Borough of West Wildwood, New Jersey at a **Regularly Scheduled Meeting** held on **June 01, 2012**.



**Richard L. Carter, RMC
Municipal Clerk**

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

RESOLUTION 2012-039

**AUTHORIZING THE WAIVING OF STREET OPENING FEES
FOR DRIVEWAY WORK PERFORMED DURING THE
O AND PINE AVENUE RECONSTRUCTION PROJECT**

WHEREAS, the Borough has previously executed a Contract with Bud Concrete, Inc for the Reconstruction of O and Pine Avenues; and

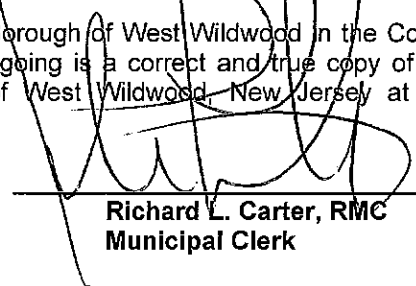
WHEREAS, the Borough permits the Contractor to repair driveway access and aprons at the property owner's expense; and

WHEREAS, Ordinance 351 of 1993 requires that a street opening permit and fee be charged for such driveway work.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of West Wildwood, Cape May County, New Jersey that such driveway work performed by the Contractor shall still require the submission of a street opening permit but the fees charged for said permit issuance are hereby waived for the duration of the O and Pine Avenue Reconstruction.

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

I, **Richard L. Carter, RMC, Municipal Clerk** for the Borough of West Wildwood in the County of Cape May and State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a Resolution adopted by the Board of Commissioners of the Borough of West Wildwood, New Jersey at a **Regularly Scheduled Meeting** held on **June 01, 2012**.



Richard L. Carter, RMC
Municipal Clerk

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

RESOLUTION NO 2012-040

AUTHORIZING AMENDMENT TO THE CY 2012 BUDGET

WHEREAS, the Local Municipal Budget for the **CY2012** was approved on the eighth day of March, 2012; and

WHEREAS, the Public Hearing on said Budget has been held as advertised; and

WHEREAS, it is the desire of the Governing Body to make amendments to the approved Budget.

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Borough of West Wildwood that the following amendments to the **CY2012 Municipal Budget** be made:

8. GENERAL APPROPRIATIONS	From	To
(A) Operations-within "CAPS"		
General Administration		
Salary and Wages	\$ 54,000.00	\$ 24,220.41
PUBLIC SAFETY FUNCTIONS		
Police		
Salary and Wages	\$ 170,100.00	\$199,879.59
(E) Deferred Charges and Statutory Expenditures-		
Municipal within "CAPS"		
(2) STATUTORY EXPENDITURES:		
Contribution to:		
Social Security System (O.A.S.I.)	\$ 40,747.00	\$ 40,737.00
Police and Fireman's Retirement System of NJ	\$ 31,676.00	\$ 31,686.00; and

BE IT FURTHER RESOLVED that two (2) certified copies of this Resolution shall be filed forthwith the Office of the Director of Local Government Services for certification of the Local Municipal Budget as amended; and

BE IT FURTHER RESOLVED that this complete amendment, in accordance with the provisions of N.J.S.A. 40A:4-9, be published in the June 06, 2012 Edition of the **Atlantic City Press**, which publication shall also contain Notice that the Public Hearing on this Amendment shall be held at the West Wildwood Municipal Building, 701 Glenwood Avenue, West Wildwood, New Jersey at a Special Meeting to be held on June 15, 2012 at 7:00 P.M.

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

I, **Richard L. Carter, RMC, Municipal Clerk** for the Borough of West Wildwood in the County of Cape May and State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a Resolution adopted by the Board of Commissioners of the Borough of West Wildwood, New Jersey, at a **Regularly Scheduled Meeting** held on **June 01, 2012**.



**Richard L. Carter, RMC
Municipal Clerk**

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

RESOLUTION 2012-041

**AUTHORIZING APPOINTMENTS TO THE
URBAN ENTERPRISE ZONE BOARD OF DIRECTORS**

WHEREAS, it is necessary for the Borough of West Wildwood to have active participation in the Enterprise Zone Development Corporation of the Wildwoods (UEZ); and

WHEREAS, the Borough is entitled to make two appointments to said Corporation; one that is a member of the Governing Body and one that is either a member of the Public or an employee of the Borough.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of West Wildwood, Cape May County, New Jersey that Mayor Christopher Fox is hereby appointed as the Municipal Governing Body Member; and

BE IT FURTHER RESOLVED that Carl O'Hala is hereby appointed as the Public/Municipal Employee Member.

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

I, **Richard L. Carter, RMC, Municipal Clerk** for the Borough of West Wildwood in the County of Cape May and State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a Resolution adopted by the Board of Commissioners of the Borough of West Wildwood, New Jersey at a **Regularly Scheduled Meeting** held on **June 01, 2012**.



Richard L. Carter, RMC
Municipal Clerk

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

RESOLUTION NO. 2012-042

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

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

WHEREAS, the Borough anticipates discussion of pending and anticipated litigation as well as terms and conditions of employment for a public officer or employee, which constitute two of the permitted exemptions; and

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

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

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

I, **Richard L. Carter**, RMC, Municipal Clerk for the Borough of West Wildwood, in the County of Cape May and State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a Resolution adopted by the Board of Commissioners of the Borough of West Wildwood, New Jersey at a **Regularly Scheduled Meeting** held on **June 01, 2012**.



Richard L. Carter
Municipal Clerk

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

RESOLUTION 2012-043

**DISMISSAL OF DISCIPLINARY CHARGES
JAMES FOX – WILLIAM NULL**

WHEREAS, Disciplinary Charges now pending appeal in the New Jersey Superior Court in an action known as *Borough of West Wildwood v. James Fox and William Null*, Docket No. CPM-517-09, were politically motivated and brought by Former Mayor Frederick without basis;

WHEREAS, those charges were found by the hearing officer to be without merit;

WHEREAS, former Mayor Frederick appealed the decision of the hearing officer so as to continue his harassment of Mr. Null, while improperly expending Borough funds to continue unfounded litigation;

NOW, THEREFORE BE IT RESOLVED that the decision of the hearing officer that the charges are without merit is hereby accepted;

BE IT FURTHER RESOLVED that the action known as *Borough of West Wildwood v. James Fox and William Null* will not be prosecuted and that the Complaint will be dismissed.

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

I, **Richard L. Carter, RMC, Municipal Clerk** for the Borough of West Wildwood in the County of Cape May and State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a Resolution adopted by the Board of Commissioners of the Borough of West Wildwood, New Jersey at their **Regular Meeting** held on **June 01, 2012**


Richard L. Carter, RMC
Municipal Clerk

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

RESOLUTION 2012-044

**DISMISSAL OF FURTHER LITIGATION
RONALD J. STAGLIANO**

WHEREAS, litigation was commenced by Former Mayor Frederick known as *Borough of West Wildwood v. Ronald J. Stagliano, et al*, Docket No. CPM-L-37-12, which was improper in a number of respects, including, but not limited to, it being without merit, the use public funds to pursue a personal vendetta and, by law, could not be sustained because it was filed beyond the Statutory period allowing such litigation to be filed;

NOW, THEREFORE BE IT RESOLVED that counsel employed to pursue this litigation is directed to cease and desist from any further prosecution of the matter and to dismiss the litigation without any other cost to the Borough.

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

I, **Richard L. Carter, RMC, Municipal Clerk** for the Borough of West Wildwood in the County of Cape May and State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a Resolution adopted by the Board of Commissioners of the Borough of West Wildwood, New Jersey at their **Regular Meeting** held on **June 01, 2012**.



**Richard L. Carter, RMC
Municipal Clerk**

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

RESOLUTION 2012-045

WITHDRAWING PRELIMINARY
NOTICE OF DISCIPLINARY ACTION
JACQUELINE FERENTZ

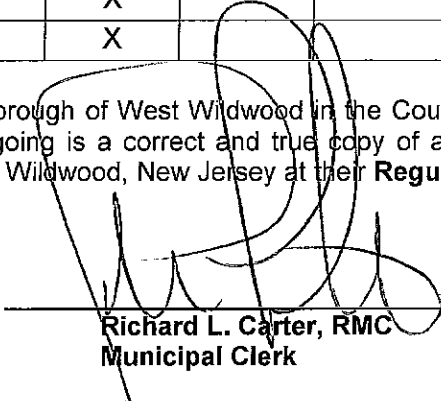
WHEREAS, on or about April 11, 2011 Former Mayor Frederick filed with the Director of the Office of Public Safety, himself, a Preliminary Notice of Disciplinary Action against Lt. Jacqueline Ferentz regarding claims for pension credit;

WHEREAS, the allegations in that Notice are without basis and were politically motivated;

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of West Wildwood, Cape May County, New Jersey that the herein referenced Preliminary Notice of Disciplinary Action filed against Lt. Jacqueline Ferentz is withdrawn and dismissed.

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

I, **Richard L. Carter, RMC, Municipal Clerk** for the Borough of West Wildwood in the County of Cape May and State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a Resolution adopted by the Board of Commissioners of the Borough of West Wildwood, New Jersey at their **Regular Meeting** held on **June 01, 2012**.



Richard L. Carter, RMC
Municipal Clerk

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

RESOLUTION 2012-046

**AUTHORIZING DISMISSAL OF DISCIPLINARY CHARGES
JACQUELYN FERENTZ**

WHEREAS, Disciplinary Charges, now pending appeal in the New Jersey Superior Court in an action known as *Jacquelyn Ferentz v. Borough of West Wildwood*, Docket No. CPM-480-11, were politically motivated and brought by Former Mayor Frederick without basis;

WHEREAS, in his improper and illegal pursuit of those charges, Former Mayor Frederick violated Lt. Ferentz' rights by, among other things, failing to give to Lt. Ferentz notice and opportunity to be heard prior to being suspended without pay in violation of *Loudermill v Cleveland Board of Education*;

NOW, THEREFORE BE IT RESOLVED that the decision of the hearing officer is hereby rejected as null and void by the Board of Commissioners as biased and against the weight of the evidence and all charges against Lt. Ferentz are dismissed;

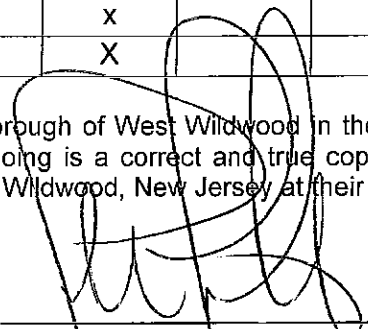
BE IT FURTHER RESOLVED that the underlying charges, now pending in New Jersey Superior Court in an action known as *Jacquelyn Ferentz v. Borough of West Wildwood*, Docket No. CPM-480-11, will not be defended because the charges against Ferentz are without basis and politically motivated, and have been completely dismissed by the Board of Commissioners;

BE IT FURTHER RESOLVED that Lt. Ferentz is entitled to be restored to her position; that Lt. Ferentz is entitled to full back-pay and all benefits, medical benefits and entitlements of her position such that her employment since December 1 of 2000 shall remain uninterrupted and all charges removed from her permanent record; and,

BE IT FURTHER RESOLVED that legal counsel defending the Borough in other actions brought by Lt. Ferentz against the Borough stemming from her unlawful suspension is encouraged to file a counterclaim against Former Mayor Frederick, individually, for indemnification for any and all damages which may be assessed against the Borough as a consequence of his actions.

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

I, **Richard L. Carter, RMC, Municipal Clerk** for the Borough of West Wildwood in the County of Cape May and State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a Resolution adopted by the Board of Commissioners of the Borough of West Wildwood, New Jersey at their **Regular Meeting** held on **June 01, 2012**.


Richard L. Carter, RMC
Municipal Clerk

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

**RESOLUTION 2012-047
CHAPTER 159 - INSERTION OF 2011 UEZ ADMINISTRATIVE BUDGET**

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

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

WHEREAS, the Borough of West Wildwood is in receipt of \$16,365.14 from the State of New Jersey, Department of Community Affairs, Division of Urban Enterprise Zones and wishes to amend its 2012 Municipal Budget to include this amount of revenue.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Borough of West Wildwood, County of Cape May, New Jersey, does hereby request the Director of the Division of Local Government services to approve the insertion of an item of revenue in the municipal budget of the Borough of West Wildwood for the year 2012 in the sum of \$16,365.14, which is now available as a revenue from:

Miscellaneous Revenues

Special Items of General Revenue Anticipated with
Prior Written Consent of the Director of the Division
of Local Government Services - Public and Private
Revenues Offset with Appropriations:
New Jersey Department of Community Affairs -
2011 UEZ Administrative Budget \$ 16,365.14

; and

BE IT FURTHER RESOLVED that a like sum of\$ 16,365.14
be and the same is hereby appropriated under the caption of:

GENERAL APPROPRIATIONS

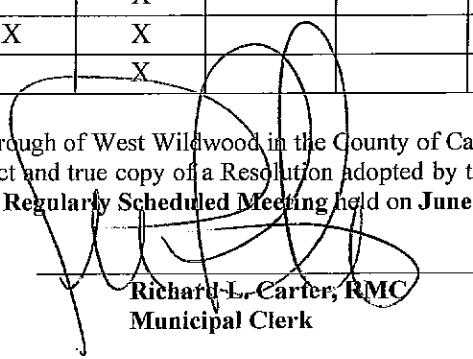
(a) Operations Excluded from 5% Caps
Public and Private Programs Offset by Revenues:
2011 UEZ Administrative Budget

; and

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

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

I, **Richard L. Carter, RMC, Municipal Clerk** for the Borough of West Wildwood in the County of Cape May and State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a Resolution adopted by the Board of Commissioners of the Borough of West Wildwood, New Jersey at a **Regularly Scheduled Meeting** held on **June 15, 2012**.



**Richard L. Carter, RMC
Municipal Clerk**

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

RESOLUTION 2012-048

CHAPTER 159 - INSERTION OF 2011 UEZ ASSISTANCE FUNDS

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

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

WHEREAS, the Borough of West Wildwood is in receipt of \$132,849.65 from the State of New Jersey, Department of Community Affairs, Division of Urban Enterprise Zones and wishes to amend its 2012 Municipal Budget to include this amount of revenue.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Borough of West Wildwood, County of Cape May, New Jersey, does hereby request the Director of the Division of Local Government services to approve the insertion of an item of revenue in the municipal budget of the Borough of West Wildwood for the year 2012 in the sum of \$132,849.65 which is now available as a revenue from:

Miscellaneous Revenues

Special Items of General Revenue Anticipated with
Prior Written Consent of the Director of the Division
of Local Government Services - Public and Private
Revenues Offset with Appropriations:

New Jersey Department of Community Affairs -
2011 UEZ Assistance Funds\$ 132,849.65

; and

BE IT FURTHER RESOLVED that a like sum of\$ 132,849.65
be and the same is hereby appropriated under the caption of:

GENERAL APPROPRIATIONS

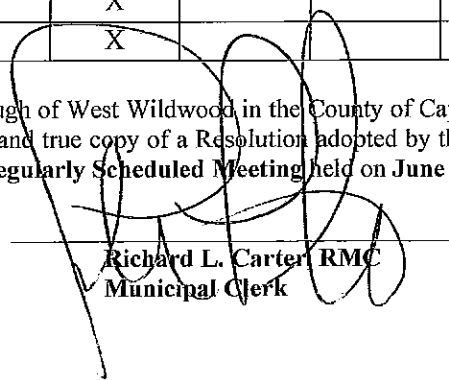
(a) Operations Excluded from 5% Caps
Public and Private Programs Offset by Revenues:
2011 UEZ Assistance Funds

; and

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

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

I, **Richard L. Carter, RMC, Municipal Clerk** for the Borough of West Wildwood in the County of Cape May and State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a Resolution adopted by the Board of Commissioners of the Borough of West Wildwood, New Jersey at a **Regularly Scheduled Meeting** held on **June 15, 2012**.


Richard L. Carter RMC
Municipal Clerk

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

**RESOLUTION 2012-049
APPROVAL OF LIQUOR LICENSE – WEST SIDE SALOON**

WHEREAS, an application has been made by the person(s) and/or corporation(s) hereinafter set forth, for the renewal of Plenary Retail Consumption Licenses heretofore granted by this issuing Authority; and

WHEREAS, all things required to be done by said Applicants have been done or are being done, including the payment of any and all required fees; and

WHEREAS, the Issuing Authority having found:

- (a) The submitted Application for renewal is complete in all respects;
- (b) The Applications are qualified to be licensees according to all statutory, regulatory and local governmental ABC laws and regulations
- (c) The Applicant has disclosed, and the Issuing Authority has reviewed, any additional financing obtained in the previous license term for use in the licensed businesses; and

WHEREAS, no objections to the issuance thereof have been filed with the Borough Clerk and this Body is of the opinion that said Application should be granted and license issued.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Borough of West Wildwood, Cape May County, New Jersey, that the Plenary Retail Consumption License as hereinafter set forth be, and the same are, hereby granted for the period of one (1) year from July 1, 2012 through June 30, 2013 unto the person and corporation and limited liability company recited, for the premises in West Wildwood, New Jersey, as listed below:

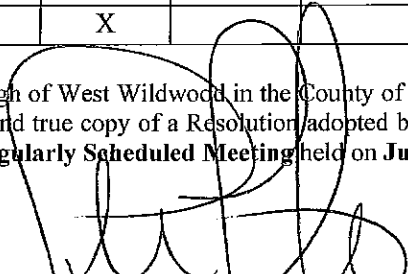
Name of Licensee and State assigned License No.	Premises Location	Type
West Side Saloon, LLC t/a West Side Saloon #0513-33-00-1-005	770 W. Glenwood Avenue West Wildwood , NJ	PRC

BE IT FURTHER RESOLVED, that the Municipal Clerk be, and hereby is, authorized empowered and directed to sign such license by and on behalf of said Borough of West Wildwood, New Jersey and to complete same in accordance with directives received from the Division of Alcoholic Beverage Control of the State of New Jersey; and

BE IT FURTHER RESOLVED, that the Municipal Clerk shall forthwith forward a certified copy of this Resolution to the Director of the Division of Alcoholic Beverage Control, CN 087, Trenton, New Jersey 08625, pursuant to the Statutes and the rules and regulations of the Division in such cases made and provided and in accordance with the aforesaid directives issued by said Director.

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

I, **Richard L. Carter, RMC, Municipal Clerk** for the Borough of West Wildwood in the County of Cape May and State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a Resolution adopted by the Board of Commissioners of the Borough of West Wildwood, New Jersey at a **Regularly Scheduled Meeting** held on **June 15, 2012**.



**Richard L. Carter, RMC
Municipal Clerk**

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

**RESOLUTION 2012-050
APPROVING THE RENEWAL OF A LIQUOR LICENSE FOR
WEST WILDWOOD LIQUOR STORE**

WHEREAS, an application has been made by the person(s) and/or corporation(s) hereinafter set forth, for the renewal of Plenary Distribution Licenses heretofore granted by this Issuing Authority; and

WHEREAS, all things required to be done by said Applicant have been done or are being done, including the payment of any and all required fees; and

WHEREAS, the Borough of West Wildwood, as the Issuing Authority, having found that:

- (a) The submitted Application for renewal is complete in all respects;
- (b) The Applicant is qualified to be licensed according to all statutory, regulatory and local governmental ABC laws and regulations; and
- (c) The Applicant has disclosed, and the Issuing Authority has reviewed, any additional financing obtained in the previous license term for use in the licensed businesses.

WHEREAS, no objections to the issuance thereof have been filed with the Municipal Clerk and this Governing Body is of the opinion that said Application should be granted and license issued.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Borough of West Wildwood, Cape May County, New Jersey, that the Plenary Retail Distribution License as hereinafter set forth be, and the same are, hereby granted for the period of one (1) year from July 1, 2012 through June 30, 2013 unto each of the person and corporation and limited liability company recited, for the premises in West Wildwood, New Jersey, as listed below:

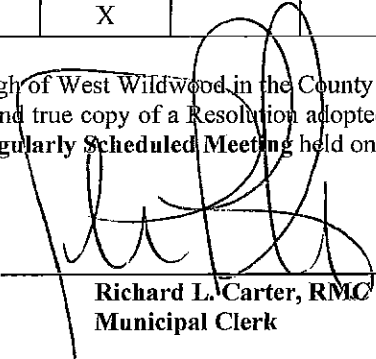
Name of Licensee and State assigned License No.	Premises Location	Type
Estate of Francis G. Lord t/a West Wildwood Liquor Store #0513-44-003-002	654 W. Glenwood Avenue West Wildwood, NJ	PDL

BE IT FURTHER RESOLVED, that the Municipal Clerk be, and hereby is, authorized empowered and directed to sign such licenses by and on behalf of said Borough of West Wildwood, New Jersey and to complete same in accordance with directives received from the Division of Alcoholic Beverage Control of the State of New Jersey; and

BE IT FURTHER RESOLVED, that the Municipal Clerk shall forthwith forward a certified copy of this Resolution to the Director of the Division of Alcoholic Beverage Control, CN 087, Trenton, New Jersey 08625, pursuant to the Statutes and the rules and regulations of the Division in such cases made and provided and in accordance with the aforesaid directives issued by said Director.

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

I, **Richard L. Carter, RMC, Municipal Clerk** for the Borough of West Wildwood in the County of Cape May and State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a Resolution adopted by the Board of Commissioners of the Borough of West Wildwood, New Jersey at a **Regularly Scheduled Meeting** held on **June 15, 2012**.



**Richard L. Carter, RMC
Municipal Clerk**

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

RESOLUTION 2012-051

PROMOTION TO CHIEF OF POLICE POSITION

WHEREAS, the Board of Commissioners seek to fulfill a position within the West Wildwood Police Department; and

WHEREAS, the Borough recognizes that this position is currently vacant and the filling of this position will further the ability of the Police Department to provide for the health, safety, and welfare of the Borough; and

WHEREAS, Jacquelyn Ferentz is currently employed as a Lieutenant in the Police Department of the Borough of West Wildwood and is the highest ranking officer; and

WHEREAS, Lieutenant Ferentz has served as a police officer and a supervisor for the Borough of West Wildwood for more than three (3) years; and

WHEREAS, in accordance with the provisions Ordinance No. 460 which governs the operations of the West Wildwood Police Department, Lieutenant Ferentz is the only Officer eligible for the promotion to the rank of Chief of Police; and

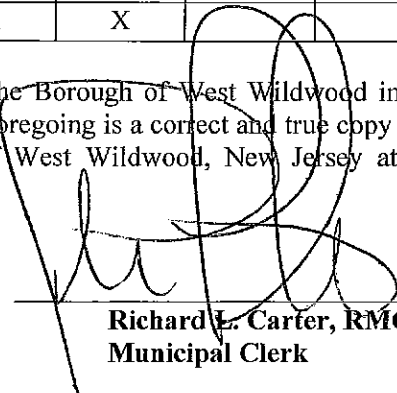
WHEREAS, Lieutenant Ferentz is duly qualified to hold the rank of Chief of Police in the West Wildwood Police Department.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of West Wildwood, Cape May County, New Jersey, Lieutenant Ferentz shall be, and hereby is, promoted to the rank of Chief of Police in the Borough of West Wildwood Police Department.

BE IT FURTHER RESOLVED that the Commissioner of Public Works be, on behalf of the Mayor who has recused himself from this process, and he is hereby authorized to execute an Employment Contract with Jacquelyn Ferentz to serve as Chief of Police for the West Wildwood Police Department.

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

I, **Richard L. Carter, RMC, Municipal Clerk** for the Borough of West Wildwood in the County of Cape May and State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a Resolution adopted by the Board of Commissioners of the Borough of West Wildwood, New Jersey at their **Regular Meeting** held on **June 15, 2012**.



**Richard L. Carter, RMC
Municipal Clerk**

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

RESOLUTION 2012-052
APPROVING THE ISSURANCE OF A FIRE SAFETY PERMIT
FOR A FIRE WORKS DISPLAY ON JUNE 30, 2012

WHEREAS, an application has been made by Schaefer Pyrotechnics, Inc to conduct a Fire Works Display on June 30, 2012; and

WHEREAS, Permit Number 12-2019 has been issued by the Borough of West Wildwood Fire Prevention Bureau, which permit includes a Liability and Transportation Insurance Policies in the amount of \$5,000,000.00; and

WHEREAS, it appears that the Applicant has met the required obligations for the performance of said Disply.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Borough of West Wildwood, Cape May County, New Jersey, that it hereafter approves a Fire Works Display to be held on June 30, 2012 behind the Municipal Fire Hall off North Drive; and

BE IT FURTHER RESOLVE, that the Applicant is solely responsible to comply with all other applicable health, police, building, or construction requirements for this activity.

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

I, **Richard L. Carter, RMC, Municipal Clerk** for the Borough of West Wildwood in the County of Cape May and State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a Resolution adopted by the Board of Commissioners of the Borough of West Wildwood, New Jersey at a **Regularly Scheduled Meeting** held on **June 15, 2012**.



Richard L. Carter, RMC
Municipal Clerk