# BOROUGH OF WEST WILDWOOD COUNTY OF CAPE MAY

### **RESOLUTION 2014-063**

# A RESOLUTION NOTIFYING THE STATE DIRECTOR OF LOCAL GOVERNMENTAL SERVICES OF A CHANGE IN PETTY CASH CUSTODIAN

WHEREAS, a Petty Cash Fund was established by Resolution 05-03 in the amount not to exceed \$100.00, approved by the Board of Commissioners of the Borough of West Wildwood on January 7, 2005 and the Director of Local Finance; and

WHEREAS, the Custodian of such Fund was Dorothy A. Tomlin, Borough Clerk/Treasurer; and

WHEREAS, the Custodian has since retired, requiring a new custodian to be appointed; and

WHEREAS, it is deem to be in the best interest of the Borough to appoint Elaine Crowley, Borough Treasurer, as the Custodian of Funds, effective June 7, 2014.

WHEREAS, it should be noted that Elaine Crowley is covered by a blanket surety bond in the amount of \$1,000,000.00.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of the Borough of West Wildwood, County of Cape May, New Jersey, hereby appoints Elaine Crowley, Borough Treasurer as the Custodian of said Fund.

**BE IT RESOLVED** by the Board of Commissioners of the Borough of West Wildwood, County of Cape May, New Jersey, that the State Director of Local Governmental Services be notified of said change and hereby authorize Elaine Crowley, who is covered by a blanket surety bond in the amount of \$1,000,000.00.

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

I, Donna L. Frederick, 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 Regular Meeting held on June 6, 2014.

### BOROUGH OF WEST WILDWOOD COUNTY OF CAPE MAY

### **RESOLUTION 2014-064**

### AUTHORIZING A REFUND FOR MERCANTILE LICENSE FEE

WHEREAS, Mr. Daniele Miriello, owner of 9 Avenue "I" paid for a renewal mercantile license on March 20, 2014, in the sum of \$320.00; and

WHEREAS, the annual renewal date for mercantile licenses is May 1<sup>st</sup>;

WHEREAS, Mr. Miriello, has notified the Borough that he is not going to rent his property, due to the fact that it is for sale, and he has requested a refund.

WHEREAS, due to the fact that the mercantile license was paid well in advance of the renewal date, the Board of Commissioners deem it in the best interest to refund said fee.

**NOW, THEREFORE BE IT RESOLVED**, that the Governing Body of the Borough of West Wildwood, County of Cape May, State of New Jersey, due hereby authorize the treasurer to refund said mercantile license fee.

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

I, Donna L. Frederick, 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 Regular Meeting held on June 6, 2014.

### BOROUGH OF WEST WILDWOOD COUNTY OF CAPE MAY

### **RESOLUTION 2014-065**

### APPROVING THE 2014 CASH MANAGEMENT PLAN FOR THE BOROUGH OF WEST WILDWOOD

WHEREAS, N.J.S.A. 40A:5-14 requires the Borough of West Wildwood to adopt a Cash Management Plan, authorized by Resolution and passed by a majority of the full membership of the governing body; and

WHEREAS, the attached Cash Management Plan will guide the investment of funds of the Borough of West Wildwood; and

WHEREAS, the Chief Financial Officer will administer the Plan; and

WHEREAS, the Plan is subject to an annual audit.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Borough of West Wildwood that the attached Cash Management Plan of the Borough of West Wildwood, County of Cape May, New Jersey is approved and adopted for the period beginning January 1, 2014 and ending December 31, 2014.

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

I, Donna L. Frederick, 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 Regular Meeting held on June 6, 2014.

# CASH MANAGEMENT PLAN OF THE BOROUGH OF WEST WILDWOOD, IN THE COUNTY OF CAPE MAY, NEW JERSEY

### I. STATEMENT OF PURPOSE:

This Cash Management Plan (the "Plan") is prepared pursuant to the provisions of N.J.S.A. 40A:5-14 in order to set forth the basis for the deposits ("Deposits") and investments ("Permitted Investments") of certain public funds of the Borough of West Wildwood, pending the use of such funds for the intended purposes. The Plan is intended to assure that all public funds identified herein are deposited in interest bearing Deposits or otherwise invested in Permitted Investments hereinafter referred to. The intent of the Plan is to provide that the decisions made with regard to the Deposits and the Permitted Investments will be done to insure the safety, the liquidity (regarding its availability for the intended purposes), and the maximum investment return within such limits. The Plan is intended to insure that any Deposit or Permitted Investment matures within the time period that approximates the prospective need for the funds deposited or invested so that there is not a risk to the market value of such Deposits or Permitted Investments.

# II. <u>INDENTIFICATION OF FUNDS AND ACCOUNTS TO BE COVERED BY THE</u> PLAN.

- A. The Plan is intended to cover the deposit and/or investment of the following funds and accounts of the Borough of West Wildwood:
  - Current Fund
  - 2. Water-Sewer Utility Operating Fund
  - 3. General Capital Fund
  - 4. Water-Sewer Utility Capital Fund
  - 5. Payroll Account
  - 6. Trust Other Fund
  - 7. Park and Recreation Fund
  - 8. Fire Safety Fund
  - 9. Any fund or account maintained by the Borough of West Wildwood not specifically listed in Section "B" below.
- B. It is understood that this Plan is not intended to cover certain funds and accounts of the Borough of West Wildwood, specifically:

### 1. Developer Escrow Accounts

# III. DESIGNATION OF OFFICIALS OF THE BOROUGH OF WEST WILDWOOD AUTHORIZED TO MAKE DEPOSITS AND INVESTMENTS UNDER THE PLAN.

The Chief Financial Officer of the Borough of West Wildwood (Treasurer) (the "Designated Official") is hereby authorized and directed to deposit and/or invest the funds referred to in the Plan. Prior to making any such Deposits or any Permitted Investments, such officials of the Borough of West Wildwood are directed to supply to all depositories or any other parties with whom the Deposits or Permitted Investments are made a written copy of this Plan which shall be acknowledged in writing by such parties and a copy of such acknowledgment kept on file with such officials.

### IV. DESIGNATION OF DEPOSITORIES.

The following banks and financial institutions are hereby designated as official depositories for the Deposit of all public funds referred to in the Plan, including any certificates of deposit which are not otherwise invested in Permitted Investments as provided for in this Plan:

- 1. Crest Savings Bank
- 2. New Jersey Cash Management
- 3. MBIA Municipal Investors Service Corp
- 4. Any other financial institution located in the State of New Jersey which meets the requirements of the Governmental Unit Deposit Protection Act.

All such depositories shall acknowledge in writing receipt of this Plan by sending a copy of such acknowledgment to the Designated Official(s) referred to in Section III above.

V. <u>DESIGNATION OF BROKERAGE FIRMS AND DEALERS WITH WHOM THE</u> <u>DESIGNATED OFFICIALS MAY DEAL</u>.

The following brokerage firms and/or dealers and other institutions are hereby designated as firms with whom the Designated Official(s) of the Borough of West Wildwood referred to in this Plan may deal for purposes of buying and selling securities identified in this Plan as Permitted Investments or otherwise providing for Deposits. All such brokerage firms and/or dealers shall acknowledge in writing receipt of this Plan by sending a copy of such acknowledgment to the Designated Official(s) referred to in Section III above.

1.

### VI. AUTHORIZED INVESTMENTS.

- A. Except as otherwise specifically provided for herein, the Designated Official is hereby authorized to invest the public funds covered by this Plan, to the extent not otherwise held in Deposits, in the following Permitted Investments:
  - 1. Bonds or other obligations of the United States of America or obligations guaranteed by the United States of America;
  - 2. Government money market mutual funds;
  - 3. Any obligation that a federal agency or a federal instrumentality has issued in accordance with an act of Congress, which security has a maturity date not greater than 397 days from the date of purchase, provided that such obligation bears a fixed rate of interest not dependent on any index or other external factor;
  - 4. Bonds or other obligations of the Local Unit or bonds or other obligations of school districts of which the Local Unit is a part or within which the school district is located:
  - 5. Bonds or other obligations, having a maturity date not more than 397 days from the date of purchase, approved by the Division of Investment of the Department of the Treasury for investment by Local Units;
  - 6. Local government investment pools;
  - 7. Deposits with the State of New Jersey Cash Management Fund established pursuant to section 1 of P.L. 1977, c.281 (C.52:18A-90.4); or
  - 8. Agreements for the repurchase of fully collateralized securities if:
    - a. the underlying securities are permitted investments pursuant to paragraphs (1) and (3) of this subsection a;
    - b. the custody of collateral is transferred to a third party;
    - c. the maturity of the agreement is not more than 30 days;
    - d. the underlying securities are purchased through a public depository as defined in section 1 of P.L. 1970, c.236 (C.17:9-41); and

e. a master repurchase agreement providing for the custody and security of collateral is executed.

For the purpose of the above language, the terms "government money market mutual fund" and "local government investment pool" shall have the following definitions:

Government Money Market Mutual Fund. An investment company or investment trust:

- a. which is registered with the Securities and Exchange Commission under the "Investment Company Act of 1940," 15 U.S.C. sec. 80a-1 et seg., and operated in accordance with 17 C.F.R. sec. 270.2a-7.
- b. the portfolio of which is limited to U.S. Government securities that meet the definition of any eligible security pursuant to 17 C.F.R. sec. 270-2a-7 and repurchase agreements that are collateralized by such U.S. Government securities; and
- c. which has:
  - (i) attained the highest ranking or the highest letter and numerical rating of a nationally recognized statistical rating organization; or
  - (ii) retained an investment advisor registered or exempt from registration with the Securities and Exchange Commission pursuant to the "Investment Advisors Act of 1940," 15 U.S.C. sec 80b-1 et seq., with experience investing in U.S. Government securities for at least the most recent past 60 months and with assets under management in excess of \$500 million.

### <u>Local Government Investment Pool</u>. An investment pool:

- a. which is managed in accordance with 17 C.F.R. sec. 270.2a-7;
- b. which is rated in the highest category by a nationally recognized statistical rating organization;
- which is limited to U.S. Government securities that meet the definition of an eligible security pursuant to 17 C.F.R. sec. 270-2a-7 and repurchase agreements that are collateralized by such U.S. Government securities;
- d. which is in compliance with rules adopted pursuant to the "Administrative Procedure Act," P.L. 1968, C410 (c.52:14B-1 et seq.) by the Local Finance Board of the Division of Local Government Services in the Department of Community Affairs, which rules shall

- provide for disclosure and reporting requirements, and other provisions deemed necessary by the board to provide for the safety, liquidity, and yield of the investments;
- e. which does not permit investments in instruments that: are subject to high price volatility with changing market conditions; cannot reasonably be expected, at the time of interest rate adjustment, to have a market value that approximates their par value; or utilize an index that does not support a stable net asset value; and
- f. which purchases and redeems investments directly from the issuer, government money market mutual fund, or the State of New Jersey Cash Management Fund, or through the use of a national or State bank located within this State, or through a broker-dealer which, at the time of purchase or redemption, has been registered continuously for a period of at least two years pursuant to section 9 of P.L. 1967, c.9 (C.49:3-56) and has at least \$25 million in capital stock (or equivalent capitalization if not a corporation), surplus reserves for contingencies and undivided profits, or through a securities dealer who makes primary markets in U.S. Government securities and reports daily to the Federal Reserve Bank of New York its position in and borrowing on such U.S. Government securities.
- B. Notwithstanding the above authorization, the monies on hand in the following funds and accounts shall be further limited as to maturities, specific investments or otherwise as follows:
  - 1. Current Fund
  - 2. Water-Sewer Utility Operating Fund
  - 3. General Capital Fund
  - 4. Water-Sewer Utility Capital Fund
  - 5. Payroll Account
  - 6. Trust Other Fund
  - 7. Park and Recreation Trust Fund
  - 8. Fire Safety Fund
  - 9. Any fund or account maintained by the City of Cape May not specifically excluded.

# VII. SAFEKEEPING CUSTODY PAYMENT AND ACKNOWLEDGMENT OF RECEIPT OF PLAN.

To the extent that any Deposit or Permitted Investment involves a document or security which is not physically held by the Borough of West Wildwood, then such

instrument or security shall be covered by a custodial agreement with an independent third party, which shall be a bank or financial institution in the State of New Jersey. Such institution shall provide for the designation of such investments in the name of the Borough of West Wildwood to assure that there is no unauthorized use of the funds or the Permitted Investments or Deposits. Purchase of any Permitted Investments that involve securities shall be executed by a "delivery versus payment" method to insure that such Permitted Investments are either received by the Borough of West Wildwood or by a third party custodian prior to or upon the release of the Borough of West Wildwood's funds. To assure that all parties with whom the Borough of West Wildwood deals either by way of Deposits or Permitted Investments are aware of the authority and the limits set forth in this Plan, all such parties shall be supplied with a copy of this Plan in writing and all such parties shall acknowledge the receipt of that Plan in writing, a copy of which shall be on file with the Designated Official(s).

### VIII. REPORTING REQUIREMENTS.

On the first day of each month during which this Plan is in effect, the Designated Official(s) referred to in Section III hereof shall supply to the governing body of the Borough of West Wildwood a written report of any Deposits or Permitted Investments made pursuant to this Plan, which shall include, at a minimum, the following information:

- A. The name of any institution holding funds of the Borough of West Wildwood as a Deposit or a Permitted Investment.
- B. The amount of securities or Deposits purchased or sold during the immediately preceding month.
- C. The class or type of securities purchased or Deposits made.
- D. The book value of such Deposits or Permitted Investments.
- E. The earned income on such Deposits or Permitted Investments. To the extent that such amounts are actually earned at maturity, this report shall provide an accrual of such earnings during the immediately preceding month.
- F. The fees incurred to undertake such Deposits or Permitted Investments.
- G. The market value of all Deposits or Permitted Investments as of the end of the immediately preceding month.
- H. All other information which may be deemed reasonable from time to time by the governing body of the Borough of West Wildwood.

### IX. TERM OF PLAN.

This Plan shall be in effect from <u>January 1, 2014</u>, to <u>December 31, 2014</u>. Attached to this Plan is a resolution of the governing body of the Borough of West Wildwood approving this Plan for such period of time. The Plan may be adopted by the Commissioners, the Designated Official is directed to supply copies of the amendments to all of the parties who otherwise have received the copy of the originally approved Plan, which amendment shall be acknowledged in writing in the same manner as the original Plan was so acknowledged.

# BOROUGH OF WEST WILDWOOD COUNTY OF CAPE MAY

### **RESOLUTION 2014-066**

# DESIGNATING POSITIONS ELIGIBLE FOR THE DEFINED CONTRIBUTION RETIREMENT PROGRAM

WHEREAS, the State Legislature adopted Chapter 92 of the Laws of 2007 (N.J.S. 43:15C-1, et seq.) to create the Defined Contribution Retirement Program in order to provide retirement benefits to various County and Municipal Officials; and

WHEREAS, N.J.S. 43:15C-2 requires that the Governing Body of each County, Municipality, or other Local Entity to adopt, as appropriate, either a Resolution or Ordinance to determine the positions that are substantially similar in nature to the advice and consent of the Senate for appointment by the Governor of the State, pursuant to guidelines or policy that shall be established by the Local Finance Board in the Department of Community Affairs, and for which Officials appointed to such positions shall be eligible for, and shall participate in, the Defined Contribution Retirements Programs, subject to the provisions of Law; and

WHEREAS, the Board of Commissioners of the Borough of West Wildwood has considered the guideline issues by the Local Finance Board.

**NOW, THEREFORE, BE IT FURTHER RESOLVED**, that the positions defined in N.J.S. 43:15C-2 are deemed to be eligible for, and shall participate in, the Defined Contribution Retirement Program.

- 1. Administrator
- Director of Public Works

BE IT FURTHER RESOLVED that the individuals serving in the following positions are exempt from the Defined Contribution Retirement Program as per N.J.S. 43:15C-2:

- 1. Tax Collector
- 2. Chief Financial Officer
- 3. Construction Code Official
- 4. Qualified Purchasing Agent
- 5. Tax Assessor
- 6. Registered Municipal Clerk
- 7. Licensed Uniform Sub-code Inspector
- 8. Certified Public Works Manager; and

**BE IT FURTHER RESOLVED** that a copy of this Resolution shall be filed with the Director of the Division of Pensions and Benefits of the New Jersey Department of the Treasury.

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

I, Donna L. Frederick, 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 Regular Meeting held on June 6, 2014.

### RESOLUTION 2014-067

# 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 Chief Financial Officer is hereby authorized to make the following payments in the amount indicated; as follows:

| OWNER               | BLOCK | LOT   | AMOUNT   | TAX/SEWER |
|---------------------|-------|-------|----------|-----------|
| HIGHWAY PAVING, INC | 106   | 14.01 | \$142.18 | TAX       |

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

I, Donna L. Frederick, Municipal Clerk for the Borough of West Wildwood in the County of Cape May and State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a Resolution adopted by the Board of Commissioners of the Borough of West Wildwood, New Jersey at a Regular Meeting held on June 6, 2014.

### **RESOLUTION 2014-068**

# A RESOLUTION ACKNOWLEDGING MEMBERSHIP OF AN ACTIVE FIREFIGHTER IN THE WEST WILDWOOD VOLUNTEER FIRE COMPANY

WHEREAS, it has been established that JIF determined the borough must keep a current roster of all active firefighters, ladies auxiliary members and junior firefighters of the West Wildwood Vol. Fire Company; and

WHEREAS, the Chief of the West Wildwood Vol. Fire Company has provided a list of active members as did the Ladies Auxiliary; and

WHEREAS, the Board of Commissioners adopted Resolution 2014-053, on May 2, 2014 acknowledging said members; and

WHEREAS, the Chief omitted one active member off of the current active roster who was previously added in Resolution 2013-093, dated February 1, 2013; and

WHEREAS, it is necessary to add Andrew McNeill, Firefighter, 216 E. Juniper Avenue, Wildwood, N.J. to the roster.

NOW, THEREFORE BE IT RESOLVED that the Board of Commissioners of the Borough of West Wildwood, County of Cape May, New Jersey that the Borough acknowledges Andrew McNeill as an active firefighter and thank him for his selfless volunteer service on behalf of all of the residents; and

**BE IT FURTHER RESOLVED** that the clerk will add Andrew McNeill to the original roster submitted on May 2, 2014, and provide a copy of this resolution to J. Byrne Agency, JIF consultant.

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

I, Donna L. Frederick, 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 Regular Meeting held on June 6, 2014

### **RESOLUTION 2014-069**

# RESOLUTION OPPOSING INCLUSION OF THE SUMMER WORK TRAVEL PROGRAM IN FEDERAL LEGISLATION PERTAINING TO COMPREHENSIVE IMMIGRATION REFORM AND THE FORTE ACT

WHEREAS, the Borough of West Wildwood supports the continuation and protection of the U.S. State Department managed J-1 Visa Summer Work Travel Program, which allows international college students to come to the United States to work and travel for a period of up to four months during their summer season break prior to returning to school in their home country, and

WHEREAS, the J-1 Visa Summer Work Travel Program provides important cultural diversity as well as a very important seasonal supplement to businesses in Cape May County and is integral to the success of our seasonal tourism industry, and

WHEREAS, the Summer Work Travel Program was created to promote educational and cultural exchanges with other countries and has been an important public diplomacy tool for the Department of State and has a successful track record spanning over fifty years, and

**WHEREAS**, Tourism is the number one job creator in Cape May County and is the 3<sup>rd</sup> largest industry in New Jersey, and

WHEREAS, students who participate in the SWT in Cape May County provide a valuable asset to the local economy by enabling many seasonal businesses to be open when the local workforce is not available or sufficient in numbers, and

WHEREAS, although supplemental to our local workforce, if the SWT program were to be eliminated, Cape May County would experience huge economic losses due to our insufficient number of available local workers between March and October as well as the loss of jobs that are supported by the SWT program, and

**WHEREAS**, the Summer Work Travel Program students comprise a small, but important, part of our Cape May County community, and

**WHEREAS**, the Summer Work Travel Program is being incorrectly incorporated into the comprehensive immigration reform bill (S. 744) which passed the Senate in 2013 and has been included in the language of the FORTE ACT, H.R. 4586, and

WHEREAS, inclusion in either federal legislative actions would have a devastating impact on the Summer Work Travel Program and therefore the Cape May County tourism economy;

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Body of the Borough of West Wildwood, County of Cape May, New Jersey hereby recognizes the Summer Work Travel Program as an independent, cultural, public diplomacy program overseen by the Department of State and furthers

recognizes this program as a benefit to the Cape May County, New Jersey tourism economy, and;

**BE IT FURTHER RESOLVED** that, the Borough of West Wildwood opposes incorporation of the Summer Work Travel program in comprehensive immigration reform legislation and the FORTE ACT.

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

I, Donna L. Frederick, 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 Regular Meeting held on June 6, 2014.

### **RESOLUTION 2014-070**

### POLICIES AND PROCEDURES REGARDING POST-ISSUANCE COMPLIANCE OF FEDERAL TAX REQUIREMENTS REGARDING TAX-EXEMPT DEBT ISSUES

WHEREAS, the Internal Revenue Service is now requiring issuers of tax exempt obligations to have adequate policies and procedures to monitor the arbitrage requirements and non-qualified issuer requirements; and

WHEREAS, the Borough Of West Wildwood is subject to these requirements since the Borough annually issues tax exempt obligations; and

WHEREAS, the Board of Commissioners wish to fully comply with the requirements established by the Internal Revenue Service;

NOW, THEREFORE, BE IT RESOLVED that the following procedures are hereby adopted:

### I. ARBITRAGE

- A. Obtain and retain a copy of IRS Form 8038G or 8038GC;
- B. Obtain and retain a copy of the Non-Arbitrage Certificate;
- C. Determine whether an exception to arbitrage has been met, based on the following criteria:
  - 1. Small Issuer;
  - 2. Six-month spending exception;
  - 3. Eighteen-month spending exception;
  - 4. Two-year construction exception;

### D. If not, then determine:

- 1. Was a bond year chosen in the non-arbitrage certificate? If not, then discuss with the financial advisor and/or auditor the most advantageous period to choose;
- 2. Should an arbitrage calculation be prepared annually, or upon the fifth anniversary of the bond year?
  - a. Consideration should be given to the fact that positive arbitrage must be rebated to the IRS 60 days after the end of each fifth bond year, or 60 days after all proceeds are expended:
  - b. Prepare, or contract to have prepared, the arbitrage calculation;
  - c. Rebate any positive arbitrage to the IRS (if unspent proceeds still exist, then only 90% of the liability must be rebated);
- E. The Chief Financial Officer shall be responsible for monitoring the above compliance, as well as maintaining receipt (including investment earnings) and disbursement records in sufficient detail, such that compliance can be met.

### II. NON-QUALIFIED ISSUE MONITORING

- A. Determine if the issue, or a portion of the issue, was used to finance local government facilities:
- B. If not, then no future monitoring is required;
- C. If "yes," the following must be performed until the issue is fully paid:
  - 1. Monitor the facility that was constructed or renovated with the proceeds of the issue to determine whether any of the following conditions were met:
    - a. Sale of the facility;
    - b. Lease of the facility;
    - c. Non-qualified management contract;
    - d. Non-qualified research contract;
    - e. Special legal entitlement;
  - 2. If none of the conditions were met, then no further action is required;
- D. If any of the conditions were met, then the following must be addressed:
  - 1. Did any of the above-mentioned events, either individually or collectively, represent greater than 5% of the use of the facility?
  - 2. If "no," then nothing further is required;
  - 3. If "yes," remedial action (an action that causes the issue to meet the private activity test, i.e. less than 5%) must be taken;
- E. The Chief Financial Officer, in conjunction with the Administrator, will be responsible for monitoring the above compliance. Bond Counsel should be consulted when necessary.

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

I, Donna L. Frederick, 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 Regular Meeting held on June 6, 2014.

### RESOLUTION 2014-071

### AUTHORIZING THE INSTITUTION OF AN IN REM TAX FORECLOSURE

WHEREAS, the Tax Collector of the Borough of West Wildwood has prepared an *in rem* tax foreclosure list and has certified the same to the governing body; and

WHEREAS, it is the desire of the governing body to institute *in rem* tax foreclosure proceedings against the properties which are set forth on Schedule "A" attached hereto; and

WHEREAS, it is not only in the best interest of the municipality to institute of the municipality to institute said proceedings, but also is a duty of the governing body; and

WHEREAS, the institution of said *in rem* proceeding will result in revenue to the Borough of West Wildwood either by a redemption of the subject properties or their foreclosure and resale by the Borough of West Wildwood.

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Body of the Borough of West Wildwood, County of Cape May, State of New Jersey, as follows:

- 1. That the governing body does hereby authorize the institution of *in rem* tax foreclosure proceedings in regard to the properties set forth on Schedule "A" attached hereto.
- 2. That a certified copy of this resolution be forwarded to the Tax Collector and Borough Attorney.

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

I, Donna L. Frederick, 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 Regular Meeting held on June 6, 2014.

# West Wildood - In Rem Foreclosure List

| 101  | 100.02          | 100.02          | 100.02          | 100.02          | 100.02          | 100.02          | 100.02          | 100.02          | 100.02          | 100.02          | 100.02          | 100.02          | 100.02             | 100.02             | Block                           |
|--|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|--------------------|--------------------|---------------------------------|
| 30.01                                      | 2.24            | 2.23            | 2.22            | 2.21            | 2.20            | 2.19            | 2.18            |                 | 2.16            | 2.15            | 2.14            | 2.13            | 2.10               | 2.09               | Lot                             |
| 30.01 APEX C&M & RANALLI, RICHARD 09-00012 | FDML, LLC       | 2.17 FDML, LLC  | FDML, LLC       | FDML, LLC       | FDML, LLC       | FDML, LLC       | DI GUGLIELMO, NICK | DI GUGLIELMO, NICK | Owner Name                      |
| 09-00012                                   | 10-00001        | 11-00013        | 11-00012        | 11-00011        | 11-00010        | 11-00009        | 11-00008        | 11-00007        | 11-00006        | 11-00005        | 11-00004        | 11-00003        | 11-00002           | 11-00001           | Certicate No.                   |
| 600 W 26th Street                          | 731 North Drive | 729 North Drive | 727 North Drive | 725 North Drive | 723 North Drive | 721 North Drive | 719 North Drive | 717 North Drive | 715 North Drive | 711 North Drive | 709 North Drive | 709 North Drive | 703 North Drive    | 701 North Drive    | Property Location               |
| 576,500 \$8                                | 90,000          | 90,000 \$       | 90,000 \$       | 123,800 \$      | 90,000          | \$ 000,06       | 90,000          | 90,000          | 90,000          | 90,000          | 140,000         | 95,600 \$       | 233,200 \$1        | 185,300 \$1        | Assessment Amt to Redeem 6/6/14 |
| \$80,010.02                                | \$7,982.42      | \$5,848.55      | \$5,848.55      | \$8,035.18      | \$5,848.55      | \$5,848.55      | \$5,848.55      | \$5,848.55      | \$5,848.55      | \$5,848.55      | \$9,084.04      | \$6,209.83      | \$15,118.11        | \$12,016.91        | em 6/6/14                       |

### **RESOLUTION 2014-072**

### APPROVING THE ISSUANCE OF A FIRE SAFETY PERMIT FOR A FIREWORKS DISPLAY ON JUNE 28, 2014

WHEREAS, an application has been made by Schaefer Pyrotechnics, Inc. to conduct a Fireworks Display on June 28, 2014; and

WHEREAS, Permit Number 14-2022 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 \$9,000,000.00; and

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

**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 Fireworks Display to be held on June 28, 2014 behind the Borough Fire House/Public Works Building off of North Drive; and

**BE IT FURTHER RESOLVED** 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          |        |        | Х   |    |         |        |
| Commissioner Scott W. Golden      |        | Х      | Х   |    |         |        |
| Commissioner Cornelius J. Maxwell | Х      |        | Х   |    |         |        |

I, Donna L. Frederick, 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 Regular Meeting held on June 6, 2014.

### RESOLUTION 2014-073

## A RESOLUTION AUTHORIZING THE BOROUGH OF WEST WILDWOOD TO DESIGNATE HANDICAP PARKING

WHEREAS, the Borough of West Wildwood Police Department has received two handicapped parking applications; and

WHEREAS, the West Wildwood Police Department has reviewed the documentation provided by said applicants and has determined that the applicants have met the requirements necessary to qualify for the handicap parking designation; and

**WHEREAS**, the West Wildwood Police Department performed a sight inspection of the locations provided by the applicants and have approved the applications of said applicants.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of the Borough of West Wildwood, County of Cape May, New Jersey do hereby authorize handicap parking designation to the following person/location:

1. Alice Pfender, 548 W. Maple Avenue

AND BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the West Wildwood Police Department and The West Wildwood Public Works Department in order to facilitate the enforcement and installation of proper signage.

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

I, Donna L. Frederick, 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 Regular Meeting held on June 6, 2014.

### **RESOLUTION 2014-074** APPROVING THE RENEWAL OF A LIQUOR LICENSE FOR WEST WILDWOOD LIQUOR STORE, INC.

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:

- The submitted Application for renewal is complete in all respects: (a)
- (b) The Applicant is qualified to be licensed according to all statutory, regulatory and local governmental ABC laws and regulations; and
- The Applicant has disclosed, and the Issuing Authority has reviewed, any additional financing (c) 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, 2014 through June 30, 2015 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

West Wildwood Liquor Store, Inc.

654 W. Glenwood Avenue West Wildwood, NJ 08260 Plenary Retail Distribution License

#0513-44-003-004

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, Donna L. Frederick, 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 Regular Meeting held on June 6, 2014.

Donna L. Frederick, RMC

Municipal Clerk

### **RESOLUTION 2014-075**

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

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

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

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

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

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

I, Donna L. Frederick, 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 Regular Meeting held on June 6, 2014.

### **RESOLUTION 2014-076** APPROVING THE RENEWAL OF A LIQUOR LICENSE FOR WEST SIDE SALOON, LLC

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:

- The submitted Application for renewal is complete in all respects; (a)
- The Applicant is qualified to be licensed according to all statutory, regulatory and local governmental (b) ABC laws and regulations; and
- The Applicant has disclosed, and the Issuing Authority has reviewed, any additional financing (c) 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, 2014 through June 30, 2015 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

West Side Saloon

770 W. Glenwood Avenue West Wildwood, NJ 08260 Plenary Retail Consumption License

#0513-33-001-005

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, Donna L. Frederick, 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 Workshop Meeting held on June 30, 2014.

Donna L. Frederick, RMC

Municipal Clerk

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### RESOLUTION 2014-077

### **ADOPTION OF CY2013 AUDIT**

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year 2013 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Findings and Questioned Costs" or "Findings and Recommendations; and

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Findings and Questioned Costs" or "Findings and Recommendations", as evidenced by the group affidavit form of the governing body attached hereto; and

**WHEREAS**, such resolution of certification shall be adopted by the governing body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

**WHEREAS**, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the governing body to the penalty provisions of <u>R.S.</u> 52:27BB-52 - to wit:

R.S. 52:27BB-52 - A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars

(\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his/her office."

**NOW,** THEREFORE BE IT RESOLVED, that the Governing Body of the Borough of West Wildwood, hereby states that it has complied with <u>N.J.A.C.</u> 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

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

I, Donna L. Frederick, 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 Workshop Meeting held on June 30, 2014.

# RESOLUTION 2014-078 ADOPTION OF A CORRECTIVE ACTION PLAN

WHEREAS, N.J.S.A. 40A:5-4 requires the Governing Body of every Local Unit to have made an annual audit of its books, accounts, and financial transactions; and

WHEREAS, the Annual Report of Audit for the Year 2013 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A:5-6 and a copy has been received by each Member of the Governing Body; and

WHEREAS, the Chief Finance Officer has reviewed the findings of said Audit and has set forth a description of the accounting records to be established and identified in the manner of a Corrective Action Plan, attached hereto.

NOW, THEREFORE BE IT RESOLVED, that the Commissioners of the Borough of West Wildwood, County of Cape May County hereby approves the recommendation of the Chief Financial Officer and the attached Corrective Action Plan; and

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution along with the Corrective Action Plan be forwarded to the N.J. Department of Community Affairs.

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

I, **Donna L. Frederick**, **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 **Workshop Meeting** held on **June 30, 2014**.

# REPORT OF AUDIT 2013 CORRECTIVE ACTION PLAN

**Finding # 2013-1** – The Borough does not have an accurate listing of fixed assets that have been purchased.

Action Taken – Fixed assets are being updated to reflect all new purchases.

Implementation Date - May 2014

**Finding # 2013-2** – The Trust Reserve accounts were not in agreement with the cash activity as of December 31, 2013.

Action Taken – Procedures have been put place to ensure that the Trust Reserves agree with the cash activity.

Implementation Date - May 2014

**Finding # 2013-3** – Several old grant balances have been maintained by the Borough for several years.

Action Taken – All old grant balances will be reviewed and analyzed to determine if they should be cancelled.

Implementation Date - May 2014

Date: 6/30/14

Neil Young,

### RESOLUTION 2014-079

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

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

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

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

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

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

I, Donna L. Frederick, 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 Regular Meeting held on June 30, 2014.