WORKSHOP MEETING

OCT. 2, 2017

"Small town Charm on the Back Bay"

AGENDA WORKSHOP MEETING – October 2, 2017 9:00 AM

CALL TO ORDER

PLEDGE OF ALLEGIANCE

OPEN PUBLIC MEETINGS ACT ANNOUNCEMENT

THIS WORKSHOP MEETING WAS CALLED PURSUANT TO THE PROVISIONS OF THE OPEN PUBLIC MEETING LAW. NOTICE OF THIS MEETING HAS BEEN ESTABLISHED IN AN ANNUAL WORKSHOP MEETING NOTICE RESOLUTION 2016-130 ADOPTED ON DECEMBER 27, 2016. NOTICES OF THIS MEETING WERE SENT TO THE ATLANTIC CITY PRESS AND THE CAPE MAY COUNTY HERALD ELECTRONICALLY AND POSTED CONTINUOUSLY ON THE OFFICIAL CLERKS BULLETIN BOARD.

ROLL CALL:

DISCUSSION:

Possible agenda items for regular meeting

ORDINANCES:

BOND ORDINANCE 562(2017) First Reading/Introduction – REFUNDING BOND ORDINANCE PROVIDING FOR FUNDING OF A LITIGATION SETTLEMENT IN AND BY THE BOROUGH OF WEST WILDWOOD, IN THE COUNTY OF CAPE MAY, NEW JERSEY, APPROPRIATING \$1,999,300 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,999,300 REFUNDING BONDS OR NOTES OF THE BOROUGH FOR FINANCING THE COST THEREOF.

RESOLUTIONS:

<u>2017-085-</u> RESOLUTION OF THE BOROUGH OF WEST WILDWOOD, IN THE COUNTY OF CAPE MAY, NEW JERSEY, MAKING APPLICATION TO THE LOCAL FINANCE BOARD PURSUANT TO N.J.S.A. 40A:2-51

 $\underline{2017\text{-}086}$ – AMENDING SECTION IV OF THE POLICY AND PROCEDURES MANUAL ENTITLED COMPENSATION & EMPLOYEE BENEFITS POLICIES

2017-087 – AUTHORIZING A CHANGE OF WORKSHOP MEETING DATE

2017-088 – A RESOLUTION TO AMEND CAPITAL BUDGET

Borough of West Wildwood

"Small town Charm on the Back Bay"

<u>2017-089</u> – AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION AND EXECUTION OF A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE RECONSTRUCTION OF POPLAR AVENUE

 $\underline{2017\text{-}090}$ – AUTHORIZING THE REVISION AND ADOPTION OF THE EMPLOYEE HANDBOOK

Additional Resolution Added after agenda was sent to the Official Newspapers

<u>2017-091</u> – APPOINTING CLASS II POLICE OFFICERS ON THE WEST WILDWOOD POLICE DEPARTMENT

Open to the Floor for Public Comment:

ADJOURNMENT

OFFICAL ACTION MAY BE TAKEN

BOROUGH OF WEST WILDWOOD BOARD OF COMMISSIONERS

WORKSHOP MEETING

MONDAY – OCTOBER 2, 2017 9:00 AM

MINUTES:

Comm. Maxwell called the meeting to order, led the Pledge of Allegiance, read the OPMA statement

ROLL CALL: Present

Comm. Golden Comm. Maxwell Solicitor Karavan Municipal Clerk Donna L. Frederick

ABSENT:

Mayor Fox

DISCUSSION:

BOND ORDINANCE 562(2017) First Reading/Introduction — REFUNDING BOND ORDINANCE PROVIDING FOR FUNDING OF A LITIGATION SETTLEMENT IN AND BY THE BOROUGH OF WEST WILDWOOD, IN THE COUNTY OF CAPE MAY, NEW JERSEY, APPROPRIATING \$1,999,300 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,999,300 REFUNDING BONDS OR NOTES OF THE BOROUGH FOR FINANCING THE COST THEREOF.

Clerk asked for a motion to adopt Ordinance 562(2017) on the First reading/Introduction Motion by Comm. Maxwell; Second by Comm. Golden Roll Call Vote: Comm. Golden, yes; Comm. Maxwell, yes. Ordinance was adopted by not less than 2/3rd vote of the full membership of the governing body on the first reading/introduction

Clerk read out the following resolution by number and title:

Clerk advised the Commissioners that the following resolution was previously presented at a workshop meeting held on August 28, 2017 as resolution 2017-081 – and has been reassigned the following number of 2017-085

<u>2017-085-</u> RESOLUTION OF THE BOROUGH OF WEST WILDWOOD, IN THE COUNTY OF CAPE MAY, NEW JERSEY, MAKING APPLICATION TO THE LOCAL FINANCE BOARD PURSUANT TO N.J.S.A. 40A:2-51

Clerk asked for a motion to adopt resolution Motion by Comm. Maxwell; Second by Comm. Golden. Roll Call Vote: Comm. Golden, yes; Comm. Maxwell, yes. Resolution Adopted

<u>2017-086</u> – AMENDING SECTION IV OF THE POLICY AND PROCEDURES MANUAL ENTITLED COMPENSATION & EMPLOYEE BENEFITS POLICIES

Clerk asked for a motion to adopt resolution

Motion by Comm. Maxwell; Second by Comm. Golden.

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

Resolution Adopted

2017-087 – AUTHORIZING A CHANGE OF WORKSHOP MEETING DATE

Clerk asked for a motion to adopt resolution

Motion by Comm. Maxwell; Second by Comm. Golden.

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

Resolution Adopted

2017-088 – A RESOLUTION TO AMEND CAPITAL BUDGET

Clerk asked for a motion to adopt resolution

Motion by Comm. Maxwell; Second by Comm. Golden.

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

Resolution Adopted

<u>2017-089</u> – AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION AND EXECUTION OF A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE RECONSTRUCTION OF POPLAR AVENUE

Clerk asked for a motion to adopt resolution

Motion by Comm. Maxwell; Second by Comm. Golden.

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

Resolution Adopted

<u>2017-090</u> – AUTHORIZING THE REVISION AND ADOPTION OF THE EMPLOYEE HANDBOOK

Clerk asked for a motion to adopt resolution

Motion by Comm. Maxwell; Second by Comm. Golden.

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

Resolution Adopted

Additional Resolution Added after agenda was sent to the Official Newspapers

<u>2017-091</u> – APPOINTING CLASS II POLICE OFFICERS ON THE WEST WILDWOOD POLICE DEPARTMENT

Clerk asked for a motion to adopt resolution

Motion by Comm. Maxwell; Second by Comm. Golden.

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

Resolution Adopted

Motion to Adjourn:

Motion by Comm. Maxwell; Second by Comm. Golden

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

Motion carried.

Donna L. Frederick, RMC, Municipal Clerk

THESE MINUTES WERE APPROVED AT THE OCTOBER 6, 2017, REGULAR COMMISSION MEETING

MAYOR CHRISTOPHER J. FOX

COMMISSIONER SCOTT W. GOLDEN

COMMISSIONER CORNELIUS J. MAXWELL

ORDINANCE 562 (2017)

REFUNDING BOND ORDINANCE PROVIDING FOR THE FUNDING OF A LITIGATION JUDGEMENT IN AND BY THE BOROUGH OF WEST WILDWOOD, IN THE COUNTY OF CAPE MAY, NEW JERSEY, APPROPRIATING \$1,999,300 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,999,300 REFUNDING BONDS OR NOTES OF THE BOROUGH FOR FINANCING THE COST THEREOF.

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

Section 1. The purpose authorized herein by the Borough of West Wildwood, in the County of Cape May, New Jersey (the "Borough") is to fund an emergency appropriation in the amount of \$1,999,300 authorized by a resolution adopted on August 28, 2017 not otherwise provided for in the Borough's budget to provide for the funding of a judgement in the matter <u>Jacquelyn Ferentz v. Mayor Herbert Frederick and the Borough of West Wildwood</u>, Superior Court of New Jersey Law Division, Docket No: CPM-L-797-08, and the costs and expenses associated therewith.

Section 2. An aggregate amount not exceeding \$20,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-51(b) has been included in the aggregate principal amount of refunding bonds authorized herein.

Section 3. In order to finance the cost of the project described in Section 1 hereof, negotiable refunding bonds are hereby authorized to be issued in the principal amount of \$1,999,300 pursuant to the Local Bond Law.

Section 4. In anticipation of the issuance of the refunding bonds, negotiable refunding bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law. All refunding bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer, provided that no refunding bond anticipation note shall mature later than one year from its date. The refunding bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with refunding bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the refunding bond anticipation notes shall be conclusive evidence as to all such determinations.

All refunding bond anticipation notes issued hereunder may be renewed from time to time, but all such refunding bond anticipation notes including renewals shall mature and be paid no later than the anniversary of the date of the original refunding bond anticipation notes, as determined by the Local Finance Board; provided, however, that no refunding bond anticipation notes shall be renewed beyond the first or any succeeding anniversary date of the original refunding bond anticipation notes, at

least equal to the first legally payable installment of the refunding bonds in anticipation of which the refunding bond anticipation notes are issued, determined in accordance with the maturity schedule for the refunding bonds approved by the Local Finance Board, is paid and retired on or before such anniversary date; and provided, further, that the period during which the refunding bond anticipation notes and any renewals thereof and any permanent refunding bonds are outstanding, shall not exceed the period set for the maturity of the refunding bonds by the Local Finance Board.

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

Section 5. The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof,

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

Section 6. The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the refunding bonds and refunding bond anticipation notes provided in this bond ordinance by \$1,999,300, but that the net debt of the Borough determined as provided in the Local Bond Law is not increased by this bond ordinance. The obligations authorized herein will be within all debt limitations prescribed by that Law.

Section 7. The Borough hereby declares the intent of the Borough to issue the refunding bonds or refunding bond anticipation notes in the amount authorized in Section 3 of this bond ordinance and to use proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 1 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

Section 8. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be general obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Borough for the payment

of the obligations and the interest thereon without limitation of rate or amount.

Section 9. A certified copy of this refunding bond ordinance as adopted on first reading has been filed with the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey prior to final adoption, together with a complete statement in the form prescribed by the Director and signed by the chief financial officer of the Borough as to the indebtedness to be financed by the issuance of the refunding bonds authorized herein.

Section 10. This refunding bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law, provided that the consent of the Local Finance Board has been endorsed upon a certified copy of this bond ordinance as finally adopted.

COMMISSIONERS:

MAYOR CHRISTOPHER J. FOX

ABSENT -

COMMISSIONER SCOTT W. GOLDEN

COMMISSIONER CORNELIUS J. MAXWELL

First Reading/Introduction: 2017 10-02

Publication:

	Motion	Second	Yes	No	Abstain	Absent
Mayor Christopher J. Fox						X
Commissioner Scott W. Golden		Х	Χ			
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 an Ordinance adopted on the first reading/introduction by not less than 2/3rds vote of the full membership of the Board of Commissioners of the Borough of West Wildwood, New Jersey at a **Workshop Meeting** held on **October 2, 2017.**

RESOLUTION 2017-086

AMENDING SECTION IV OF THE POLICY AND PROCEDURES MANUAL ENTITLED COMPENSATION & EMPLOYEE BENEFITS POLICIES

WHEREAS, as per the New Jersey Best Practices Guidelines, the Borough of West Wildwood will not grant longevity awards, bonuses or payments for employees covered under a collective bargaining agreement or payments for non-union employees.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Borough of West Wildwood, County of Cape May, New Jersey, hereby authorizes the aforementioned amendment to be inserted into Section IV of the Policy & Procedures Manual entitled Compensation & Employee Benefits Policies.

	Motion	Second	Yes	No	Abstain	Absent
Mayor Christopher J. Fox						Х
Commissioner Scott W. Golden		Х	Χ			
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 **Workshop Meeting** held on **October 2, 2017**.

RESOLUTION 2017-087

AUTHORIZING A CHANGE OF WORKSHOP MEETING DATE

WHEREAS, Resolution number 2016-130 established the Workshop Meeting dates for the Borough of West Wildwood for the year 2017, and in accordance with 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, the Board of Commissioners of the Borough of West Wildwood, County of Cape May, State of New Jersey wish to change the previously established Workshop Meeting date from Tuesday, December 26, 2017 at 9:00am to Friday, December 29, 2017 at 9:00am.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Borough of West Wildwood, County of Cape May, State of New Jersey, that the previously established workshop meeting date scheduled for Tuesday, December 26, 2017 at 9:00am shall be changed to Friday, December 29, 2017 at 9:00am.

BE IT FURTHER RESOLVED, that this Resolution shall be posted on the West Wildwood Municipal Hall Bulletin Board; 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	Absent
Mayor Christopher J. Fox						Х
Commissioner Scott W. Golden		Х	Χ			
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 Workshop Meeting held on October 2, 2017.

RESOLUTION 2017-088

A RESOLUTION TO AMEND CAPITAL BUDGET

WHEREAS, the Board of Commissioners of the Borough of West Wildwood, County of Cape May desires to amend the 2017 Capital Budget by inserting thereon or correcting the item therein as shown in such budget:

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Borough of West Wildwood, County of Cape of May that the following change be made to the Capital Budget of the year 2017:

AMENDMENT TO CAPITAL BUDGET OF THE BOROUGH OF WEST WILDWOOD COUNTY OF CAPE MAY, NEW JERSEY

Project Schedule for 2017 Method of Financing

NEW PROJECT	TOTAL COST	CAPITAL IMPROVEMENT <u>FUND</u>	GRANTS IN AID AND OTHER <u>FUNDS</u>	DEBT <u>AUTHORIZED</u>
Refunding Bond Ordinance for Funding of a Litigation Judgment	\$1,999,300	\$0	\$0	\$1,999,300

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed forthwith in the office of the Director of the Division of Local Government Services.

	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 **October 2, 2017**.

State of New Jersey
Director
Division of Local Government Services
Trenton, New Jersey
Approved, 2017
DIRECTOR, DIVISION OF LOCAL GOVERNMENT SERVICES

RESOLUTION 2017-089

AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION AND EXECUTION OF A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE RECONSTRUCTION OF POPLAR AVENUE

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Borough of West Wildwood, County of Cape May, New Jersey, formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor or Deputy Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2018-The Reconstruction of Poplar Avenue-00091 to the New Jersey Department of Transportation on behalf of the Borough of West Wildwood.

BE IT FURTHER RESOLVED that the Mayor or Deputy Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of West Wildwood and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

	Motion	Second	Yes	No	Abstain	Absent
Mayor Christopher J. Fox						Х
Commissioner Scott W. Golden		Х	Χ			
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 **Workshop Meeting** held on **October 2, 2017.**

RESOLUTION 2017-090

AUTHORIZING THE REVISION AND ADOPTION OF THE EMPLOYEE HANDBOOK

WHEREAS, the Board of Commissioners adopted a revised Policy & Procedure Manual of the Borough of West Wildwood on October 7, 2016; and

WHEREAS, the JIF requires that employees are informed of the Borough's Policies & Procedures through an employee handbook; and

WHEREAS, the employee handbook has been revised to coincide with the Policy & Procedure Manual of the Borough of West Wildwood and shall be distributed to all employees.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Borough of West Wildwood, County of Cape May, New Jersey hereby authorize the adoption and distribution of the employee handbook.

	Motion	Second	Yes	No	Abstain	Absent
Mayor Christopher J. Fox						Х
Commissioner Scott W. Golden		Х	Χ			
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 **Workshop Meeting** held on **October 2, 2017**.

Donna L. Frederick, RMC Municipal Clerk

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RESOLUTION 2017-091

APPOINTING CLASS II POLICE OFFICERS ON THE WEST WILDWOOD POLICE DEPARTMENT

WHEREAS, the following appointments have been reviewed by the Director of Public Safety, in consultation with the Chief of Police, and

WHEREAS, it is the recommendation of the Chief of Police to appoint the following individuals as Class II Police Officers on the West Wildwood Police Department with the appointment dates as follows:

NAME POSITION		EFFECTIVE APPOINTMENT DATE
Adam Dotts	Class II Police Officer	October 2, 2017 – December 31, 2017
Evan Bloss	Class II Police Officer	October 2, 2017 – December 31, 2017

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners, of the Borough of West Wildwood, County of Cape May, New Jersey hereby authorizes the aforementioned Class II Police Officers for the West Wildwood Police Department.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Chief of Police.

	Motion	Second	Yes	No	Abstain	Absent
Mayor Christopher J. Fox						Х
Commissioner Scott W. Golden		Х	Χ			
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 Workshop Meeting held on October 2, 2017.