# REGULAR

# MEETING

4/4/18 Neo. 9:00 AM

"Small town Charm on the Back Bay"

# **AGENDA**

# NOTICE OF TENATIVE AGENDA - REGULAR MEETING - APRIL 4, 2018 9:00am - ACTION MEETING

This is a proposed agenda which is subject to change by Commissioners without further notice.

### CALL TO ORDER

# PLEDGE OF ALLEGIANCE

# OPEN PUBLIC MEETINGS ACT ANNOUNCEMENT

THIS REGULAR MEETING WAS CALLED PURSUANT TO THE PROVISIONS OF THE OPEN PUBLIC MEETING LAW. NOTICE OF THIS MEETING HAS BEEN ESTABLISHED IN AN ANNUAL MEETING NOTICE RESOLUTION NO. 2017-106 ADOPTED ON DECEMBER 29, 2017. NOTICE OF THIS MEETING WAS SENT TO THE ATLANTIC CITY PRESS AND THE CAPE MAY COUNTY HERALD ELECTRONICALLY AND POSTED CONTINUOUSLY ON THE OFFICIAL CLERKS BULLETIN BOARD.

# **ROLL CALL:**

### ADDITIONS/DELETIONS OF LATE AGENDA ITEMS:

# **COMMUNICATIONS:**

CFO has provided a Certificate of Determination and Award for the Bond Anticipation Note roll-over

### **APPROVAL OF MINUTES:**

March 2, 2018 - Regular Meeting April 2, 2018 - Workshop Meeting

# **ORDINANCES:**

ORDINANCE 565 (2018) Second Reading/Public Hearing: AMENDING LAND DEVELOPMENT ORDINANCE TO PROHIBIT MARIJUANA DISPENSARIES IN THE BOROUGH OF WEST WILDWOOD

ORDINANCE 566 (2018) – Second Reading/Public Hearing – AN ORDINANCE REPEALING ORDINANCE 106 ENTITLED "AN ORDINANCE PROVIDING FOR THE ERECTION, REBUILDING, MAINTENANCE REPAIR AND KEEPING IN REPAIR OF BULKHEADS AND OTHER WORKS AND STRUTURES ALONG ALL NAVIGABLE WATERS, OTHER THAN THE ATLANTIC OCEAN, WITHIN THE BOROUGH OF WEST WILDWOOD, INCLUDING THE FILLING IN AND GRADING OF LAND AROUND AND ABOUT SAID BULKHEADS OR STRUCTURES ACCORDING TO THE SPECIFICATIONS ESTABLISHED BY SAID BOROUGH AND TO PROVIDE FOR THE COST THEREOF." AND ESTABLISHING REGULATIONS FOR THE CONSTRUCTION,

# Borough of West Wildwood

"Small town Charm on the Back Bay"

RECONSTRUCTION, RENOVATION AND REPAIR OF BULKHEADS WITHIN THE BOROUGH OF WEST WILDWOOD

ORDINANCE 567 (2018)- First Reading – Introduction: CALENDAR YEAR 2018
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND
TO ESTABLISH A CAP
(N.J.S.A. 40A:4-45.14)

# **RESOLUTIONS:**

<u>2018-027 - AUTHORIZING AN INDEMNIFICATION AGREEMENT BETWEEN</u>
THE BOROUGH OF WEST WILDWOOD AND THE COUNTY OF CAPE MAY TO PERMIT
THE BOROUGH TO HOLD A FOURTH OF JULY PARADE ON GLENWOOD AVENUE

2018-028 -AUTHORIZING THE FILING OF THE 2017 RECYCLING TONNAGE GRANT

**2018-029** -AUTHORIZING A TOWN-WIDE YARD SALE

<u>2018-030</u> - AUTHORIZING THE READING OF THE CY2018 MUNICIPAL BUDGET BY TITLE ONLY

<u>2018-031</u> – RE-ESTABLISHING THE ANNUAL MEETING DATE AND TIME FOR THE YEAR 2018

2018-032 - GOVERNING BODY CERTIFICATION OF COMPLIANCE WITH THE UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'S "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964"

<u>2018-033</u> – A RESOLUTION ACKNOWLEDGING ADDITIONAL MEMBERS IN THE WEST WILDWOOD VOL. FIRE CO.

APPROVAL TO PAY BILLS

REPORTS FROM COMMISSIONERS

OPEN TO THE FLOOR FOR PUBLIC COMMENT

**ADJOURNMENT** 

Donna L. Frederick, RMC Municipal Clerk

# OOPY

# CERTIFICATE OF DETERMINATION AND AWARD

- I, Elaine Crowley, Chief Financial Officer of the Borough of West Wildwood, in the County of Cape May, New Jersey (hereinafter referred to as the "Borough"), HEREBY CERTIFY as follows:
- 1. I hereby determine to issue the \$1,405,800 Notes, consisting of a \$1,335,000 Bond Anticipation Note (the "Bond Anticipation Note") and a \$70,800 Special Emergency Note (the "Special Emergency Note" and, together with the Bond Anticipation Note, the "Notes") hereinafter described by virtue of the authority conferred upon me by the bond ordinances, an ordinance and a resolution, as applicable (the "Authorizing Documents"), of the Borough referred to in the attached charts by reference to number, date of adoption and amount of bonds or notes authorized, such Notes to be issued in the amounts indicated in the charts.

# **BOND ANTICIPATION NOTE**

TOTAL NUMBER DENOMINATION

PRINCIPAL AMOUNT: \$1,335,000

\$1,335,000 2018-1 \$1,335,000

DATE: 3/23/18

MATURITY: 3/22/19

<u>INTEREST</u>

RATE PER

<u>ANNUM</u>: 2.75%, payable at maturity

<u>CUSIP NO:</u> 956874 DB4

NIC: 2.0035%

PAYING

AGENT: Borough of West Wildwood, New Jersey

# SPECIAL EMERGENCY NOTE

<u>TOTAL</u> <u>NUMBER</u> <u>DENOMINATION</u>

PRINCIPAL

AMOUNT: \$70,800 2018-2 \$70,800

<u>DATE</u>: 3/23/18

MATURITY: 3/22/19

<u>INTEREST</u>

RATE PER

ANNUM:

2.75%, payable at maturity

CUSIP NO:

956874 DB4

NIC:

2.0035%

PAYING

AGENT:

Borough of West Wildwood, New Jersey

- 2. Pursuant to the authority so conferred upon me, I have awarded and sold the Notes to Oppenheimer & Company, Inc., Philadelphia, Pennsylvania at the price of \$1,416,265.00.
- 3. No bonds of the Borough have heretofore been issued pursuant to the Authorizing Documents, as applicable, referred to in Section 1 hereof, except as set forth in the attached charts.
- 4. The date of the first note or other obligation issued in anticipation of the issuance of the bonds that Bond Anticipation Note is issued in anticipation of, whether or not now outstanding, is as stated in the attached charts.
- 5. No grants have been received, no paydowns have been made and no cancellations have been enacted that would reduce the debt authorization below the amount of notes outstanding under the Authorizing Documents, as applicable, described in the attached charts except as set forth therein.
- 6. No notes or other obligations in anticipation of the issuance of bonds have heretofore been issued pursuant to the Authorizing Documents, as applicable, referred to in the attached charts and now remain outstanding and unpaid except as set forth in the attached charts.

IN WITNESS WHEREOF, I have hereunto set my hand as of March 23, 2018.

Elaine Crowley, Chief Financial Officer

# S1,405,800 NOTES, CONSISTING OF: A \$1,335,000 BOND ANTICIPATION NOTE AND A \$70,800 SPECIAL EMERGENCY NOTE OF THE BOROUGH OF WEST WILDWOOD, IN THE COUNTY OF CAPE MAY, NEW JERSEY

Dated: March 23, 2018

Bond Anticipation Note

Maturing: March 22, 2019

			T	T
	AMOUNT TO BE ISSUED	\$765,000	\$570,000	\$1,335,000
	UNSPENT	\$0	\$267,864.76	\$267,864.76
	HISTORY OF OBLIGATIONS BEING REFUNDED	\$765,000 of a \$1,335,000 Bond Anticipation Note, dated March 30, 2017 and maturing March 30, 2018, with the date of first issue being March 31, 2016 as to the \$765,000 originally issued.	\$570,000 of a \$1,335,000 Bond Anticipation Note, dated March 30, 2017 and maturing March 30, 2018, with the date of first issue being March 31, 2016 as to the \$570,000 originally issued.	
	PERIOD OF USEFULNESS	10 years	15 years	
	TOTAL BOND AUTHORIZATION	\$765,000	\$570,000	
A Dice	DESCRIPTION OF IMPROVEMENT AND DATE OF ADOPTION OF BOND ORDINANCE	Providing for the reconstruction and repaving of various streets, finally adopted October 2, 2015.	Providing for the renovation of various bulkheads, finally adopted February 24, 2016.	
Dona Annapanon More	BOND ORDINANCE NUMBER	546 (2015)	549 (2016)	TOTALS:

ecial Emergency Note

	AMOUNT TO BE ISSUED	\$70,800	\$70,800
	AM TC 1552	\$7	\$7(
	UNSPENT	\$22,100	\$22,100
	2018 PAYDOWN	\$23,600	\$23,600
	HISTORY OF OBLIGATIONS BEING REFUNDED	\$94,400 Special Emergency Note, dated March 30, 2017 and maturing March 30, 2018, with the date of first issue being March 31, 2016 as to the \$118,000 originally issued, with \$23,600 being paid down pursuant to a 2017 budget appropriation and with \$23,600 being paid down on the date hereof.	
	PERIOD OF USEFULNESS	N/A (5 years to pay off)	
	APPROPRIATON	\$118,000	
	DESCRIPTION OF IMPROVEMENT AND DATE OF ADOPTION OF BOND ORDINANCE	Providing for the preparation of tax maps and preparation and executing of a complete revaluation of property, finally adopted January 8, 2016, resolution adopted December 3, 2015.	
Special Emergency Note	ORDINANCE NUMBER/RESOLUTION NUMBER	Ordinance #548 (2015) Resolution #2015-117	TOTALS:

Unspent Proceeds – Applies to Refunding Notes Only. The proceeds from the original new money note sale that are still sitting in an account left unspent, as of the date of the refunding note sale. Generally, you have 3 years to spend those new money note proceeds, and thereafter have to yield restrict any investment of those unspent proceeds.

# BOROUGH OF WEST WILDWOOD BOARD OF COMMISSIONERS

# **REGULAR MEETING**

APRIL 4, 2018 9:00AM – ACTION MEETING

# **MINUTES:**

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

# **ROLL CALL: Present**

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

# **APPROVAL OF MINUTES:**

Clerk asked for a motion for the approval of the minutes of previous meetings as presented

March 2, 2018 - Regular Meeting

March 13, 2018 - Special Meeting

April 2, 2018 - Workshop Meeting

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

Roll Call Vote: Comm. Golden, yes; Comm. Maxwell, yes; Mayor Fox, yes on the Regular & Workshop Meetings. Mayor Fox abstained on the March 13, 2018 Special Meeting Minutes. Motion Carried

### **ADDITIONS/DELETIONS OF LATE AGENDA ITEMS:**

# $\underline{2017\text{-}034\text{:}}$ AUTHORIZING THE REMOVAL OF A HANDICAP PARKING SPACE SIGN AT 5 AVENUE C

# **COMMUNICATIONS:**

CFO has provided a Certificate of Determination & Award for the Bond Anticipation Note Roll-over.

# **ORDINANCES:**

# ORDINANCE 565 (2018) Second Reading/Public Hearing: AMENDING LAND DEVELOPMENT ORDINANCE TO PROHIBIT MARIJUANA DISPENSARIES IN THE BOROUGH OF WEST WILDWOOD

Mayor opened up the floor for public hearing on ordinance:

Hearing no public comment, mayor closed the public hearing and clerk asked for a motion to adopt ordinance 565(2018)

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

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

Ordinance Adopted

ORDINANCE 566 (2018) – Second Reading/Public Hearing – AN ORDINANCE REPEALING ORDINANCE 106 ENTITLED "AN ORDINANCE PROVIDING FOR THE ERECTION, REBUILDING, MAINTENANCE REPAIR AND KEEPING IN REPAIR OF BULKHEADS AND OTHER WORKS AND STRUTURES ALONG ALL NAVIGABLE WATERS, OTHER THAN THE ATLANTIC OCEAN, WITHIN THE BOROUGH OF WEST WILDWOOD, INCLUDING THE FILLING IN AND GRADING OF LAND AROUND AND ABOUT SAID BULKHEADS OR STRUCTURES ACCORDING TO THE SPECIFICATIONS ESTABLISHED BY SAID BOROUGH AND TO PROVIDE FOR THE COST THEREOF." AND ESTABLISHING REGULATIONS FOR THE CONSTRUCTION, RECONSTRUCTION, RENOVATION AND REPAIR OF BULKHEADS WITHIN THE BOROUGH OF WEST WILDWOOD

Mayor opened up the floor for public hearing on ordinance:

Hearing no public comment, mayor closed the public hearing and clerk asked for a motion to adopt ordinance 566(2018)

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

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

Ordinance Adopted

# ORDINANCE 567 (2018)- First Reading – Introduction: CALENDAR YEAR 2018 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP (N.J.S.A. 40A:4-45.14)

Clerk asked for a motion to adopt ordinance 567(2018) on the first reading/introduction

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

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

Ordinance Adopted

# **RESOLUTIONS: CLERK READ BY NUMBER & TITLE**

# <u>2018-027</u> - AUTHORIZING AN INDEMNIFICATION AGREEMENT BETWEEN THE BOROUGH OF WEST WILDWOOD AND THE COUNTY OF CAPE MAY TO PERMIT THE BOROUGH TO HOLD A FOURTH OF JULY PARADE ON GLENWOOD 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; Mayor Fox, yes.

Resolution Adopted

# 2018-028 -AUTHORIZING THE FILING OF THE 2017 RECYCLING TONNAGE GRANT

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; Mayor Fox, yes.

Resolution Adopted

# 2018-029 -AUTHORIZING A TOWN-WIDE YARD SALE

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; Mayor Fox, yes.

Resolution Adopted

# $\underline{2018-030}$ - AUTHORIZING THE READING OF THE CY2018 MUNICIPAL BUDGET BY TITLE ONLY

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; Mayor Fox, yes.

Resolution Adopted

# <u>2018-031</u> – RE-ESTABLISHING THE ANNUAL MEETING DATE AND TIME FOR THE YEAR 2018

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; Mayor Fox, yes.

Resolution Adopted

# <u>2018-032</u> - GOVERNING BODY CERTIFICATION OF COMPLIANCE WITH THE UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'S

# "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964"

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; Mayor Fox, yes.

Resolution Adopted

# <u>2018-033</u> – A RESOLUTION ACKNOWLEDGING ADDITIONAL MEMBERS IN THE WEST WILDWOOD VOL. FIRE CO.

Clerk asked for a motion to adopt resolution

Mayor Fox talked to Comm. Maxwell regarding this resolution and asked the clerk to table it at this time. Resolution Tabled

# <u>2018 -034</u> – AUTHORIZING THE REMOVAL OF A HANDICAP PARKING SPACE SIGN AT 5 AVENUE C

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; Mayor Fox, yes.

Resolution Adopted

# <u>Clerk asked for a motion for the APPROVAL TO PAY BILLS WHEN PROPERLY SIGNED AND ENDORSED</u>: (list attached)

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

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

Motion Carried

# Reports from Commissioners:

Mayor gave the Police Activity Report for the month of March 2018 total 367 calls. (copy attached). Comm. Maxwell thanked the ladies auxiliary and the office workers for all that they do and commented that the budget was introduced.

Comm. Golden, stated that no DPW report was prepared. He informed the public that there will be a presentation on May 19, 2018 at 10:00am from Coastal Coalition regarding the 26<sup>th</sup> Street peninsula project.

Prior to opening up the meeting to the public Mayor Fox reported that Joe Smith, our code enforcement officer sadly passed away, he did a terrific job and our prayers go out to Maureen.

Mayor opened the meeting to floor for public comment.

<u>MARYANN WELSH</u>, 741 W. Poplar Avenue, questioned the status on the JIF decision. Comm. Maxwell reported that the borough is still waiting on the judges' decision. Mayor Fox commented that he doesn't have a good feeling and was not pleased with how it was handled, in his opinion.

ED O'CONNELL, 531 W. Magnolia Avenue, asked the Mayor if he felt it wasn't handled properly why not appeal. Mayor stated that it could be appealed but is it worth another \$100,000; for every \$20,000 it is a penny on the taxes. It would have been a lot worse if it had to be paid back all at once, tax increase 6.5 cents; employee furloughs, and payment arrangements have been worked out. Mr. O'Connell commented that he has been here since 1968, but the last couple of years the taxes are not in-line with the other Wildwood's, we are in a bind, what is the real plan he questioned the \$1.1 million and the \$1.7 negotiated amount. Mayor Fox explained that the additional \$600,000 was for her attorney fees, this was a jury decision. Mr. O'Connell asked what is the long term plan, and commented that it is all about him, he is retired and on a fixed income. Mayor agreed with him and stated that he didn't want to do furloughs or raise taxes, the festival is cancelled, and we are all on the same page.

<u>MARK MEIGHAN</u>, 606 W. Glenwood Avenue, commented that he is trying to open up a virtual store and is in the process of moving here, but two of his investors have backed out. He continued with comments regarding the handling of the lawsuit and stated that the Commissioners did a bad job and called for them to resign.

<u>KATE SAMSON</u>, 205 Avenue O, asked who represented the borough. Comm. Maxwell informed her that Jacobs & Barbone represented the borough. Kate continued and asked who decided not to appeal and commented that the Mayor stated it would be another \$100,000 but we are stuck with the million dollar settlement, no one should have become a millionaire. She commented that she doesn't know this person (the Chief) but wanted to know about arbitration and why did the previous mayor get dropped from the lawsuit. She is willing to pay her taxes but should not be on the hook for this, the chief was compensated, got her job back and makes over \$100,000. I would like her to come to a meeting, we didn't do anything to her. Kate continued and stated that we were not represented properly. Mayor stated that he can't be talking about an employee.

<u>HELEN RAO</u>, 741 W. Poplar Avenue, commented that JIF denied coverage because West Wildwood didn't follow the advice of the insurance company, and questioned what did JIF recommend, also she questioned why no appeal and asked why the borough did not follow the insurance company recommendation; if we followed the JIF recommendation they would have covered it. Comm. Maxwell commented that this is what the insurance company is saying; he disagrees with the insurance company.

Comm. Maxwell stated that we did what was best for the borough. Helen asked about the changing of the meeting times and asked if the commissioners would reconsider and change them back to Friday evenings.

<u>KEVIN GLENNON</u>, 716 W. Maple Avenue, asked why JIF is not covering us, and should we have used JIF attorneys, since you (the Mayor) didn't feel comfortable and didn't take their advice. Mayor Fox stated that the insurance company should have to pay even if mistakes were made, we are waiting on the Judge's decision. Kevin asked if we can appeal the Judge's decision and it should be looked into if we lose. Mayor Fox commented that he was not happy with the way this case was presented and said that any decision can be appealed, but will rely on the attorney's advice.

<u>KAREN KIERSEY</u>, 651 W. Poplar Avenue, wanted to know if this administration put anything in place, like a resolution or motion since 2012 that took the legs out from under JIF causing us to be on our own. Mayor Fox stated that he doesn't believe so and is not aware of anything. Karen wanted to know if the Chief signed off on anything, or was anything presented to her to sign off when she got her job back, including her back pay and benefits. Comm. Maxwell stated he couldn't say yes or no. Karen continued and asked again was anything presented for the Chief to sign off on so she would not pursue the lawsuit when she was reinstated. Mayor Fox stated, no, not that he was aware, he wasn't sure.

<u>BILL MARTIN</u>, 737 W. Poplar Avenue, asked what the charges were against the Chief and who dropped the charges against her. Mayor and Comm. Maxwell weren't sure, as it was a long time ago. Comm. Maxwell asked Administrator Ridings if he remembered, since he reviewed the case. Administrator Ridings recalled three charges.

<u>JOE HICKEY</u>, 718 W. Pine Avenue, asked where the Mayor is going to move to, and commented that it is a simple question, no political agenda and wanted to know why we didn't go after Frederick (former mayor). Mayor stated that we are all in the same boat.

<u>ROBERT WOOD</u>, 533 W. Poplar Avenue, wanted to know how many residents, non-residents and voters are here. He commented that the non-residents are paying most of the taxes and have no say. He wanted to know if the money could be put into escrow until the residents have a say. He questioned why we have a Chief and what does the Chief of Police do. He continued and asked how may police officers we have since he sees two cars and questioned the scheduling. He asked how many employees. Mayor Fox informed Mr. Wood that there are about 533 residents and about 400 voters, between 4-5 police officers and about 20 employees and the Chief runs the day to day operations and the administration of the police department.

MARK MEIGHAN, 606 W. Glenwood Avenue, questioned who hire back the Chief in 2012 with back pay. Comm. Golden stated the commissioners hired her back and it was discussed with our attorney, this saved us on punitive damages because we gave her back pay. Mark commented that she was hired back, but you should have made her drop the lawsuit or you should not have brought her back. Comm. Golden commented that it would have taken away her legal rights. Mark asked why the borough did not go back to the state in December, as he read in the finance board hearing transcript and can we declare bankruptcy. Mayor Fox stated that the state was adamant about raising the taxes eleven cents and no municipality can declare bankruptcy.

<u>MARY ANN WELSH.</u> 741 W. Poplar Avenue, commented that the borough went before the finance board in November and was supposed to go back in December, the state wanted to take control over hiring/firing and financial decisions and asked if the borough went back in December. Mayor stated they were agreeable to go back but when they want an eleven cent increase. Mary Ann asked if that is in the minutes somewhere, and can she call the finance board and get that information. Mayor said yes.

BOB ARBAUGH, 645 W. Poplar Avenue, stated that he is a non-resident who pays a lot of taxes and questioned the change in meeting time. Mayor Fox stated the he can't force the clerk to work when the borough is furloughed on Fridays.

<u>MARY ANN WELSH</u>, 741 W. Poplar Avenue, asked why furloughs are on Fridays and commented that the commissioners should represent the taxpayers, so ten or fifteen people can come vs. six or nine hundred taxpayers.

KATE SAMSON, 205 Avenue O, commented that there should be reasonable ways to make furloughs.

<u>MARIE OWENS</u>, 742 W. Glenwood Avenue, commented that even the residents can't come to these meeting because they work, you (commissioners) said at the last meeting to bear with us and you would discuss it (meeting dates) at the April meeting. Mayor stated the resolution states Wednesday at 5:00pm. Comm. Maxwell informed the public that the clerk didn't have to take this furlough, she is exempt, and she is voluntarily taking this furlough to help us out. He doesn't feel that he should ask her to work and not be compensated. Audience members stated they would pay her. Comm. Maxwell stated he feels that it is not right to discuss this in public with Donna. Comm. Maxwell asked if the meeting could be recessed so he could talk to the clerk.

At this time the clerk asked for a motion to recess the meeting Motion by Comm. Maxwell; Second by Comm. Golden. Roll Call Vote: Comm. Golden, yes; Comm. Maxwell, yes; Mayor Fox, yes.

Comm. Maxwell, Administrator Ridings, Solicitor Karavan and Clerk Donna L. Frederick left the public meeting to discuss matters.

Upon returning to the public meeting the clerk asked for a motion to reconvene the meeting Motion by Comm. Maxwell; Second by Comm. Golden.

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

Comm. Maxwell asked Mayor Fox and Comm. Golden if they were in agreement to change the meeting dates back to the first Friday of the month at 7:00pm and to compensate the clerk for her time since she is on furlough. After a discussion, it was agreed upon to make these changes. The clerk under the advice of the Solicitor amended Resolution 2018-031 – RE-ESTABLISHING THE ANNUAL MEETING DATE AND TIME FOR THE YEAR 2018 TO THE FIRST FRIDAY OF THE MONTH AT 7:00PM STARTING IN JUNE. The May 2<sup>nd</sup>, 2018 meeting at 9:00am will still be on schedule due to the budget advertising and adoption.

Clerk asked for a motion to adopt resolution 2018-031 as amended

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

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

Resolution Adopted

<u>ROBERT WOOD</u>, 533 W. Poplar Avenue, asked what the borough has in assets. Mayor Fox stated that we have borough hall building, DPW building and a couple of parks. Robert asked if the borough could sell some of these properties off. Administrator Ridings stated that some of the parks are open space ground. Solicitor Karavan suggested meeting with the tax collector to see if there are any in-rem properties that can be auctioned off.

<u>BILL MARTIN</u>, 737 W. Poplar Avenue, questioned the 50% or 20% pay cut. Comm. Maxwell explained that there was an error in the Herald the furloughed employees are losing 20% of their pay and the Commissioners pay was cut by 50%.

SUSAN CZWALINA, 547 W. Maple Avenue asked if she could get a copy of the user friendly budget after the meeting. The clerk explained that the user friendly budget was not available at this time but she could have a copy of the introduced budget. Susan asked about transfers and what is the borough bond rating. Administrator Ridings' informed her that our bond rating is AA. Susan continued and asked about the sewer rate. Administrator informed her that there is no sewer increase. Susan commented about permits for a new roof. Solicitor informed her that there have been resent changes to the construction code and that the permitting process has changed for certain items and suggested to go back to the construction office. Susan stated that she did some investigation and compared West Wildwood to Wildwood Crest, Wildwood and Sea Isle City and Wildwood Crest are the closest in size. In comparing the two tax rates they are four times our size but we are a lot higher in taxes. Mayor Fox explained that they have more rateable and businesses. Susan questioned the cost of auditing services in 2017 for such a small town. The clerk explained that even though we are a small town, the audit process is the same as a large town, there are the same amount of line items to go through the numbers are just smaller. The clerk also explained that any licensed professionals like the auditors, engineers and solicitor can be appointed per state statutes through a non-fair and open process. Mayor Fox also informed her that the borough does do a RFQ for engineering services. Susan continued and stated that she has an extensive financial background in auditing and has offered her services to the borough for free.

MARY ANN WELSH, 741 W. Poplar Avenue, asked how many properties are behind in taxes, and commented that when they are not paying we pay. Solicitor Karavan informed her between eight and ten properties. Mayor Fox informed her that the borough holds a tax sale every December. Mary Ann asked when the properties are sold are taxes paid in full, and does the money go back into the budget. She continued and asked if the borough is looking into savings money by consolidating services, like public works and the police department. There has to be compromise, make some changes, can we do a referendum where all property owners have a say. Out-source the police chief who makes over \$100,000 plus benefits, Mr. Cunningham said he implemented it successfully in other small towns, it's no different than emergency services, with salary and benefits we're paying over \$150,000 to the police chief. She continued stating she was not picking on the police department, but we need to move in the right direction of shared services. Mayor Fox explained that advantages of having our own police and public works department, for example clearing snow covered sidewalks for seniors, these things would go away. The Mayor also explained that only registered voters would be eligible to vote on a referendum, and it would cost three times the amount of money that we pay now, just ask Cape May Point and West Cape May. Mayor Fox went back in time to the sale of the water department which he was against, and how it has impacted the sewer rate, he will never agree to consolidation of the departments.

<u>BILL MARTIN</u>, 737 W. Poplar Avenue, asked if we are getting any relief from the board of education. Bill asked how many kids are in school and who checks to make sure they live here. Comm. Maxwell explained that the school board will have a reduction which will help offset the increase and stated that we have approximately 38 children and that the school board verifies their residence.

<u>ELAINE SZYMKOWIAK</u>, 555 W. Magnolia Avenue, asked if employee spouses get benefits. Mayor Fox informed her that they do.

<u>SUSAN CZWALINA</u>, 547 W. Maple Avenue, asked if any of the officials are covered under the health plan. Mayor Fox informed her that Comm. Golden receives benefits.

<u>MARY ANN WELSH</u>, 741 W. Poplar Avenue, stated that where she lives, they have a choice salary or benefits. Mayor Fox explained that the laws in New Jersey have changed, but because Comm. Golden has been in office continuously since 2008 he is entitled to benefits.

<u>HELEN RAO</u>, 741 W. Poplar Avenue, commented where she works the costs go up each year, and if employee's spouses' job provides benefits then the spouse must come off of the employees plan, employees can have their children on the plan. She suggested making it mandatory. Solicitor will research this matter. Helen asked the Mayor if he was against looking into shared services. Mayor Fox informed her that we already have many shared services, but he is not in favor of shared services for the DPW or Police. Helen asked if this was based on just him and can she do a poll. The Mayor informed her that she can put it on a referendum. Solicitor Karavan explained that a poll will only indicate overall interest, but an initiative/referendum allows registered voters to vote; you can change residency to West Wildwood and vote.

<u>MARK MEIGHAN</u>, 606 W. Glenwood Avenue, asked if Comm. pays co-pay on his benefits. Comm. Golden stated he does. Mark asked if the budget is going to be cut at the next meeting. Mayor stated that the borough still must keep up with maintenance and capital projects like addressing the raised manholes.

SUSAN CZWALINA, 547 W. Maple Avenue, commented if we could share tax assessor's services with North Wildwood. Mayor Fox informed her that there have been discussions in the past with the towns, but you must weigh the costs, value and service. Susan asked what the time frame is for a property to go into tax sale and that someone on the governing body is behind over a year. Mayor stated we do not do an accelerated tax sale, it is two years. Comm. Golden stated he pays his taxes when he has to pay them and pays the interest. Susan asked why a commissioner on the board who gets pay and benefits waits to pay, and stated that she can't wait a year and pay interest. Solicitor informed the public that the borough has about a 95% collection rate, which is very good.

<u>ROBERT WOOD</u>, 533 W. Poplar Avenue, asked how many employees live in the borough. Comm. Golden stated that all of the DPW live here. He asked the mayor how many relatives work here now because two brothers did before. Mayor stated none, and that was under the O'Hala administration.

DENISE OLSON, 734 W. Glenwood Avenue, stated that she appreciates the police department.

<u>DOLORES BORKOWSKI</u>, 517 W. Poplar Avenue, commented that she feels you (the Mayor) are the reason we are not consolidated; we all know why you don't want to get rid of the police department. Mayor stated you can do a referendum.

<u>BILL MARTIN</u>, 737 W. Poplar Avenue, wanted to know how much money is the lien on 735 W. Poplar Avenue property and he hopes that it doesn't get negotiated to zero. Administrator Ridings stated that it is in the hands of the construction office, but the borough will get paid first.

<u>PAT COSGROVE</u>, 739 W. Pine Avenue, asked how a resident goes about doing referendum. Mayor briefly explained the process, but referred him to see the clerk.

<u>MARY ANN WELSH</u>, 741 W. Poplar Avenue, asked if the meeting minutes could be posted as a draft copy. Solicitor Karavan informed her that they will be posted only after they are approved.

<u>SUSAN CZWALINA</u>, 547 W. Maple Avenue, stated that our website should be better, other towns are much better. She asked about where the ordinances are posted on the web. The clerk informed her that the meeting minutes are spread in full, including resolutions, ordinances, correspondence, reports etc.

MARK MEIGHAN, 606 W. Glenwood Avenue asked about term limits and when the next election will be held. Solicitor Karavan informed him that the borough is a Walsh Act community and is governed by Title 40, there are no term limits and the next election is in 2020.

ROBERT WOOD, 533 W. Poplar Avenue, asked the mayor how many lawsuits are against the police department and the number of police officers. Mayor stated he did not know how many lawsuits but would look into it.

MARK MEIGHAN, 606 W. Glenwood Avenue, stated that from 2008 – 2012 there were nineteen lawsuits, and wanted to know what they were.

SUSAN CZWALINA, 547 W. Maple Avenue, stated that she saw or read that another town has their meetings video -taped or live feed. Deputy Clerk stated that it was a private citizen who did that and they posted it on Facebook.

Hearing no more public comment, the Mayor closed the public portion. Clerk asked for a motion to adjourn.

### Motion to Adjourn:

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

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

Respectfully submitted 4/19/18

Donna L. Frederick, RMC

Municipal Clerk

This is a generalization of the meeting of April 4, 2018 and not a verbatim transcript. THESE MINUTES WERE APPROVED AT THE MAY 2, 2018 REGULAR COMMISSION MEETING

MAYOR CHRISTOPHER J. FOX

COMMISSIONER SCOTT W. GOLDEN

-ABSENT-

COMMISSIONER CORNELIUS J. MAXWELL

# CERTIFICATE OF DETERMINATION AND AWARD

- I, Elaine Crowley, Chief Financial Officer of the Borough of West Wildwood, in the County of Cape May, New Jersey (hereinafter referred to as the "Borough"), HEREBY CERTIFY as follows:
- 1. I hereby determine to issue the \$1,405,800 Notes, consisting of a \$1,335,000 Bond Anticipation Note (the "Bond Anticipation Note") and a \$70,800 Special Emergency Note (the "Special Emergency Note" and, together with the Bond Anticipation Note, the "Notes") hereinafter described by virtue of the authority conferred upon me by the bond ordinances, an ordinance and a resolution, as applicable (the "Authorizing Documents"), of the Borough referred to in the attached charts by reference to number, date of adoption and amount of bonds or notes authorized, such Notes to be issued in the amounts indicated in the charts.

# BOND ANTICIPATION NOTE

TOTAL NUMBER DENOMINATION

PRINCIPAL

AMOUNT: \$1,335,000 2018-1 \$1,335,000

DATE:

3/23/18

MATURITY: 3/22/19

INTEREST

RATE PER

ANNUM: 2.75%, payable at maturity

CUSIP NO:

956874 DB4

NIC:

2.0035%

PAYING

AGENT:

Borough of West Wildwood, New Jersey

# SPECIAL EMERGENCY NOTE

<u>TOTAL</u> <u>NUMBER</u> <u>DENOMINATION</u>

PRINCIPAL

AMOUNT: \$70,800 2018-2 \$70,800

DATE: 3/23/18

MATURITY: 3/22/19

**INTEREST** 

RATE PER

<u>ANNUM</u>:

2.75%, payable at maturity

CUSIP NO:

956874 DB4

NIC:

2.0035%

**PAYING** 

AGENT:

Borough of West Wildwood, New Jersey

- 2. Pursuant to the authority so conferred upon me, I have awarded and sold the Notes to Oppenheimer & Company, Inc., Philadelphia, Pennsylvania at the price of \$1,416,265.00.
- 3. No bonds of the Borough have heretofore been issued pursuant to the Authorizing Documents, as applicable, referred to in Section 1 hereof, except as set forth in the attached charts.
- 4. The date of the first note or other obligation issued in anticipation of the issuance of the bonds that Bond Anticipation Note is issued in anticipation of, whether or not now outstanding, is as stated in the attached charts.
- 5. No grants have been received, no paydowns have been made and no cancellations have been enacted that would reduce the debt authorization below the amount of notes outstanding under the Authorizing Documents, as applicable, described in the attached charts except as set forth therein.
- 6. No notes or other obligations in anticipation of the issuance of bonds have heretofore been issued pursuant to the Authorizing Documents, as applicable, referred to in the attached charts and now remain outstanding and unpaid except as set forth in the attached charts.

IN WITNESS WHEREOF, I have hereunto set my hand as of March 23, 2018.

( Manally Elaine Crowley, Chief Financial Officer

81,405,800 NOTES, CONSISTING OF:
A \$1,335,000 BOND ANTICIPATION NOTE AND
A \$70,800 SPECIAL EMERGENCY NOTE
OF THE BOROUGH OF WEST WILDWOOD,
IN THE COUNTY OF CAPE MAY, NEW JERSEY

Dated: March 23, 2018

Maturing: March 22, 2019

Bond Anticipation Note

	AMOUNT TO BE ISSUED	\$765,000	\$570,000	\$1,335,000
	UNSPENT	\$0	\$267,864.76	\$267,864.76
	HISTORY OF OBLIGATIONS BEING REFUNDED	\$765,000 of a \$1,335,000 Bond Anticipation Note, dated March 30, 2017 and maturing March 30, 2018, with the date of first issue being March 31, 2016 as to the \$765,000 originally issued.	\$570,000 of a \$1,335,000 Bond Anticipation Note, dated March 30, 2017 and maturing March 30, 2018, with the date of first issue being March 31, 2016 as to the \$570,000 originally issued.	
	PERIOD OF USEFULNESS	10 years	15 years	
	TOTAL BOND AUTHORIZATION	\$765,000	\$570,000	
1010	DESCRIPTION OF IMPROVEMENT AND DATE OF ADOPTION OF BOND ORDINANCE	Providing for the reconstruction and repaving of various streets, finally adopted October 2, 2015.	Providing for the renovation of various bulkheads, finally adopted February 24, 2016.	
Dona Americabation (10)	BOND ORDINANCE NUMBER	546 (2015)	549 (2016)	TOTALS:

Special Emergency Note

		T	
	AMOUNT TO BE ISSUED	\$70,800	\$70,800
	UNSPENT	\$22,100	\$22,100
	2018 PAYDOWN	\$23,600	\$23,600
	HISTORY OF OBLIGATIONS BEING REFUNDED	\$94,400 Special Emergency Note, dated March 30, 2017 and maturing March 30, 2018, with the date of first issue being March 31, 2016 as to the \$118,000 originally issued, with \$23,600 being paid down pursuant to a 2017 budget appropriation and with \$23,600 being paid down on the date hercof.	
	PERIOD OF USEFULNESS	N/A (5 years to pay off)	
	APPROPRIATON	\$118,000	
	DESCRIPTION OF IMPROVEMENT AND DATE OF ADOPTION OF BOND ORDINANCE	Providing for the preparation of tax maps and preparation and executing of a complete revaluation of property, finally adopted January 8, 2016, resolution adopted December 3, 2015.	
and family many	ORDINANCE NUMBER/RESOLUTION NUMBER	Ordinance #548 (2015) Resolution #2015-117	TOTALS:

Unspent Proceeds – Applies to Refunding Notes Only. The proceeds from the original new money note sale that are still sitting in an account left unspent, as of the date of the refunding note sale. Generally, you have 3 years to spend those new money note proceeds, and thereafter have to yield restrict any investment of those unspent proceeds.

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

# **ORDINANCE 565 (2018)**

# AMENDING LAND USE DEVELOPMENT ORDINANCE TO PROHIBIT MARIJUANA DISPENSARIES IN THE BOROUGH OF WEST WILDWOOD, COUNTY OF CAPE MAY, NEW JERSEY

WHEREAS, the Borough of West Wildwood has a comprehensive land use development ordinance which identifies permitted uses in each zone and prohibits uses which are not expressly permitted; and

WHEREAS, recreational marijuana dispensaries may become legal in the State of New Jersey; and

WHEREAS, consideration has been given into whether there are any appropriate zones in the Borough of West Wildwood for the location of either medical or recreational marijuana dispensaries;

WHEREAS, there does not appear to be an area for such a facility without, churches, parks, playgrounds or residential zones within a quarter mile;

WHEREAS, given the safety and security concerns inherent with medical and recreational marijuana dispensaries it is in the public's interest for the West Wildwood community to be free of such dispensaries.

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

# Section 1.

The Borough of West Wildwood Land Use Development Ordinance, is hereby amended, Prohibited Uses, Section 1 General Provisions, 1-5, as follows:

All uses not expressly permitted in this Ordinance are prohibited, <u>including</u>, <u>but</u> not <u>limited</u> to, <u>medicinal</u> and <u>recreational marijuana dispensaries</u>.

# Section 2. Repealer.

All Ordinances in conflict with this Ordinance are hereby repealed to the extent of their inconsistencies.

# Section 3. Severance Provision.

If any provision herein shall be found to be unenforceable by reason of law, then it shall be severed from the remainder of this section with the remainder remaining in full force and effect.

# Section 4. Effective Date.

COMMISSIONERS:

MAYOR CHRISTOPHER J. FOX

COMMISSIONER SCOTT W. GOLDEN

COMMISSIONER CORNELIUS J. MAXWELL

Second Reading/Public Hearing:

2018 04-02

Publication:

2018 04-10

	Motion	Second	Yes	No	Abstain	Absent
Mayor Christopher J. Fox			X			
Commissioner Scott W. Golden		X	×			
Commissioner Cornelius J. Maxwell	×		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 an Ordinance finally adopted after a public hearing by the Board of Commissioners of the Borough of West Wildwood, New Jersey at a Regular Meeting held on April 4, 2018.

Donna L. Frederick, RMC Municipal Clerk This Ordinance shall become effective 20 days from final passage into law.

COMMISSIONERS:

MAYOR CHRISTOPHER J. FOX

COMMISSIONER SCOTT W. GOLDEN

COMMISSIONER CORNELIUS J. MAXWELL

First Reading/Introduction: 2018 03-02 Publication: 2018 03-07

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

I, Donna L. Frederick, RMC, Municipal Clerk, hereby certify that the foregoing Ordinance was introduced and passed at a Regular Meeting of the Board of Commissioners of the Borough of West Wildwood, County of Cape May, New Jersey on the 2nd day of March, 2018, and will be considered for final passage after a public hearing at a Regular Meeting of said Board of Commissioners at the Municipal Hall, 701 W. Glenwood Avenue, West Wildwood, New Jersey, April 4, 2018 at 9:00 am

Donna L. Frederick, RMC Municipal Clerk

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

# **ORDINANCE 566 (2018)**

AN ORDINANCE REPEALING ORDINANCE 106 ENTITLED "AN ORDINANCE PROVIDING FOR THE ERECTION, REBUILDING, MAINTENANCE REPAIR AND KEEPING IN REPAIR OF BULKHEADS AND OTHER WORKS AND STRUCTURES ALONG ALL NAVIGABLE WATERS, OTHER THAN THE ATLANTIC OCEAN, WITHIN THE BOROUGH OF WEST WILDWOOD, INCLUDING THE FILLING IN AND GRADING OF LAND AROUND AND ABOUT SAID BULKHEADS OR STRUCTURES ACCORDING TO THE SPECIFICATIONS ESTABLISHED BY SAID BOROUGH AND TO PROVIDE FOR THE COST THEREOF." AND ESTABLISHING REGULATIONS FOR THE CONSTRUCTION, RECONSTRUCTION, RENOVATION AND REPAIR OF BULKHEADS WITHIN THE BOROUGH OF WEST WILDWOOD

WHEREAS, the Board of Commissioners of the Borough of West Wildwood has reviewed the existing Ordinance of the Borough pertaining to the regulations for the construction, renovation or repair of existing or new bulkheads within the Borough; and

WHEREAS, the Board of Commissioners of the Borough of West Wildwood has deemed it necessary and in the best interest of the citizens of West Wildwood to repeal and replace Ordinance No. 106; and

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

SECTION I. Bulkheads within the Borough of West Wildwood shall be maintained in such a condition so that they shall pose no danger to the health, safety or welfare of the residents of the Borough of West Wildwood or to public or private property within the Borough of West Wildwood. Bulkheads shall be kept in a state of repair so as to prevent erosion or damage to adjoining or other properties. Whenever a bulkhead has deteriorated or suffered damage to such a degree that a danger to the property or adjoining properties is present, the Zoning Official, Code Enforcement Official or the Borough Engineer shall notify the property owner in writing to the address that is set forth in the Borough's tax records, of the nature of the deterioration of damage and require the owner to make the necessary repairs. The property owner shall take corrective action within sixty (60) days from the date of notice.

**SECTION II.** Bulkhead replacement and repairs must comply with the CAFRA rules and regulations as determined by the New Jersey Department of Environmental Protection.

- a. The contractor shall make every effort to replace each section as removed so as not to unduly endanger life and property.
- b. Materials for sheathing may be wood, vinyl, fiberglass, galvanized steel or composite.
- c. Sheathing shall be driven equally below the mud line (example 8 feet above mud line/8 feet below mud line). Unless supported by Engineer drawings.
- d. All pilings must comply with CAFRA standards due to environmental impact.
- e. All whalers must be a minimum of 6x6 including top and mid-whale construction, and shall be marine grade lumber as per CAFRA regulations.

- f. All hardware utilized must be hot dipped galvanized or stainless steel.
- g. Tie rods and deadman tie rods must be ¾ inch diameter or greater and attached to a deadman which is 10 feet back on the landward side. Tie rods are to be a minimum of 5 feet on center. The deadman can be concrete or piling.
- h. Height of the top of any replacement bulkhead must be at elevation 8.5 feet.
- i. Backfill must be of sandy fill material with a minimum finish grade to be at elevation 6.5 feet which must run at this height for a distance of 6 feet landward of the bulkhead.
- j. When a bulkhead is found to be in a state of disrepair allowing for the intrusion of water to the landward of the bulkhead during a normal high tide, the property owner must make the appropriate repairs or replacement so as to prevent a danger to the adjoining properties and general public. Corrective action shall take place within sixty (60) days from the date of notice.
- k. Drains in the bulkhead used for the equalization of pressure are prohibited.
- Authorization from the New Jersey Department of Environmental Protection and any other state or federal agency having jurisdiction over the property affected by the work must be made where required.

# **SECTION III. Violations and Penalties**

- 1. Penalties.
  - a. For the violation of any provision of the Ordinance, the maximum penalty, upon conviction of the violation, shall be a fine not to exceed one thousand dollars (\$1,000.00) or imprisonment in the County Jail for a period not to exceed ninety (90) days, or both.

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

**SECTION V. Repealer.** Any Ordinance or provision thereof inconsistent with the Ordinance is hereby repealed to the extent of such inconsistency.

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

**COMMISSIONERS:** 

MAYOR CHRISTOPHER J. FOX

COMMISSIONER SCOTT W. GOLDEN

COMMISSIONER CORNELIUS J. MAXWEL

First Reading/Introduction: 2018 03-02 Publication: 2018 03-07

	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, hereby certify that the foregoing Ordinance was introduced and passed at a Regular Meeting of the Board of Commissioners of the Borough of West Wildwood, County of Cape May, New Jersey on the 2nd day of March, 2018, and will be considered for final passage after a public hearing at a Regular Meeting of said Board of Commissioners at the Municipal Hall, 701 W. Glenwood Avenue, West Wildwood, New Jersey, April 4, 2018 at 9:00 am

Donna L. Frederick, RMC
Municipal Clerk

COMMISSIONERS:

MAYOR CHRISTOPHER J. FOX

COMMISSIONER SCOTT W. GOLDEN

COMMISSIONER CORNELIUS J. MAXWELL

Second Reading/Public Hearing:

2018 04-02

Publication:

2018 04-10

	Motion	Second	Yes	No	Abstain	Absent
Mayor Christopher J. Fox			$\prec$			
Commissioner Scott W. Golden		×	*			
Commissioner Cornelius J. Maxwell	*	(	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 an Ordinance finally adopted after a public hearing by the Board of Commissioners of the Borough of West Wildwood, New Jersey at a Regular Meeting held on April 4, 2018.

Donna L. Frederick, RMC Municipal Clerk

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

ORDINANCE NO. 567 (2018)

# CALENDAR YEAR 2018 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)

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

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

WHEREAS, the Governing Body of the Borough of West Wildwood, County of Cape May, New Jersey finds it advisable and necessary to increase its CY 2018 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Governing Body of the Borough of West Wildwood, hereby determines that a 1.0% increase in the budget for said year, amounting to \$ 20,774.66 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

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

NOW, THEREFORE BE IT ORDAINED, by the Governing Body of the Borough of West Wildwood, in the County of Cape May, New Jersey, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2018 budget year, the final appropriations of the Borough of West Wildwood shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5%, amounting to \$72,711.30, and that the CY 2018 municipal budget for the Borough of West Wildwood be approved and adopted in accordance with this ordinance; and

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and, BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon; be filed with said Director within 5 days after such adoption.

COMMISSIONERS:

MAYOR CHRISTOPHER J. FOX

COMMISSIONER SCOTT W. GOLDEN

COMMISSIONER CORNELIUS J. MAXWELL

The foregoing Ordinance was introduced and passed at a Regular Meeting of the Board of Commissioners of the Borough of West Wildwood, County of Cape May, New Jersey on the 4th day of April, 2018, and will be considered for final passage after a public hearing at a Regular Meeting of said Board of Commissioners at the Municipal Hall, 701 W. Glenwood Avenue, West Wildwood, New Jersey, May 2, 2018 at 9:00 am.

FIRST READING: 2018 04-04 PUBLICATION: 2018 04-10

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

Donna L. Frederick, RMC Municipal Clerk

# BOROUGH OF WEST WILDWOOD COUNTY OF CAPE MAY NEW JERSEY

### **RESOLUTION 2018-027**

# AUTHORIZING AN INDEMNIFICATION AGREEMENT BETWEEN THE BOROUGH OF WEST WILDWOOD AND THE COUNTY OF CAPE MAY TO PERMIT THE BOROUGH TO HOLD A FOURTH OF JULY PARADE ON GLENWOOD AVENUE

WHEREAS, the Borough is holding a Fourth of July Parade on Wednesday, July 4, 2018, which route will be on Glenwood Avenue, a County road; and

WHEREAS, the County of Cape May requires that the Borough execute an Indemnification Agreement to permit the event to traverse over the aforementioned road.

**NOW, THEREFORE BE IT RESOLVED** by the Board of Commissioners of the Borough of West Wildwood, County of Cape May, New Jersey, that they hereby authorized the Mayor to execute the Indemnification Agreement between the Borough of West Wildwood and the County of Cape May.

**BE IT FURTHER RESOLVED,** that a copy of the executed Indemnification Agreement be attached hereto.

	Motion	Second	Yes	No	Abstain	Absent
Mayor Christopher J. Fox			X			
Commissioner Scott W. Golden		Х	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 April 4, 2018.

Donna L. Frederick, RMC Municipal Clerk

# INDEMNIFICATION AGREEMENT

This Agreement is made on the \_\_\_\_\_ day of \_\_\_\_\_\_, by and Between the <u>Borough of West Wildwood</u>, including, but not limited to, their various members, agents, employees, subgroups, affiliates, subsidiaries and regional groups, whose principal place of business is <u>701</u> West Glenwood Avenue, P.O. Box 644, West Wildwood, NJ 08260, (hereinafter collectively referred to as "Indemnitor"); and **THE COUNTY OF CAPE MAY**, their agents, employees, affiliates, political subdivisions and departments thereunder, with their principal place of business located at 4 Moore Road, Cape May Court House, New Jersey 08210, (hereinafter, collectively, referred to as the "Indemnitee").

### **RECITALS**

Indemnitor has been permitted by Indemnitee to allow the Indemnitor to hold an Children's Fourth of July Parade on Wendesday, July 4, 2018 from 9:30 a.m. to 12:00 p.m. on Glenwood Avenue (County Road No. 614), owned by Indemnitee. This permission is for the event occurring on the aforementioned date and shall not be construed as permission for any subsequent events. As part of the "Event", the Indemnitor will be permitted to have their participants, agents and employees run or walk on designated County-owned roads/bridges as noted in Indemnitee's Agenda Summary. Also, as part of the "Event", the Indemnitor will be permitted to have their participants, agents and employees temporarily close a portion of Glenwood Avenue from Venice Avenue to Neptune Avenue. This permission is limited to participants, agents and employees in the "Event" only. "Participants" is defined as "only those individuals who have completed and delivered to Indemnitor a properly completed and signed application and who have been authorized by Indemnitor to participate in the event and all agents and employees of Indemnitor."

The Indemnitee has permitted these participants to traverse the course and to <u>close a portion of Glenwood Avenue (County Road No. 614)</u> on the date(s) specified in consideration for which the Indemnitee has been promised by Indemnitor that it will have no liability for any and all occurrences, whether property damage, personal injury or the like, occurring as a result of the "Event". Moreover, the indemnity shall be supported and backed by insurance to cover all aspects of Indemnitor's duty to indemnify as set forth herein.

The parties hereto have discussed expressly and in detail the nature of the Indemnitor's promises. It is the intention of both the Indemnitor and the Indemnitee that the Indemnitee, its agents, officers and employees shall not be liable or in any way responsible for damage, loss or expenses resulting to the Indemnitor, its employees, agents, representatives, participants, spectators, chaperones and/or any individual or entity, due to any accident, mishap or injury, either to person or property, or of any nature to any person or any property, or any kind of liability whatsoever arising out of any cause whatsoever.

The Indemnitee has made no promises or representations as to the condition of the designated area(s). Indemnitor has specifically conducted its own inspection and has determined without any reliance by Indemnitee that these areas are suitable and safe.

In consideration of the Indemnitee's permission and agreement to provide the designated area(s) during the aforesaid date and the Indemnitor's promises hereunder, it is agreed as follows:

# **INDEMNIFICATION**

# 1. <u>Incorporation of Recital by Reference.</u>

The clauses of the Recital, as set forth above, are incorporated herein by reference as if set forth at length and, therefore, constitute a part of the terms of this Agreement.

# 2. Scope.

Indemnitor assumes the risk of all damage, loss, cost and expenses and agrees to indemnify and hold harmless the Indemnitee, its officers, agents and employees, from and against any and all liability, damage, loss, costs and expense which may accrue to or be sustained by Indemnitee, its officers, agents or employees, for the death of or injury to any person or persons or destruction of property or any money damage claim involving Indemnitor, its agents, employees, representatives, participants, spectators, chaperones, sponsors or any individual or entity, sustained in connection with the "Event" occurring on aforementioned dated.

It is the intention that the Scope of this Indemnification Agreement is the widest and most comprehensive allowable by law and that the Indemnitor should be responsible for any and all liabilities, occurrences, damages or costs which may occur including, without limitation, attorney's fees and all costs of suit or defense.

Indemnitor and Indemnitee agree that this Agreement shall be construed to the fullest extent possible by Law to impose upon the Indemnitor the fullest duties of indemnity which shall include the obligation by Indemnitor to:

- (a) inspect the condition of the designated area(s) and to post warnings where necessary to avoid the risk of harm to its participants, employees, spectators and all other individuals and entities;
- (b) defend in any claim, lawsuit, arbitration or claim of any sort, nature and type. Said duty to indemnify shall include the duty to defend completely through total and final resolution of the matter including all appeals. It shall include, but is not limited to, any attorney's fees, engineering, expert or other necessary costs incurred as a result of defending or investigating any claim and/or suit of any nature or sort. In the event Indemnitor does not timely provide a defense and indemnity, which causes Indemnitee to incur costs including attorney's fees to enforce any rights pursuant to this Indemnification Agreement, then and in that event, Indemnitor shall also be responsible for said costs and fees, as incurred by Indemnitee.
- (c) defend and indemnify the Indemnitees for any claims for reimbursement and/or subrogation by any and all medical providers, medical insurers or worker's compensation carriers or any other individual or entity.

# 3. Compliance with the Law.

Indemnitor agrees that it will comply with and cause all of its employees, agents, representatives, participants, spectators, chaperones and the like to comply with all of the applicable safety rules and all of the rules, regulations and standards issued by the various State, County and Municipal governments.

# 4. Waiver and Release.

Indemnitor waives all rights to make a claim or file a suit against Indemnitee for, and relieves Indemnitee from all liability or responsibility of any kind arising from such damages, loss, cost or expense.

Indemnitor has an obligation to physically inspect the designated area(s) before such time as it permits its participants to commence and shall affirmatively warn its participants, agents and employees of any observable risk.

Indemnitor shall not file a crossclaim or claim of any sort, nature or type against Indemnitee.

# 5. Severability.

It is further understood and agreed by the parties that if any of the provisions hereof should contravene or be invalidated under the Laws of the State of New Jersey, such contravention shall not invalidate this Agreement but shall be construed as if not containing the particular provision which is held to be invalidated and the rights and obligations of the parties shall be construed and enforced accordingly.

# 6. Term.

The duties and obligations under this Indemnification Agreement shall remain in effect for as long as the applicable Statute of Limitations remains in effect and the duty to defend shall extend beyond the Statute of Limitations to the extent any claim is made against Indemnitee at any time in the future as it relates to anything arising out of or occurring under the "Event" scheduled to occur on the aforementioned date.

IN WITNESS WHEREOF, the parties hereto have set their hand and seal on the date first written above. By executing this Indemnification Agreement, the individuals represent that they have complete authority to do so on behalf of their respective corporation or agency and may, therefore, effectively bind their principals.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF:	
WITNESS:	BOROUGH OF WEST WILDWOOD
Donna L. Frederick, Clerk	By: Mayor Christopher J. Fox
Date:	
SEAL:	
ATTEST:	COUNTY OF CAPE MAY
Elizabeth Bozzelli Clerk of the Board	By: Gerald M. Thornton Freeholder Director
Date:	
SEAL:	
APPROVED AS TO FORM:	
Jeffrey Lindsay, Esq. County Counsel	

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

# **RESOLUTION 2018-028**

### AUTHORIZING THE FILING OF THE 2017 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 2017 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.

**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 Borough's Recycling Coordinator is hereby directed to coordinate with Linda Thomas to assure that the application is properly and timely filed.

**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			Χ			
Commissioner Scott W. Golden		Х	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 April 4, 2018.

Donna L. Frederick, RMC Municipal Clerk March 22, 2018

To: Donna L. Frederick, RMC Recycling Coordinator Borough of West Wildwood 701 W. Glenwood Avenue West Wildwood, NJ 08260

Re: Letter of Intent Filing of Recycling Tonnage Grant (2017)

Dear Donna,

As per our conversation, this letter is to confirm that I am a Certified Recycling Professional, and for a fee not to exceed \$100.00. I hereby ensure that I will file the 2017 Recycling Tonnage Grant on behalf of the Borough of West Wildwood, as mandated by the Source Separation and Recycling Act. I will coordinate with you to assure that the application is properly and timely filed.

Sincerely yours,

Linda Thomas ACRP

#### **RESOLUTION 2018-029**

#### 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 2, 2018; and

**BE IT FURTHER RESOLVED** that, in the event of inclement weather on June 2, the event shall be held on June 3, 2018, 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	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 April 4, 2018.

#### **RESOLUTION 2018-030**

#### AUTHORIZING THE READING OF THE CY2018 MUNICIPAL BUDGET BY TITLE ONLY

WHEREAS, N.J.S.A.40A:4-8, as amended by L.2015, C 95, & 14, 2015, provides that the budget may be read by title only at the time of the public hearing if a resolution is passed by not less than a majority of the full governing body, providing that at least one week prior to the date of hearing, a complete copy of the budget has been made available for public inspection, and has been made available to each person upon request; and

WHEREAS, these two conditions have been met;

**NOW, THEREFORE BE IT RESOLVED** by the Board of Commissioners of the Borough of West Wildwood, County of Cape May, New Jersey, that the CY2018 budget shall be read by title only.

	Motion	Second	Yes	No	Abstain	Absent
Mayor Christopher J. Fox			Χ			
Commissioner Scott W. Golden		Х	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 April 2, 2018.

#### **RESOLUTION 2018-031**

# RE-ESTABLISHING THE ANNUAL MEETING DATES OF THE BOROUGH OF WEST WILDWOOD BOARD OF COMMISSIONERS TO THE FIRST FRIDAY OF THE MONTH AT 7:00PM

WHEREAS, the Board of Commissioner established the 2018 regular meeting dates through resolution 2017-106, adopted on December 29, 2017; and

WHEREAS, the Board of Commissioners re-established the 2018 regular meeting dates at a regular meeting held on March 2, 2018 through resolution 2018-021; and

WHEREAS, the public requested the Commissioners review the day and time of the approved resolution.

WHEREAS, the Board of Commissioners, hereby deem it necessary to re-establish the Annual Meeting Dates for the Year 2018 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

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 **Regularly Scheduled Meetings** of the West Wildwood Board of Commissioners will be held at the Municipal Building, 701 West Glenwood Avenue, West Wildwood, New Jersey on the **FIRST FRIDAY** of the month at 7:00 P.M., prevailing time unless otherwise noted, at which time Official Action may be taken.

JUNE 1, 2018 JULY 6, 2018 AUGUST 3, 2018 SEPTEMBER 7, 2018 OCTOBER 5, 2018 NOVEMBER 2, 2018 Thursday, December 6 @ 6:00pm

BE IT FURTHER RESOLVED, that this Resolution shall be posted on the Official West Wildwood Municipal Hall Bulletin Board, to remain there for the full Calendar Year 2018; 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			X			
Commissioner Scott W. Golden		Х	Χ			
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 April 4, 2018.

#### **RESOLUTION 2018-032**

# GOVERNING BODY CERTIFICATION OF COMPLIANCE WITH THE UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'S "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964"

WHEREAS, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit's hiring practices comply with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," as amended, 42 U.S.C. § 2000e et seq., (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

WHEREAS, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit's hiring practices as they pertain to the consideration of an individual's criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

**NOW, THEREFORE BE IT RESOLVED,** That the Board of Commissioners of the Borough of West Wildwood, hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit's hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

	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 April 4, 2018..

#### **RESOLUTION 2018-033**

## A RESOLUTION ACKNOWLEDGING ADDITIONAL MEMBERS 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 information of additional applicants for the Borough to add to the roster; and

WHEREAS, the Board of Commissioners hereby acknowledges the following applicant for membership, contingent upon successful completion of a background check.

Joel Hatch, 501 Dock Street, Wildwood, NJ 08260 Curtis Bosley, 3702 Park Blvd, Wildwood, NJ 08260

**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 Joel Hatch, Curtis Bosley, and thanks them for his selfless volunteer service on behalf of all of the residents.

		Motion	Second	Yes	No	Abstain	Absent
Mayor Christopher J. Fox	T						
Commissioner Scott W. Gold	den						
Commissioner Cornelius J. I	Maxwell						

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 April 4, 2018

#### **RESOLUTION 2018-034**

# A RESOLUTION AUTHORIZING THE BOROUGH OF WEST WILDWOOD TO REMOVE THE DESIGNATED HANDICAP PARKING DESIGNATION LOCATED AT 5 AVENUE C

WHEREAS, on April 2, 2018, Mr. Dettrey reported to the Police Department that his mother, Mary Beth Farrell recently purchased the property located at 5 Avenue C, and does not require a handicap parking space at that location and has formally requested it be removed; and

WHEREAS, the West Wildwood Police Department performed a sight inspection of the location and has determined that there is no further need for the handicap parking space.

**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 the removal of the handicap parking designation from the following location:

#### 1. 5 Avenue C

**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 removal of the handicap parking designation at 5 Avenue C.

	Motion	Second	Yes	No	Abstain	Absent
Mayor Christopher J. Fox			Χ			
Commissioner Scott W. Golden		X	X			
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 April 4, 2018.

	-	ACCTS: CURRENT T Type: All Checks	to CURREN	T Ra eport Format:	nge of Check Ids: 13214 to Detail Check Type:	13254 Computer: Y M	nanual: Y Di	r Deposit	t: Y
Cneck # Check PO # I		e Vendor Description		Amount Paid	Charge Account	Account Type	econciled/Vo Contract		
13214 04/03 18-00187		00101 THE HERALD LEGAL ADS APRIL 2018		76.55	8-01-20-120-021 Legal Advertising	Budget		121 65	18
13215 04/03 18-00198		00207 ACA COMPUT IT SERVICES FOR MARC		3,143.72	8-01-20-140-026 Data Processing Maintenance	Budget		121 74	18 1
13216 04/03, 18-00184	/18 1	00308 ADP, INC. PAYROLL SERVICES APR	IL 2018	105.57	8-01-20-130-028 Payroll Services	Budget		121 62	18 1
18-00184	2	PAYROLL SERVICES APR	IL 2018 —	221.71	8-01-20-130-028 Payroll Services	Budget		63	1
13217 04/03, 18-00149	11/1/2000	019011 ATLANTIC C CHARGES FOR MARCH 20	ITY ELECTRIC 18	1,751.86	8-01-31-435-000 Street Lighting	Budget		121 12	18 1
18-00149	2	CHARGES FOR MARCH 20	18	31.94	8-01-31-430-000 Electricity	Budget		13	1
18-00149	3	CHARGES FOR MARCH 20	18	18.89	8-01-31-430-000	Budget		14	1
18-00149	4	CHARGES FOR MARCH 20	18	40.28	Electricity 8-01-31-435-000	Budget		15	1
18-00149	5	CHARGES FOR MARCH 20	18	9.24	Street Lighting 8-01-31-430-000	Budget		16	1
18-00149	6	CHARGES FOR MARCH 20	18	501.07	Electricity 8-01-31-430-000 Electricity	Budget		17	1
18-00149	7	CHARGES FOR MARCH 20	18	9.42	8-01-31-430-000	Budget		18	1
18-00149	8	CHARGES FOR MARCH 20	18	252.36	Electricity 8-01-31-430-000	Budget		19	1
18-00149	. 9	CHARGES FOR MARCH 20	18	334.92	Electricity 8-01-31-435-000 Street Lighting	Budget		20	1
			_	2,949.98	a constant and a cons				
13218 04/03/ 18-00155		01903 AT & T CHARGES FOR MARCH,AP	RIL 2018	157.26	8-01-31-440-000	Budget		121 31	.8
18-00155	2	CHARGES FOR MARCH, A	PRIL 2018	109.79	Telephone 8-01-31-440-000	Budget		32	1
18-00155	3	CHARGES FOR MARCH, A	PRIL 2018	84.26	Telephone 8-01-31-440-000	Budget		33	1
			-	351.31	Telephone				
1219 04/03/ 18-00156		01905 AT & T MOB. CHARGES FOR MARCH 20:		229.18	8-01-31-440-000 Telephone	Budget		121 34	.8

neck # Check Da PO # Item	ce Vendor Description	Amount Paid	Charge Account	Account Type		Void Ref Num Ref Seq Ac	
.3219 AT & T MOR 18-00156 2	SILITY Continued CHARGES FOR MARCH 2018	229.18	8-01-31-440-000	Budget	-	35	
	-	458.36	Telephone				
3220 04/03/18 18-00175 1		20,000.00	8-01-20-135-000	Budget		1218 55	}
18-00203 1	PROFESSIONAL SERVICES RENDERED —	4,600.00	AUDITOR 8-01-20-155-027 Legal Services	Budget		79	į
3221 04/03/18 18-00161 1	05203 C.M.C.M.U.A. WASTER WA DISPOSAL FEES FOR FEB 2018	TER DIV.	8-01-32-465-000 SOLID WASTE DISPOSAL	Budget		1218 43	3
3222 04/03/18 18-00174 1	05220 CAPE MAY COUNTY CONFER 2018 MAYORS DUES		8-01-20-100-044 GEN. ADMIN. DUES & MEMBERSH	Budget IPS		1218 54	
3223 04/03/18 18-00150 1	05235 THE CARLSEN GROUP INC CHARGES FOR MARCH 2018	95.00	8-01-20-120-030 Materials and Supplies	Budget		1218 21	
3224 04/03/18 18-00206 1	06001 CITY OF WILDWOOD 1ST QTR MUNICIPAL COURT FEE	4,875.00	8-01-43-490-039 WILDWOOD COURT O.E.	Budget		1218 81	}
18-00207 1	1ST QTR POLICE DISPATCH	8,750.00	8-01-42-250-000	Budget		82	
18-00208 1	1ST QTR EMERGENCY MEDICAL —	3,750.00	INTERLOCAL SERVICE 911 8-01-42-251-000 WILDWOOD AMBULANCE FEES	Budget		83	
3225 04/03/18	06615 COMCAST					1218	,
18-00153 1		119.85	8-01-31-440-000 Telephone	Budget		24	
18-00153 2	CHARGES FOR MARCH 2018	77.95	8-01-31-440-000 Telephone	Budget		25	
18-00153 3	CHARGES FOR MARCH 2018	119.95	8-01-31-440-000	Budget		26	
18-00153 4	CHARGES FOR MARCH 2018	207.66	Telephone 8-01-31-440-000	Budget		27	
18-00153 5	CHARGES FOR MARCH 2018	24.00	Telephone 8-01-31-440-000	Budget		28	
18-00153 6	CHARGES FOR MARCH 2018	110.85	Telephone 8-01-31-440-000 Telephone	Budget		29	
	_	660.26	at				
1226 04/03/18 18-00188 1	08201 DELTA DENTAL PLAN OF N CHARGES FOR MARCH, APRIL 2018	.J. INC. 2,341.65	8-01-23-220-000 EMPLOYEE GROUP INSURANCE	Budget		1218 66	

Check # Check Dat PO # Item	e Vendor Description	Amount Paid	Charge Account	Reconciled/ Account Type Contract	Void Ref Num Ref Seq Acct
13227 04/03/18 18-00162 1	09504 DRAEGER INC SERVICE TO SIMULATOR	179.00	7-01-25-240-036 Office Supplies	Budget	1218 44
18-00196 1	SERVICE TO SIMULATOR —	179.00 358.00	8-01-25-240-036 Office Supplies	Budget	72 1
13228 04/03/18 18-00163 1	10811 STEFANKIEWICZ & BELASCO PROFESSIONAL SERVICES RENDERED		7-01-21-180-028 Professional Services	Budget	1218 45 1
18-00163 2	PROFESSIONAL SERVICES RENDERED —	400.00 800.00	8-01-21-180-028 Professional Services	Budget	46 1
13229 04/03/18 18-00202 1		1,541.47	8-01-20-155-027 Legal Services	Budget	1218 78 1
13230 04/03/18 18-00197 1	11802 DE LAGE LANDEN LEASE PAYMENT FOR COPIER	302.00	8-01-20-100-053 GEN. ADMIN. NEW EQUIPMENT	Budget	1218 73 1
3231 04/03/18 18-00071 1	11804 JERSEY CAPE DOOR CORPOR REPAIRS TO GARAGE DOOR		8-01-26-310-082 Building Repairs	Budget	1218 1 1
13232 04/03/18 18-00195 1	11805 CM3 BUILDING SOLUTIONS, REPAIR TO ARECONT VISION 180		8-01-26-310-082 Building Repairs	Budget	1218 71 1
13233 04/03/18 18-00190 1	13409 JACQUELYN FERENTZ JUDGMENT DOCKET #CPM-L-797-08		8-01-20-155-027 Legal Services	Budget	1218 67 1
13234 04/03/18 18-00158 1	13416 CONSTELLATION NEWENERGY CHARGES FOR MARCH 2018		8-01-31-430-000 Electricity	Budget	1218 39 1
18-00158 2	CHARGES FOR MARCH 2018 —	252.65	8-01-31-430-000 Electricity	Budget	40 1
13235 04/03/18 18-00194 1	16009 WEX BANK GASOLINE	1,246.77	8-01-31-460-000 Gasoline and Diesel	Budget	1218 70 1
13236 04/03/18 18-00199 1	16903 BLANEY & KARAVAN, P.C. PROFESSIONAL SERVICES RENDERED	391.50	8-01-20-155-027	Budget	1218 75 1
18-00200 1	PROFESSIONAL SERVICES RENDERED	2,916.66	Legal Services 8-01-20-155-027 Legal Services	Budget	76 1

eck # Check Dat PO # Item	e Vendor Description	Amount Paid	Charge Account		ciled/Void Ref Num tract Ref Seq Acc
3236 BLANEY & K 18-00201 1	ARAVAN, P.C. Continued PROFESSIONAL SERVICES RENDERED —	2,536.00	8-01-20-155-027 Legal Services	Budget	77
3237 04/03/18 18-00166 1	17009 OGLETREE LIMITED PARTNE LEASE PAYMENT FOR		8-09-55-513-000 EQUIPMENT PURCHASE	Budget	1218 49
3238 04/03/18 18-00204 1	18609 ANIMAL CONTROL OF SOUTH 1ST QTR 2018 - ANIMAL CONTROL		8-01-27-340-029 Contractual Services	Budget	1218 80
239 04/03/18 18-00185 1	18611 JOYCE MEDIA WEB HOSTING APRIL 2018	69.95	8-01-20-120-028 Other professional service	Budget	1218 64
240 04/03/18 18-00178 1	30007 LOWE'S # 1861 SUPPLIES	32.20	8-01-26-290-030 Materials and Supplies	Budget	1218 59
241 04/03/18 18-00193 1	31220 MAX COMMUNICATIONS, INC RECURRING CHARGES / MARCH 2018		8-01-31-440-000 Telephone	Budget	1218 69
242 04/03/18 18-00154 1	34220 NEXTEL COMMUNICATIONS CHARGES MARCH 2018	618.70	8-01-31-440-000 Telephone	Budget	1218 30
3243 04/03/18 18-00177 1	39302 SEASHORE ASPHALT CORP. TON OF COLD PATCH	125.00	8-01-26-310-030 Materials and Supplies	Budget	1218 58
244 04/03/18 18-00173 1	44606 REMINGTON, VERNICK & WAL TAX MAP MAINTENANCE/REVISIONS		8-01-20-165-028 Professional Services	Budget	1218 53
8245 04/03/18 18-00183 1	45005 RIGGINS OIL COMPANY DIESEL - 300 GAL	693.42	8-01-31-460-000 Gasoline and Diesel	Budget	1218 61
3246 04/03/18 18-00147 1	47011 A.C.SCHULTES,INC. REPAIRS TO 26TH STREET LIFT	2,315.00	8-09-55-502-030 Materials and Supplies	Budget	1218 7
3247 04/03/18	48201 SOUTH JERSEY GAS COMPAN		8_01_31_446_000	Pudaet	1218 36
	CHARGES FOR MARCH 2018 CHARGES FOR MARCH 2018		8-01-31-446-000 Natural Gas 8-01-31-446-000 Natural Gas	Budget Budget	36 : 37 : 3

		e Vendor Description	Amount Paid	Charge Account	Reconciled/\ Account Type Contract		
.3247 SOUTH 18-00157		EY GAS COMPANY Continued CHARGES FOR MARCH 2018	941.81	8-01-31-446-000 Natural Gas	Budget	38	
.3248 04/0 18-00132		48207 SOUTH JERSEY WELDING ACETYLENE/ARGON/OXYGEN		8-01-26-290-030 Materials and Supplies	Budget	121 2	18
18-00152	1	CHARGES FOR MARCH 2018	56.00	8-01-26-290-030 Materials and Supplies	Budget	23	
.3249 04/0 18-00164	28	65405 W. B. MASON ZEROX PAPER	95.97	8-01-20-120-036 Office Supplies	Budget	121 47	18
3250 04/0 18-00151		654153 EARTHTECH CONTRACTING TRASH COLLECTON MARCH 2018		8-01-26-305-029 Contractual-collection	Budget	121 22	18
.3251 04/0 18-00148		66666 VERIZON CHARGES FOR MARCH 2018	310.79	8-01-31-440-000 Telephone	Budget	121 8	18
18-00148	2	CHARGES FOR MARCH 2018	427.20	8-01-31-440-000 Telephone	Budget	9	
18-00148	3	CHARGES FOR MARCH 2018	43.84	8-01-31-440-000	Budget	10	
18-00148	4	CHARGES FOR MARCH 2018	1,387.37	Telephone 8-01-31-440-000 Telephone	Budget	11	
.3252 04/0 18-00165		694110 MARLIN BUSINESS BANK LEASE FOR IN-CAR CAMERA	768.73	8-01-25-240-026 Maintenance Contract	Budget	121 48	
3253 04/0 18-00191		694447 MY RIGHTS LAWYERS, LL JUDGMENT DOCKET #CPM-L-797-08		8-01-37-480-001 JUDGMENTS	Budget	121 68	18
.3254 04/0 18-00143		03102 BANK OF AMERICA 1099'S AND VARIOUS SUPPLIES	39.27	8-01-20-100-036 GEN. ADMIN. OFFICE SUPPLIES	Budget	121 3	
18-00144	1	GAS FOR TAHOE	16.89	8-01-31-460-000	Budget	4	
18-00145	1	GASOLINE FOR P/W	61.46	Gasoline and Diesel 8-01-31-460-000	Budget	5	
18-00146	1	CPE/AED RECERTIFICATION	275.00	Gasoline and Diesel 8-01-20-100-030	Budget	6	
18-00159	1	GASOLINE	70.97	GEN. ADMIN. MATERIALS & SUP 8-01-31-460-000	PLIES Budget	41	
18-00160	1	GASOLINE	83.95	Gasoline and Diesel 8-01-31-460-000 Gasoline and Diesel	Budget	42	

neck # Che		e Vendor Description	Amount Paid	Charge Account	Account Type	Reconciled/\ Contract	oid Ref Nu Ref Seq A	
	OF AM	ERICA Continued			***************************************			
18-00167		GASOLINE	106.07	8-01-31-460-000 Gasoline and Diesel	Budget		50	1
18-00168	1	GASOLINE - PUBLIC WORKS	72.96	8-01-31-460-000 Gasoline and Diesel	Budget	**	51	1
18-00169	1	GASOLINE - POLICE DEPT	23.18	8-01-31-460-000 Gasoline and Diesel	Budget		52	1
18-00176	1	GASOLINE - POLICE DEPT	25.10	8-01-31-460-000 Gasoline and Diesel	Budget		56	1
18-00176	2	GASOLINE - POLICE DEPT	27.25	8-01-31-460-000 Gasoline and Diesel	Budget		57	1
18-00181	1	GASOLINE P/D	98.49	8-01-31-460-000 Gasoline and Diesel	Budget		60	1
		- -	900.59					
eport Tota	ls	<u>Paid</u> <u>Void</u>	Amount P					
	Di	Checks: 41 0 rect Deposit: 0 0 Total: 41 0	104,617 0 104,617	.000.00				

Totals by Year-Fund nd Description	Fund	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND	7-01	579.00	0.00	0.00	579.00
JRRENT FUND	8-01	100,741.74	0.00	0.00	100,741.74
TILITY FUND	8-09 Year Total:	3,296.89 104,038.63	0.00	0.00	3,296.89 104,038.63
T	otal Of All Funds:	104,617.63	0.00	0.00	104,617.63

State of Af Lleusini of florseon-Enployer 64,77789 Epprapriation

13,485, 15 +182,880.67

ge of Checking Repo	g Accts: rt Type:			to CAPI			ange of Check Detail			1363 Computer: Y	Manual: Y	Dir Deposit: Y
Check # Check Da					Amo	unt Paid	Charge Accou	nt		Account Type		/Void Ref Num Ref Seq Acct
1362 04/03/18 18-00192 1			IAD ASSOC ADMINIS			150.00	C-04-55-497- ORD. 497 VAR		IMPROV.28TH	Budget H ST BULKHEAD		1219 1 1
1363 04/03/18 18-00205 1				NGINEERS, WETLANDS		1,293.32	C-04-55-497- ORD. 497 VAR			Budget H ST BULKHEAD		1219 2 1
Report Totals	irect Dep	necks: posit: Total:	Paid 2 0 2	Void 0 0 0		Amount P 1,443 0 1,443	3.32	(	<u>/oid</u> ).00 ).00 ).00			

id Description	d Fund	Budget Total	Revenue Total	G/L Total	Total
CAPITAL FUND	C-04	1,443.32	0.00	0.00	1,443.32
	Total Of All Funds:	1,443.32	0.00	0.00	1,443.32

ge of Check	ing Accts: T port Type: A				nge of Check Ids Detail		1138 Computer: Y	Manual: Y	Dir Deposit	: Y
Check # Check PO # It	Date Vendor em Descript	ion	Amou	unt Paid	Charge Account		Account Type	Reconciled/ Contract		
1138 04/03/ 18-00170		REMINGTON, VE	RNICK & WALBERG FOR	140.00	T-12-00-000-005 RESERVE FOR PLA		Budget NG		1220 1	0 1
18-00171	1 REVIEW S	SUBDIVISION FOR		140.00	T-12-00-000-005 RESERVE FOR PLA		Budget		2	1
18-00172	1 REVIEW,	PROCESS AND IN:	SPECT	220.00	T-12-00-000-013 RESERVE FOR STR		Budget		3	1
Report Totals	Direct Depo	Paid cks: 1 sit: 0 rtal: 1	<u>Void</u> 0 0 0		.00	0.00 0.00 0.00 0.00				7

als by Year-Fund	Fund	Budget Total	Revenue Total	G/L Total	Total	
	T-12	500.00	0.00	0.00	500.00	
Total of All	Funds:	500.00	0.00	0.00	500.00	

nge of Checkin Repo	g Accts: UNEMPLO rt Type: All Che		UNEMPLOYME Repor	NT Ra t Format:			1012 to Check Type:		Manual: Y	Dir Deposit: Y
Check # Check Da					-1					/Void Ref Num
PO # Item	Description		Amo	ount Paid	Charge A	Account		Account Type	Contract	Ref Seq Acct
1012 04/03/18 18-00189 1	165158 STAT REIMBURSEMENT	TE OF NJ DEP BILLING	T OF LABOR	3,428.00			PLOYMENT FU	Budget IND		1221 1 1
Report Totals	Checks: irect Deposit: Total: =	Paid 1 0 1	Void 0 0 0	Amount P 3,428 0 3,428	.00	Amount	void 0.00 0.00 0.00			

Totals by Year-Fund Id Description	Fund	Budget Total	Revenue Total	G/L Total	Total
	Т-12	3,428.00	0.00	0.00	3,428.00
To	otal Of All Funds:	3,428.00	0.00	0.00	3,428.00



### West Wildwood Police Department

701 West Glenwood Avenue West Wildwood, New Jersey 08260 Phone: (609) 522-4060 • Fax: (609) 522-7350

Jacquelyn Ferentz Chief of Police

1

2

3

Theft

**Utility Complaints** 

Verbal Disputes

Christopher J. Fox Director of Public Safety

#### **ACTIVITY REPORT MARCH 2018**

4 Arrests 3 **Animal Complaints Assisting Other Agencies** 6 Burglar Alarm Activation (Accidental) 1 Check the Well Being 1 Criminal Mischief Complaint 2 Disorderly/Intoxicated Person 3 Drug Investigations with Arrest (Recovered Weapon) Fire Alarm (Turned over to Fire) Found Person Fraud/Identity Theft Complaint 5 **General Complaints** 1 Harassment Complaint 17 **Medical Assists** Maintaining a Nuisance Complaint Motor Vehicle Stops 17 Noise Complaint/Disorderly Persons/Other 1 Opened Doors/Secured 8 2 Other Public Service Duties/Police Assists 13 Parking/Local Ordinance Complaints **Property Checks** 181 Reports of Suspicious Activity/Person/Vehicle 2 **Trespassing Complaint** 1

#### **TOTAL CALLS FOR SERVICE 367**

This is an abridged version of actual calls for service.

## TAX COLLECTOR'S REPORT BOROUGH OF WEST WILDWOOD

TO:	Borough Commis

FROM: <u>Terence Graff</u>

DATE: <u>March 13, 2018</u>

The following represents the collection status of taxes as of

February 28, 2018

TAX ACCOUNTS	CURRENT MONTH	TO DATE
2018 Tax	\$472,921.08	\$787,948.80
2017 Tax	\$11,875.55	\$35,055.37
Prepaid Taxes 2019		**************************************
Arrears/Bankruptcy		
Tax Title Liens(muncipal)		\$6,228.58
Miscellaneous	\$3,703.37	\$8,023.74
6% Year End Penalty		
Cost & Interest	\$943.11	\$3,073.81
Tax Sale Prem		
Tax Sale - Water Due Wildwood		
Cost of Sale		
Sewer Rents Delinquent	\$4,504.96	\$17,195.94
Sewer Rents	\$26,079.10	\$131,825.12
Prepaid Sewer Rents	\$187.50	\$187.50
Sewer Interest	\$383.73	\$1,099.63
Total	\$520,598.40	\$990,638.49