# REGULAR

# MEETING

MARCH 11,2020

"Small town Charm on the Back Bay"

#### **AGENDA**

#### NOTICE OF TENATIVE AGENDA - REGULAR MEETING – MARCH 11, 2020 5:00PM - 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. 2020-013 ADOPTED ON JANUARY 8, 2020. 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:

#### **OLD BUSINESS**

#### APPROVAL OF MINUTES:

January 8, 2020 – Regular Meeting

January 8, 2020 - Closed (executive session) per resolution 2020-019 - to be released only when litigation matters have concluded

#### **ORDINANCES:**

#### **RESOLUTIONS:**

2020-031 – AMENDING RESOLUTION 2020-012 AUTHORIZING APPLICATION FOR FUNDING FROM GOVERNOR'S COUNCIL ON ALCOHOLISM AND DRUG ABUSE FOR THE GREATER WILDWOOD MUNICIPAL ALLIANCE FOR FISCAL GRANT CYCLE 2020-2021

2020-032 – ADOPTION OF A SECOND TEMPORARY BUDGET FOR CY2020

2020-033 – AUTHORIZING A CLOSED (EXECUTIVE) SESSION MEETING FOR MATTERS OF **ACTIVE LITIGATION** 

#### APPROVAL TO PAY BILLS

#### REPORTS FROM COMMISSIONERS

### Borough of West Wildwood

"Small town Charm on the Back Bay"

#### **OPEN TO THE FLOOR FOR PUBLIC COMMENT**

**ADJOURNMENT** 

## BOROUGH OF WEST WILDWOOD BOARD OF COMMISSIONERS

#### **REGULAR MEETING**

March 11, 2020 5:00pm – 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. Korobellis
Mayor Fox
Solicitor Bittner
Deputy Clerk Carl O'Hala
Municipal Clerk Donna L. Frederick

Prior to any discussion, Mayor Fox stated he had a discussion with the solicitor and the meeting will be limited to one hour due to the coronavirus.

#### Clerk made the following announcements:

NJ DEP Coastal General Permit – Waterfront development permit 662 W. 26<sup>th</sup> St. construction of a single family or duplex building, reconstruction of existing bulkhead and construction of docks.

NJDEP Waterfront Dev. Permit App. To authorize existing docking facilities 221 R Avenue

Atlantic City Electric will be holding an open house on April 4 at the Greater Wildwood Chamber of Commerce, to provide details and answer questions regarding the replacement of existing transmission lines along Glenwood, Maple, Pine and R avenues. – 10am – 3306 Pacific Avenue

Rutgers Environmental Stewards will be presenting a free event to the public "A Scientific Approach to Global Warming & Climate Change" Sat. April 4 from 10-1pm at Wildwood H.S. 4300 Pacific Avenue

Clerk has brochures available on the two meetings for anyone who wishes to have them.

Atlantic City Electric is warning residents of scams, and the borough will update the link on the website for tips on how to avoid scams.

Clerk discussed the receipt of a petition filed to repeal Bond Ordinance 578(2020). The petition was certified as filed properly, and immediately provided to the governing body. Mayor stated he was very disappointed with the filing, as were the other commissioners. Clerk asked for a motion to repeal bond Ordinance 578(2020) in its entirety

Motion by Comm. Golden; Second by Comm. Korobellis. Roll Call Vote: Comm. Golden, yes; Comm. Korobellis, yes; Mayor Fox, yes. Motion Carried.

#### **APPROVAL OF MINUTES:**

Regular Meeting – January 8, 2020

Closed Session Minutes – January 8, 2020 per resolution 2020-019 (to be released only when litigation matters have concluded)

Clerk asked for a motion to approve the minutes as presented

Motion by Comm. Golden; Second by Comm. Korobellis.

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

Motion Carried.

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

2020-031 – AMENDING RESOLUTION 2020-012 AUTHORIZING APPLICATION FOR FUNDING FROM GOVERNOR'S COUNCIL ON ALCOHOLISM AND DRUG ABUSE FOR THE GREATER WILDWOOD MUNICIPAL ALLIANCE FOR FISCAL GRANT CYCLE 2020-2021

Clerk asked for a motion to adopt resolution

Motion by Comm. Golden; Second by Comm. Korobellis.

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

Resolution Adopted.

#### 2020-032 – ADOPTION OF A SECOND TEMPORARY BUDGET FOR CY2020

Clerk asked for a motion to adopt resolution

Motion by Comm. Golden; Second by Comm. Korobellis.

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

Resolution Adopted.

## 2020-033 – AUTHORIZING A CLOSED (EXECUTIVE) SESSION MEETING FOR MATTERS OF ACTIVE LITIGATION – Mawhinney Lawsuit - Clerk asked Mayor if he would like to postpone the vote on this resolution until after the public comment portion of the meeting, Mayor confirmed.

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

Motion by Comm. Golden, yes; Second Comm. Korobellis

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

Motion Carried

#### Reports from Commissioners:

Mayor gave the DPW report for the month of February 2020 (copy attached)

Comm. Golden gave the Police Report for the month of February 2020 (copy attached)

Comm. Korobellis gave an accounts balances overview as of this date (copy attached)

Mayor opened the meeting to floor for public comment.

DOROTHY DALTON, 741 W. Poplar Avenue, questioned the filing petition filing and what it was about, and who filed it, asking if it was the CTWWW. Mayor stated it was a bond ordinance for \$1.7 million dollars for sewer/street work and the petition was filed by Nancy Doherty. Clerk stated it was filed by Anna M. Doherty. Mayor stated he was disappointed it was a good thing, but Nancy didn't see it that way, which is her prerogative.

Ms. Dalton asked the status of the grant and will the road project still be done. Mayor stated the borough will still file for the USDA grant and will look at other available options to move forward.

CHARLES CHEPAK, 507 W. Poplar Avenue, stated there was not enough information provided at the workshop meeting during the public hearing on the ordinance, but at the regular meeting when the engineers explained everything the project was more understood. Mr. asked when it would be put on the ballot to vote. Mayor stated it is not going on the ballot it has be rescinded, there are cost factors and to have a special election it would be around \$25,000, this has put the borough in a bad spot, we'll wait until next month. Mr. Chepak stated non-residents can't file a petition. Mayor confirmed.

MARYANN WELSH, 741 W. Poplar Avenue, stated that they were frustrated because no answers were given, and suggested that the commissioners be more prepared in the future. Ms. Welsh asked about the grant time extension. Mayor stated the Poplar Avenue grant has been extended until August. Ms. Welsh asked about applying for grants for other streets. Mayor stated the engineers make those determinations and he is looking into getting FEMA monies left over from Superstorm Sandy for outfall lines.

NANCY DOHERTY, 215 R Avenue, stated the petition was submitted prior. Mayor stated the petition was returned for lack of proper signatures, and Nancy did not have to go out and get more signatures to block the bond, but she did and then re-submitted it, which is her right to do. Ms. Doherty questioned spending the money if you don't have a grant and stated she had to get the additional signatures because it was a legal document.

SUSAN CZWALINA, 547 W. Maple Avenue, asked what it meant to rescind the ordinance, and asked if it can be redone. Mayor stated the ordinance is done and maybe next month it can be re-visited and if the USDA grant comes through it may be one million dollars of free grant money. Ms. Czwalina asked Comm. Korobellis the status of the budget, operating and sewer. Comm. Korobellis stated she will be meeting with the CFO tomorrow and will have an update next month, also there will be no sewer increase for 2020.

LORI PERLOFF, 655 North Drive, asked if there would be a cost to put it on ballot. Mayor stated a special election would cost around \$25,000 which is a penny to the budget.

MARYELLEN ZAJAK, 753 W. Poplar Avenue, commented that the Mayor is the man who speaks the most and is most informed and should be at the meetings. Mayor stated that is why this meeting date was changed because he couldn't be here last week.

CHARLES CHEPAK, 507 W. Poplar Avenue, stated he doesn't want residents to line up adversarial, and read in spout off about holes in bulkheads and sending inspectors out. Mr. Chepak thanked Joe Segrest for taking the time to find open sewer lines. Mayor said the borough works with people about fixing their bulkheads, but when we get complaints, we send out code enforcement.

MARYANN WELSH, 741 W. Poplar Avenue, asked about the ordinance for \$22,000 for fair housing that was done last month and found it surprising to float a bond of that small amount, questioning that there is not enough room in the regular budget. Mayor stated when you can spread it out over five years it will leave a cushion in the budget for emergencies. Ms. Welsh commented the borough can hire a full-time attorney with benefits and pension for close to \$80,000 but have to float a \$22,000 bond for fair

housing. Ms. Welsh asked the cost of the pension for the solicitor. Mayor stated the pension just accepted her and will have that information next month.

SUSAN CZWALINA, 547 W. Maple Avenue, asked the solicitor if there are any other litigation matters since last month. Solicitor stated no.

DENNIS FIFE, 726 W. Poplar Avenue, commented that his neighbor's door was wide open for about three weeks and wanted to know if the police do property checks. Comm. Golden stated they do checks and asked residents to call and report those things when the see it.

SUSAN CZWALINA, 547 W. Maple Avenue, asked when the police do property checks do, they leave a note of some type and do they walk around the property. Comm. Golden stated the do a combination, flood light while patrolling and they get out of the car. Ms. Czwalina stated she would get a note stating they did a property check. Comm. Golden said that a slip should be there, and he will see it gets addressed with the Chief.

Hearing no more public comment, the Mayor closed the public portion.

Clerk read Resolution 2020-033:

### <u>2020-033 – AUTHORIZING A CLOSED (EXECUTIVE) SESSION MEETING FOR MATTERS OF ACTIVE LITIGATION – Mawhinney Lawsuit</u>

Clerk asked for a motion to adopt resolution

Motion by Comm. Golden; Second by Comm. Korobellis.

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

Resolution Adopted.

After the closed (executive) session ended clerk asked for a motion to reconvene the meeting Motion by Comm. Golden, yes; Second Comm. Korobellis

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

Motion Carried

Mayor wants it noted on public record that he was not in the closed (executive) session meeting. Solicitor stated he was not, and he will not be voting he will abstain.

Clerk read out the following resolution:

Resolution 2020-034 – AUTHORIZING SETTLEMENT IN MAWHINNEY v BOROUGH OF WEST WILDWOOD

Clerk asked for a motion to adopt resolution

Motion by Comm. Golden; Second by Comm. Korobellis.

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

Resolution Adopted.

Solicitor opened the meeting to the floor for public comment on resolution 2020-034

SUSAN CZWALINA, 547 W. Maple Avenue, questioned Comm. Golden about the settlement. Comm. Golden stated that it is more feasible to settle than to litigate the matter, he is not happy about it because he was under the impression this wasn't going anywhere.

Mr. Jim Birchmeier of Birchmeier & Powell having offices in Tuckahoe and Woodbury introduced himself as one of the law firms that represents JIF (Joint Insurance Fund). Mr. Birchmeier explained the documents are not finalized or executed, the mayor or chief were not part of this matter because they were named as defendants. Mr. Birchmeier briefly explained that Mr. Mawhinney was a class 2 police officer who alleged a variety of allegations in his suit. The case went to mediation before retired Superior Court Judge Donio. Mr. Birchmeier stated the figure reached as a result of mediation is \$215,000, of which most of that amount will come from the Insurance Company who provides coverage for JIF for employment claims. The borough would be subject to co-pays and deductibles along with recommendations and terms which include the Chief and Mayor being dismissed individually from this suit. Mr. Birchmeier explained that based on QBE Insurance Company, there is a part of the policy called a consent to settle clause, basically if the insurance company agrees to settle for "X" amount and if the borough does not agree to settle and it goes to trial, the borough would be responsible for anything over the amount the insurance company was willing to settle it for, which can lead to fee shifting costing the borough more money even if the verdict was for just one dollar it could result in the borough being responsible for Mr. Mawhinney's attorney fees and costs.

Mayor Fox asked Mr. Birchmeier when the settlement agreement is executed will it become public record. Mr. Birchmeier stated after all parties sign, it will become a public document. No one admits liability.

Mayor questioned the allegations involving him in the complaint. Mr. Birchmeier stated the Cape May County Prosecutor's Office and the Attorney General office investigated the allegations and cleared the Mayor and Chief of any wrongdoing, and the other side dismissed the Mayor and the Chief prior to the settlement.

CHARLES CHEPAK, 507 W. Poplar Avenue, asked if it was consensual to settle, and asked the deductible costs. Mr. Birchmeier stated at this time it is fluid, the deductible is \$20,000, no matter what, as soon a any suit is filed the deductible kicks in. Mr. Chepak asked it the offer was made by them or was it a counteroffer. Mr. Birchmeier explained the mediation process, which is a confidential process, the mediator listens to the merits of the case on both sides and his roll is to bring both parties together. There were two mediation sessions, the first one did not result in a settlement agreement. Mr. Chepak asked if JIF is okay with it. Mr. Birchmeier explained that JIF and JIF's solicitor were kept in the loop every step, and the initial demand was significantly higher than \$215,000.

MARYANN WELSH, 741 W. Poplar Avenue, stated if there was no wrongdoing why pay. Mr. Birchmeier stated that certain procedures not followed were in a gray area, at to his employment situation, and the borough would not be successful with a motion of summary judgement, which may have led to some type of verdict, resulting in the borough paying attorney fees and cost. Ms. Welsh asked can procedures be implemented so we are not opened for more suits, like what has happened in the past. Mr. Birchmeier stated that police department has policies in place. Mayor stated that we need to be careful because the agreement has not been signed yet.

CHARLES CHEPAK, 507 W. Poplar Avenue, commented that it was only a monetary matter. Mr. Birchmeier stated it was only a money matter, the chief and mayor were dismissed from the case based on the discovery and the investigation by the Prosecutor's office and Attorney General's office. Mr. Chepak asked a time frame for the document to be signed and recommends the borough to be pro-active not reactive in the future handling of employees. Mayor Fox stated that Labor Counsel Bill Blaney was involved with this matter from the very beginning. Mr. Birchmeier stated that theses matters are not just in West Wildwood, he works all over the state and there has been a substantial increase of these types of law enforcement cases. Mayor stated there was a gray area, and it is not worth the risk.

KAREN KEIRSEY, 651 W. Poplar Avenue, asked if neighbors that were named in that suit can be held liable for any statements. Mr. Birchmeier stated that the statute of limitations passed. Ms. Keirsey questioned both Commissioner Golden and Commissioner Korobellis' opinion on the outcome. Comm. Golden stated it was in the best interest of the borough, he was not happy about the outcome, but to go any farther could cost. Comm. Korobellis agreed with Comm. Goldens statement. Ms. Keirsey questioned the settlement being there is a gray area, commenting the commissioners listened to the JIF attorney. Comm. Golden stated they were not given much of an option, and risk losing the current settlement offer, it makes the most sense. Mayor stated that to understand with the Ferentz case, JIF never showed up, never entered this building to settle the Ferentz case. Ms. Keirsey asked solicitor why she didn't ask JIF. Solicitor stated they offered \$35,000 to settle.

DOROTHY DALTON, 741 W. Poplar Avenue, commented the Mayor has a lot to say, Scott is upset and now you are taking the advice of JIF, when there was correspondence where JIF made their stance clear, even if they didn't show up in person, don't re-hire Ferentz or risk losing coverage, and now you take JIF's advice, \$1.7 million vs. \$215,000. Comm. Golden stated he didn't want to pay one dime, but this is the best decision, JIF will be paying the bulk of the load.

SUSAN CZWALINA, 547 W. Poplar Avenue, questioned how the borough will pay the deductible and co-pays. Mayor stated it will be discussed with the auditors during the budget process.

Clerk asked for a motion to adjourn.

#### **Motion to Adjourn:**

Motion by Comm. Golden, yes, Mayor Fox, yes.

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

Motion carried.

Respectfully submitted

Donna L. Frederick, RMC

Municipal Clerk

This is a generalization of the Regular meeting on March 11, 2020 and not a verbatim transcript.

THESE MINUTES WERE APPROVED AT THE MAY 6, 2020 REGULAR COMMISSION MEETING

MAYOR CHRISTOPHER J. FOX

COMMISSIONER SCOTT W. GOLDEN

COMMISSIONER AMY KOROBELLIS

#### **RESOLUTION 2020-031**

## AMENDING RESOLUTION 2020-012 AUTHORIZING APPLICATION FOR FUNDING FROM GOVERNOR'S COUNCIL ON ALCOHOLISM AND DRUG ABUSE FOR THE GREATER WILDWOOD MUNICIPAL ALLIANCE FOR FISCAL GRANT CYCLE 2020-2021

**WHEREAS**, the Municipal Alliance Program has been made available through P.L. 1989, Ch. 51 to increase drug and alcohol prevention services; and

WHEREAS, the Borough of West Wildwood is a member of the Greater Wildwood Municipal Alliance Consortium along with the City of North Wildwood, the City of Wildwood, and the Borough of Wildwood Crest for the purpose of reducing alcoholism and drug abuse; and

WHEREAS, the Greater Wildwood Municipal Alliance Consortium will continue to work toward the development and implementation community-based education, awareness, alternative and prevention programs; and

WHEREAS, Greater Wildwood Municipal Alliance Consortium will submit an application to the Governor's Council on Alcoholism and Drug Abuse through the County of Cape May for the continued development and implementation of prevention activities during the period covered by the current contract.

**NOW, THEREFORE, BE IT RESOLVED** by the governing body of the Borough of West Wildwood that:

1. An application shall be submitted to the Governor's Council on Alcoholism and Drug Abuse for funding for the Greater Wildwood Municipal Alliance Consortium for the Fiscal Grant Cycle FY2021 are as follows:

\$ 20,374.00 DEDR \$ 5,093.50 Cash Match \$ 15,280.50 In-Kind Match

- 2. The Borough of West Wildwood's portion of the local cash match shall be \$612.19
- 3. The Greater Wildwood Municipal Alliance Consortium acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

	Motion	Second	Yes	No	Abstain	Absent
Mayor Christopher J. Fox			Х			
Commissioner Scott W. Golden	X		Х			
Commissioner Amy Korobellis		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 **March 11, 2020.** 

#### **RESOLUTION 2020-032**

#### ADOPTION OF A SECOND TEMPORARY BUDGET FOR CY 2020

WHEREAS, the Borough of West Wildwood adopted a Temporary Budget as authorized under N.J.S.A. 40A:4-19 in accordance with Resolution 2019-096 adopted on Dec. 31, 2019, in order to provide for any contracts, commitments, or payments which are required to be made during the period between the beginning of the Calendar Year and the formal adoption of the Calendar Year Budget; and

WHEREAS the adoption of the CY2020 Municipal Budget will not occur prior to April 30, 2020 which will necessitate the adoption of a Second Temporary Budget Allocation of 26.25% of the Total Appropriations made for all purposes in the Budget for the preceding Calendar Year, excluding however, appropriations made for interest and debt redemption charges, capital improvement fund, and public assistance; and

**WHEREAS,** the Chief Financial Officer has prepared the Second Emergency Temporary Budget for CY2019 for both the Municipality and Utility; 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 this Resolution entitled Second Emergency Temporary Budget for CY2020 shall be and is hereby approved in order to meet obligations of any contract, commitment, or payment required to be made between January 1, 2020 and the formal adoption and approval of the CY2020 Budget in accordance with, and as permitted by, the New Jersey Statutes.

	Motion	Second	Yes	No	Abstain	Absent
Mayor Christopher J. Fox			Х			
Commissioner Scott W. Golden	X		Х			
Commissioner Amy Korobellis		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 **March 11, 2020.** 

#### **RESOLUTION 2020-033**

## AUTHORIZING A CLOSED (EXECUTIVE) SESSION MEETING FOR MATTERS OF ACTIVE LITIGATION

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

WHEREAS, the Borough anticipates discussion of active litigation matters referencing Jeremy Mawhinny v. Borough of West Wildwood, which constitutes one of the permitted exemptions; and

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

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

	Motion	Second	Yes	No	Abstain	Absent
Mayor Christopher J. Fox			Х			
Commissioner Scott W. Golden	X		Х			
Commissioner Amy Korobellis		Х	Х			

I, **Donna L. Frederick, RMC, Municipal Clerk** for the Borough of West Wildwood in the County of Cape May and State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a Resolution adopted by the Board of Commissioners of the Borough of West Wildwood, New Jersey at a **Regular Meeting** held on **March 11, 2020**.

#### RESOLUTION 2020-034

#### AUTHORIZING SETTLEMENT IN MAWHINNEY V. BOROUGH OF WEST WILDWOOD.

WHEREAS, litigation is pending in the New Jersey Superior Court known as *Jeremy Mawhinney v. Borough of West Wildwood, et als*, docket number CPM-L-000147-18, which is being defended by James R. Birchmeier, Esq., assigned by the Atlantic County Joint Insurance Fund to represent the interests of the Borough of West Wildwood;

WHEREAS, mediation was held before retired Superior Court Judge Michael Donio which resulted in a settlement between the parties, subject to approval and confirmation by the Borough of West Wildwood;

WHEREAS, the proposed settlement would entail a payment to the plaintiff and his attorney in the amount of \$215,000.00, of which the Borough of West Wildwood would be responsible for its deductible and co-pays;

WHEREAS, the attorney for the Borough, James Birchmeier, Esq., strongly recommends the settlement:

WHEREAS, settlement is in the interest of the Borough.

**NOW, THEREFORE BE IT RESOLVED,** by the Board of Commissioners of the Borough of West Wildwood, County of Cape May, New Jersey, that the proposed settlement in *Mawhinney v. Borough of West Wildwood, et als,* for \$215,000.00.

'repared by Solicitor

	Motion	Second	Yes	No	Abstain	Absent
Mayor Christopher J. Fox					X	
Commissioner Scott W. Golden	X		Х			
Commissioner Amy Korobellis		Х	Х			

I, **Donna L. Frederick, RMC, Municipal Clerk** for the Borough of West Wildwood in the County of Cape May and State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a Resolution adopted by the Board of Commissioners of the Borough of West Wildwood, New Jersey at a **Regular Meeting** held on **March 11, 2020.** 

Range of Checking Repor	Accts: CURRENT to CURRE T Type: All Checks		nge of Check Ids: 14237 to Detail Check Type:	14280 Computer: Y Manual: Y	Dir Deposit:	Y
PO # Item	e Vendor Description	Amount Paid	Charge Account	Reconciled, Account Type Contract	/Void Ref Num Ref Seq Ac	
14237 03/11/20 20-00123 1	00101 THE HERALD LEGAL ADVERTISING	8.70	0-01-20-120-021 Legal Advertising	Budget	1334 58	
14238 03/11/20 20-00125 1	00207 ACA COMPUTERS, INC. IT SERVICES FOR FEB 2020	2,984.79	0-01-20-140-026	Budget	1334 60	1
20-00125 2	EXTERNAL DVD READ/WRITE - P/D	117.00 3,101.79	Data Processing Maintenance 0-01-25-240-030 Materials and Supplies	Budget	61	1
	00307 ADVANCE AUTO PARTS VARIOUS SUPPLIES		0-01-26-290-038 Gen. Hardware-maint. supplic	Budget es	1334 2	1
20-00114 1	VARIOUS SUPPLIES	139.25	0-01-26-290-034 Fleet Maintenance	Budget	51	1
14240 03/11/20 20-00099 1	00308 ADP, INC. CHARGES FOR FEB 2020	129.74	0-01-20-130-028 Payroll Services	Budget	1334 37	
20-00099 2	CHARGES FOR FEB 2020	118.05	0-01-20-130-028 Payroll Services	Budget	38	1
14241 03/11/20 20-00118 1	01805 ASSOC. OF CERT. TAX A 2020 REGULAR MEMBERSHIP DUES		0-01-20-100-044 GEN. ADMIN. DUES & MEMBERSH:	Budget IPS	1334 52	
14242 03/11/20 20-00098 1	019011 ATLANTIC CITY ELECTRI CHARGES FOR FEB 2020		0-01-31-435-000 Street Lighting	Budget	1334 30	1
	CHARGES FOR FEB 2020		0-01-31-430-000 Electricity	Budget	31	1
	CHARGES FOR FEB 2020		0-01-31-430-000 Electricity	Budget	32	1
	CHARGES FOR FEB 2020 CHARGES FOR FEB 2020		0-01-31-430-000 Electricity 0-01-31-435-000	Budget Budget	33 34	1
	CHARGES FOR FEB 2020		Street Lighting 0-01-31-430-000	Budget	35	1
	CHARGES FOR FEB 2020		Electricity 0-01-31-435-000 Street Lighting	Budget	36	1
14243 03/11/20 20-00093 1	01905 AT & T MOBILITY CHARGES FOR FEB 2020	3,054.00	0-01-31-440-000 Telephone	Budget	1334 24	1

heck # Check Da PO # Item	te Vendor Description	Amount Paid	Charge Account		econciled/Void Ref Num Contract Ref Seq Acc
14244 03/11/20 20-00127 1	03012 BEAVER SUPPLY TOP SOIL	155.10	9-01-26-290-030 Materials and Supplies	Budget	1334 63
14245 03/11/20 20-00126 1		7,400.00	0-09-55-502-028 Professional Services	Budget	1334 62
4246 03/11/20 20-00103 1	05001 J.BYRNE AGENCY FLOOD POLICY RENEWAL	7,045.00	0-01-23-210-000 LIABILITY INSURANCE	Budget	1334 41
4247 03/11/20 20-00113 1			0-01-32-465-000 SOLID WASTE DISPOSAL	Budget	1334 50
4248 03/11/20 20-00130 1			0-01-20-100-041 GEN. ADMIN. CONFERENCES &	Budget MEETINGS	1334 64
4249 03/11/20 20-00090 1	05235 THE CARLSEN GROUP INC CHARGES FOR FEBRUARY 2020	95.00	0-01-20-120-030 Materials and Supplies	Budget	1334 19
4250 03/11/20 20-00122 1	06001 CITY OF WILDWOOD GAS FOR JAN 2020	594.93	0-01-31-460-000 Gasoline and Diesel	Budget	1334 57
4251 03/11/20 20-00088 1	06615 COMCAST CHARGES FOR FEB 2020	14.00	0-01-31-440-000 Telephone	Budget	1334 10
20-00088 2	CHARGES FOR FEB 2020	302.87	0-01-31-440-000 Telephone	Budget	11
20-00088 3	CHARGES FOR FEB 2020	88.40	0-01-31-440-000	Budget	12
20-00088 4	CHARGES FOR FEB 2020	81.95	Telephone 0-01-31-440-000	Budget	13
20-00088 5	CHARGES FOR FEB 2020	113.35	Telephone 0-01-31-440-000	Budget	14
20-00088 6	CHARGES FOR FEB 2020	226.70	Telephone 0-01-31-440-000 Telephone	Budget	15
4252 03/11/20 20-00107 1	08201 DELTA DENTAL PLAN OF N. CHARGES FOR MARCH 2020	J. INC.	0-01-23-220-000 EMPLOYEE GROUP INSURANCE	Budget	1334 46
4253 03/11/20 20-00131 1	09205 JPMONZO MUNICIPAL CONSU BUDGET WEBINAR / CH 78		0-01-20-100-042 GEN. ADMIN. EDUCATIONAL TR	Budget AINING	1334 65

PO #		e Vendor Description	Amount Paid	Charge Account	Account Type	Reconciled/ Contract		
20-0011		10701 EDMUNDS & ASSOCIATES INC 2020 SOFTWARE MAINTENANCE		9-01-20-140-026	Budget		133 47	34
20-0011	11 2	2020 SOFTWARE MAINTENANCE		Data Processing Maintenance 9-09-55-502-029 Contractual Items-Software	Budget		48	1
			10,305.00					
14255 03 20-0012	38 56	10811 STEFANKIEWICZ & BELASCO ADDITIONAL PROFESSIONAL		0-01-21-180-028 Professional Services	Budget		133 56	
14256 03 20-0011	AN - 100 - 1	11802 DE LAGE LANDEN LEASE PAYMENT FOR COPIER	302.00	0-01-20-100-053 GEN. ADMIN. NEW EQUIPMENT	Budget		133 53	34 1
.4257 03 20-0009		13416 CONSTELLATION NEWENERGY		0-01-31-430-000	Budget		133 28	34 1
20-0009	6 2		3.26	Electricity 0-01-31-430-000	Budget		29	1
			387.63	Electricity				
4258 03 20-0013		16903 BLANEY & KARAVAN, P.C. PROFESSIONAL SERVICES REDERED	774.00	0-01-20-155-027	Budget		133 69	34 1
20-0013	7 1	PROFESSIONAL SERVICES RENDERED	513.00	Legal Services 0-01-20-155-027 Legal Services	Budget		70	1
20-0013	8 1	PROFESSIONAL SERVICES RENDERED			Budget		71	1
			1,759.50					
.4259 03 20-0011		18611 JOYCE MEDIA WEB HOSTING FOR FEB 2020	89.95	9-01-20-120-028 Other professional service	Budget		133 49	
.4260 03 20-0006		23805 JERRY'S EXCAVATING DUMPSTER	250.00		Budget		133 5	34 1
20-0006	9 1	REMOVE 20 YD DUMPSTER	250.00	Materials and Supplies 0-01-26-310-030 Materials and Supplies	Budget		6	1
			500.00					
4261 03 20-0013		26801 KINDLE FORD BELT/V BELT	22.90	0-01-26-290-034 Fleet Maintenance	Budget		133 66	1
4262 03 20-0010		31220 MAX COMMUNICATIONS, INC. CHARGES FOR FEB 2020	701.88	0-01-31-440-000 Telephone	Budget		133 43	
4263 03 20-0009		34220 NEXTEL COMMUNICATIONS/SPE CHARGES FOR FEB 2020		0-01-31-440-000 Telephone	Budget		133 25	

heck # Check Da PO # Item	Description	Amount Paid	Charge Account	Account Type	Reconciled/N Contract		
14264 03/11/20 20-00135 1	39002 PARAMOUNT CHEMICAL & BAGLESS VACUUM		0-01-26-310-030	Budget		133 67	34
20-00135 2	HAND SOAP	16.19 ————————————————————————————————————	Materials and Supplies 0-01-26-310-030 Materials and Supplies	Budget		68	1
14265 03/11/20 20-00089 1	48201 SOUTH JERSEY GAS COM CHARGES FOR FEB 2020		0-01-31-446-000	Budget		133 16	34 1
20-00089 2	CHARGES FOR FEB 2020	719.19	Natural Gas 0-01-31-446-000	Budget		17	1
20-00089 3	CHARGES FOR FEB 2020	72.75	Natural Gas 0-01-31-446-000 Natural Gas	Budget		18	1
	48207 SOUTH JERSEY WELDING CHARGES FOR FER 2020	54.25	0-01-26-290-038 Gen. Hardware-maint. suppli	Budget es		133 23	34 1
20-00144 1	CHARGES FOR MARCH 2020	105.00	0-01-26-290-038 Gen. Hardware-maint. suppli	Budget es	•	75	1
4267 03/11/20 20-00100 1	48732 TREASURER, STATE OF 4th QTR MARRIAGE LICENSE FEE		9-01-55-000-004 MARRIAGE LICENSES-DUE TO NJ	Budget J		133 39	
14268 03/11/20 20-00106 1	57601 WESTERN PEST CONTROL ANNUAL PEST CONTROL 2020		0-01-26-310-029 maintenance contract	Budget		133 44	1
20-00106 2	ANNUAL PEST CONTROL 2020	930.24	0-01-26-310-029 maintenance contract	Budget		45	1
	65405 W. B. MASON VARIOUS SUPPLIES	650.79	0-01-20-100-036 GEN. ADMIN. OFFICE SUPPLIES			133 4	
20-00085 1	VARIOUS SUPPLIES	110.93	0-01-20-100-030 GEN. ADMIN. MATERIALS & SUP	Budget		8	1
20-00102 1	VARIOUS SUPPLIES	138.01 899.73	0-01-20-100-030 GEN. ADMIN. MATERIALS & SUP	Budget		40	1
	65406 STANDARD OFFICE SYST CHARGES FOR FEB 2020		0-01-20-100-030 GEN. ADMIN. MATERIALS & SUP			133- 26	
20-00095 2	CHARGES FOR FEB 2020		0-01-20-100-030 GEN. ADMIN. MATERIALS & SUP	Budget		27	1
	65436 MUNICIPAL CLERKS ASSI 2020 CLERK'S CONFERENCE	370.00	0-01-20-100-041 GEN. ADMIN. CONFERENCES & M			1334 74	

neck # Check Dat PO # Item	e Vendor Description	Amount Paid	Charge Account		Reconciled/Void Ref Num Contract Ref Seq Acc
.4272 03/11/20 20-00120 1	654459 QBE SPECIALTY INSURANCE REIMBURSEMENT PAYMENT FOR		0-01-20-155-027 Legal Services	Budget	1334 54
20-00120 2	20% CO-INSURANCE OF ADDITIONAL ——	49.44	0-01-20-155-027 Legal Services	Budget	55
4273 03/11/20 20-00141 1	654940 TREASURER STATE OF NEW 3 JACS ACCOUNT		0-01-20-155-027 Legal Services	Budget	1334 72
.4274 03/11/20 20-00091 1	66666 VERIZON CHARGES FOR FEBRUARY 2020	41.49	0-01-31-440-000 Telephone	Budget	1334 20
20-00091 2	CHARGES FOR FEBRUARY 2020	440.09	0-01-31-440-000 Telephone	Budget	21
20-00091 3	CHARGES FOR FEBRUARY 2020	40.61	0-01-31-440-000 Telephone	Budget	22
4275 03/11/20 20-00124 1	964646 GOLD MEDAL ENVIRONMENTAL CHARGES FOR MARCH 2020		0-01-26-305-029 Contractual-collection	Budget	1334 59
4276 03/11/20 20-00104 1	964650 JASINSKI, P.C. PROFESSIONAL SERVICES RENDERED	30.00	0-01-20-155-027 Legal Services	Budget	1334 42
4277 03/11/20 20-00005 1	964660 RAGNASOFT, INC/PLANIT SC 1 YEAR SCHEDULING PLAN		0-01-25-240-026 Maintenance Contract	Budget	1334 1
	964664 SUNRISE SYSTEMS, INC. MAINTENANCE AND SUPPORT FOR	2,200.00	0-01-20-120-028 Other professional service	Budget	1334 7
4279 03/11/20 20-00142 1	964665 RELX INC. DBA LEXIS NEXI LEXIS NEXIS SUBSCRIPTION		0-01-20-155-027 Legal Services	Budget	1334 73
	03102 BANK OF AMERICA 1099 FORMS	23.45	0-01-20-100-023	Budget	1334 3
20-00086 1	VARIOUS SUPPLIES	19.62	GEN. ADMIN. PRINTING 0-01-26-310-030 Materials and Supplies	Budget	9

Check # Check Date Vendor PO # Item Description			Amount Paid Charg	ge Account	Account Type	oid Ref Num/ Ref Seq Acct
14280 BANK OF AMERICA Report Totals Checks: Direct Deposit: Total:	Paid 44 0 44	void 0 0 0	Amount Paid 66,897.82 0.00 66,897.82	Amount Void 0.00 0.00 0.00		

Totals by Year-Fund nd Description	Fund	Budget Total	Revenue Total	G/L Total	Total	
CURRENT FUND	0-01	48,922.77	0.00	0.00	48,922.77	
JTILITY FUND	0-09 Year Total:	7,400.00 56,322.77	0.00	0.00	7,400.00 56,322.77	
URRENT FUND	9-01	6,945.05	0.00	0.00	6,945.05	
TILITY FUND	9-09 Year Total:	3,630.00 10,575.05	0.00	0.00	3,630.00 10,575.05	
Tot	tal Of All Funds:	66,897.82	0.00	0.00	66,897.82	

State of My Health Care

\$12,962.52 \$79,860,34

Range of Checking Accts: Co Report Type: A		Ra port Format:	nge of Check Ids: 14234 to Detail Check Type	14236 : Computer: Y Manual:	Y Dir Deposit: Y
cneck # Check Date Vendor PO # Item Descript	ion	Amount Paid	Charge Account	Reconcil Account Type Contra	ed/Void Ref Num ct Ref Seq Acct
14234 03/02/20 13409 20-00115 1 JUDGMENT	JACQUELYN FERENTZ DOCKET #CPM-L797-08	5,040.60	0-01-37-480-001 JUDGMENTS	Budget	1332 1 1
14235 03/02/20 694447 20-00116 1 JUDGMET [	MY RIGHTS LAWYERS, LLC DOCKET #CPM-L797-08	7,589.96	0-01-37-480-001 JUDGMENTS	Budget	1332 2 1
14236 03/02/20 964647 20-00117 1 JUDGMENT	EQUITY TRUST COMPANY PARTIAL ASSIGNMENT	10,000.00	0-01-37-480-001 JUDGMENTS	Budget	1332 3 1
Report Totals Chec Direct Depos		Amount P 22,630 0 22,630	.56 0.00 .00 0.00		

Totals by Year-Fun d Description	d Fund	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND	0-01	22,630.56	0.00	0.00	22,630.56
	Total Of All Funds:	22,630.56	0.00	0.00	22,630.56

Range of Checking Repo	g Accts: CAPITAL rt Type: All Chec			nge of Check Ids: Detail			Manual: Y	Dir Deposit: Y
cneck # Check Da PO # Item	te Vendor Description		Amount Paid	Charge Account		Account Type		Void Ref Num Ref Seq Acct
1403 03/11/20 20-00110 1	654191 R. A. CERTIFICATE #2	. WALTERS & SON, FINAL PAYMENT		C-04-55-916-200 ORDINANCE 549 -	BULKHEADS/S	Budget TREET/PLAYGRN		1335 1 1
Report Totals	Checks: irect Deposit: <u> </u>	Paid         Void           1         0           0         0           1         0	16,037	.60	0.00 0.00 0.00			

Totals by Year-Fun nd Description	d Fund	Budget Total	Revenue Total	G/L Total	Total
CAPITAL FUND	C-04	16,037.60	0.00	0.00	16,037.60
	Total Of All Funds:	16,037.60	0.00	0.00	16,037.60

Page No: 1

Range of Checking Accts: TRUST OTHER to TRUST OTHER Range of Check Ids: 1168 to 1169 Report Type: All Checks Report Format: Detail Check Type: Computer: Y Manual: Y Dir Deposit: Y cneck # Check Date Vendor Reconciled/Void Ref Num PO # Item Description Amount Paid Charge Account Account Type Contract Ref Seq Acct 1168 03/11/20 44606 REMINGTON, VERNICK & WALBERG 1336 20-00108 1 REVIEW, PROCESS AND INSPECT 152.50 T-12-00-000-013 Budget 1 1 RESERVE FOR STREET OPENINGS 1169 03/11/20 44606 REMINGTON, VERNICK & WALBERG 1336 20-00109 1 PERFORM MAP FILING REVIEW FOR 387.50 T-12-00-000-013 2 1 Budget RESERVE FOR STREET OPENINGS Report Totals Paid Void Amount Paid Amount Void Checks: 2 540.00 0.00 0 0.00 0.00 Direct Deposit: Total: 540.00 0.00

Totals by Year-Fund nd Description	Fund	Budget Total	Revenue Total	G/L Total	Total	
	T-12	540.00	0.00	0.00	540.00	
Total Of	All Funds:	540.00	0.00	0.00	540.00	

#### BOROUGH OF WEST WILDWOOD Check Register By Check Id

	ing Accts: ANIMAL port Type: All Ch				nge of Check Ids: Detail Ch			Manual: Y C	Dir Deposit: Y
cneck # Check PO # It	Date Vendor em Description		Amo	unt Paid	Charge Account		Account Type		oid Ref Num Ref Seq Acct
1146 03/05/ 20-00128	20 654170 STA 1 DOG LICENSE F		PT OF HEALTH 2020	36.00	T-14-00-000-002 DUE TO STATE OF NE	W JERSEY	Budget		1333 1 1
Report Totals	Checks: Direct Deposit: Total:	Paid 1 0 1	Void 0 0 0	0	0.00 0 0.00 0	<u>/oid</u> ).00 ).00 ).00	2		

Totals by Year-Fund Id Description	Fund	Budget Total	Revenue Total	G/L Total	Total	
	T-14	36.00	0.00	0.00	36.00	
Tota	al Of All Funds:	36.00	0.00	0.00	36.00	

#### BOROUGH OF WEST WILDWOOD Check Payment Batch Verification Listing

neck No. Check Da PO # Enc Date It	te Vendor # em Descript		Payment Amt	Street 1 of Address to be Charge Account Description	printed on Chec Account Type		Seq	Acct
03/05/20 0-00128 03/02/20		STATE OF NJ DEPT OF SE FEES FOR FEB 2020		INFECTIOUS & ZOONOTIC DISE T-14-00-000-002 DUE TO STATE OF NEW JERSEY	ASES Budget	Aprv	1	1
Checks:	Count 1	Line Items	Amount 36.00					

## BOROUGH OF WEST WILDWOOD Check Payment Batch Verification Listing

Totals by Year-Fun nd Description	nd	Fund	Budget Total	Revenue Total	G/L Total	Total	**************************************
		T-14	36.00	0.00	0.00	36.00	
	Total Of All	Funds:	36.00	0.00	0.00	36.00	
			G/L Post	ing Summary			N. T.
Account	Des	scription		Debits	Credits		
0-14-101-01-000-00 0-14-180-00-000-00		IMAL CONTROL CAS E TO STATE OF N	SH EW JERSEY-DOG FEES Grand Total:	0.00 36.00 36.00	0.00		