

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

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			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**.



**Donna L. Frederick, RMC
Municipal Clerk**

	Motion	Second	Yes	No	Abstain	Absent
Mayor Christopher J. Fox						
Commissioner Scott W. Golden						
Commissioner Cornelius J. 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 **May 2, 2018**.

**Donna L. Frederick, RMC
Municipal Clerk**

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

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		X	X			
Commissioner Cornelius J. Maxwell	X		X			

I, Donna L. Frederick, RMC, Municipal Clerk for the Borough of West Wildwood in the County of Cape May and State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a Resolution adopted by the Board of Commissioners of the Borough of West Wildwood, New Jersey at a **Workshop Meeting** held on **April 4, 2018**.



Donna L. Frederick, RMC
Municipal Clerk

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

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			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..


Donna L. Frederick, RMC
Municipal Clerk

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

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						
Commissioner Scott W. Golden						
Commissioner Cornelius J. 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**



**Donna L. Frederick, RMC
Municipal Clerk**

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

RESOLUTION 2018-033

**A RESOLUTION ACKNOWLEDGING AN ADDITIONAL MEMBER 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 an additional applicant 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

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, and thanks him for his selfless volunteer service on behalf of all of the residents.

	Motion	Second	Yes	No	Abstain	Absent
Mayor Christopher J. Fox		X	X			
Commissioner Scott W. Golden	X		X			
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 a Resolution adopted by the Board of Commissioners of the Borough of West Wildwood, New Jersey at a **Regular Meeting** held on **May 2, 2018**


**Donna L. Frederick, RMC
Municipal Clerk**

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

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			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**.



**Donna L. Frederick, RMC
Municipal Clerk**

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

RESOLUTION 2018-034A

**A RESOLUTION PROCLAIMING MUNICIPAL CLERK'S WEEK
MAY 6th-12th, 2018**

WHEREAS, the Office of the Municipal Clerk, a time honored and vital part of local government exists throughout the world; and

WHEREAS, the Office of the Municipal Clerk is the oldest among public servants; and

WHEREAS, the Office of the Municipal Clerk provides the professional link between the citizens, the local governing bodies and agencies of government at other levels; and

WHEREAS, Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all; and

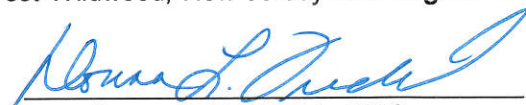
WHEREAS, Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Municipal Clerk through participation in education programs, seminars, workshops and the annual meetings of their state, provincial, county and international professional organizations.

WHEREAS, it is most appropriate that we recognize the accomplishments of the Office of the Municipal Clerk.

NOW, THEREFORE BE IT RESOLVED, that the Governing Body of the Borough of West Wildwood, County of Cape May, State of New Jersey, do hereby recognize the week of May 6th through May 12th, 2018, as Municipal Clerk's Week, and further extend appreciation to our Municipal Clerk, Donna L. Frederick, and to all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

	Motion	Second	Yes	No	Abstain	Absent
Mayor Christopher J. Fox		X	X			
Commissioner Scott W. Golden	X		X			
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 a Resolution adopted by the Board of Commissioners of the Borough of West Wildwood, New Jersey at a **Regular Meeting** held on **May 2, 2018**.



Donna L. Frederick, RMC
Municipal Clerk

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

RESOLUTION 2018-035

**DESIGNATING FIRST FULL WEEK OF MAY EACH YEAR
AS “COAST GUARD COMMUNITY WEEK” IN CAPE MAY COUNTY**

WHEREAS, Cape May County is home to the “USCG Training Center Cape May” (“TRACEN”), which is the fifth largest Coast Guard base in the world and the nation’s only Coast Guard recruit training center and which also houses tenant commands engaging in missions such as vessel support, participation in air/sea rescue, investigative services, communications and homeland security services; and

WHEREAS, after several levels of Coast Guard flag review and approval and confirmation by the United States Congress, Cape May County has been awarded the designation of “Coast Guard Community,” a distinction awarded to only one other county in the United States; and

WHEREAS, the designation of “Coast Guard Community” will endure for five years, at which time it shall be reviewed by the Coast Guard to determine whether it should be renewed for another five year term; and

WHEREAS, the Coast Guard’s involvement in Cape May County dates back over a century to that of its predecessor, the United States Life-Saving Service, with a significant ensuing presence in multiple towns throughout the County – ranging from the small life-saving stations that graced our coastlines before the advent of advanced search-and-rescue technologies, to the historic North Wildwood lighthouse tended for decades by Coast Guard keepers, to the Woodbine Uniform Distribution Center where uniforms and accessories such as service medals are shipped to Coast Guard bases around the world, to TRACEN’s massive modern presence on hundreds of acres of land and coastline, with a compliment of more than 850 full-time military and civilian personnel and a graduation rate of more than 2,300 recruits yearly; and

WHEREAS, Coast Guard families have become an integral part of our County’s rich fabric as our family, our neighbors and our friends, participating in our interdependent “Cape Economy” and engaging in daily activities that provide powerful steppingstones, as well as memories, for our futures; and

WHEREAS, the people Cape May County desire to take all possible steps to acknowledge and protect the strength and enduring nature of these ties;

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of West Wildwood, County of Cape May, New Jersey, that the Borough proudly designates the first full week of May each year as “Coast Guard Community Week” in Cape May County.

	Motion	Second	Yes	No	Abstain	Absent
Mayor Christopher J. Fox		X	X			
Commissioner Scott W. Golden	X		X			
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 a Resolution adopted by the Board of Commissioners of the Borough of West Wildwood, New Jersey at a **Regular Meeting** held on **May 2, 2018**.

Donna L. Frederick, RMC
Municipal Clerk

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

RESOLUTION 2018-036

**APPOINTING CLASS II POLICE OFFICERS ON THE
 WEST WILDWOOD POLICE DEPARTMENT**

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

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

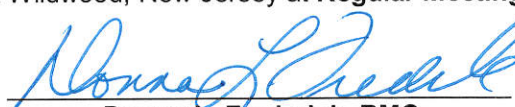
<u>NAME</u>	<u>POSITION</u>	<u>EFFECTIVE APPOINTMENT DATE</u>
Adam Dotts	Class II Police Officer	May 1, 2018 – July 31, 2018
Gaetano Saverino	Class II Police Officer	May 1, 2018 – July 31, 2018

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

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

	Motion	Second	Yes	No	Abstain	Absent
Mayor Christopher J. Fox		X	X			
Commissioner Scott W. Golden	X		X			
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 a Resolution adopted by the Board of Commissioners of the Borough of West Wildwood, New Jersey at **Regular Meeting** held on **May 2, 2018**.


 Donna L. Frederick, RMC
 Municipal Clerk

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

RESOLUTION 2018-037

**AUTHORIZING A CLOSED (EXECUTIVE) SESSION OF
THE BOARD OF COMMISSIONERS FOR MATTERS
OF PENDING/POTENTIAL 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 litigation matters referencing the lawsuit of West Wildwood v. MEL/JIF, 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		X	X			
Commissioner Scott W. Golden	X		X			
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 a Resolution adopted by the Board of Commissioners of the Borough of West Wildwood, New Jersey at a **Regular Meeting** held on **May 2, 2018**.



**Donna L. Frederick, RMC
Municipal Clerk**

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

RESOLUTION 2018-038

**AUTHORIZING A CLOSED (EXECUTIVE) SESSION MEETING FOR MATTERS OF
PENDING/POTENTIAL LITIGATION REGARDING THE JUDGES RULING OF DENIAL OF
INSURANCE COVERAGE FROM MEL/JIF IN FERENTZ v. WEST WILDWOOD
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 litigation matters referencing the lawsuit of West Wildwood v. MEL/JIF, 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			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 **SPECIAL Meeting** held on **May 9, 2018**.



**Donna L. Frederick, RMC
Municipal Clerk**

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

RESOLUTION 2018-039

**RESOLUTION AUTHORIZING SPECIAL COUNSEL, LOUIS BARBONE, ESQUIRE, TO FILE
A MOTION FOR RECONSIDERATION OF THE JUDGE'S DECISION IN THE CASE OF
JACQUELYN FERENTZ VS. MAYOR HERBERT FEDERICK, individually and in his official
capacity, and THE BOROUGH OF WEST WILDWOOD, Consolidated with BOROUGH OF
WEST WILDWOOD VS. MUNICIPAL EXCESS JOINT INSURANCE FUND, (DOCKET NO.
CPM-L-140-15 consolidated with CPM-L-797-08),**

WHEREAS, on October 27, 2017, the Superior Court of New Jersey Law Division, Cape May County, entered a Judgment (hereinafter, the "Judgment") in favor of the Plaintiff, Jacquelyn Ferentz, in the amount of \$1,766,687.40 including attorney fees and costs in the matter captioned Jacquelyn Ferentz v. Mayor Herbert Frederick and the Borough of West Wildwood, Docket No. CPM-L-797-08; and

WHEREAS, the Judgment ordered payment from the Borough of West Wildwood to Jacquelyn Ferentz in the amount of \$1,766,687.40; and

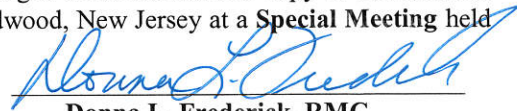
WHEREAS, the Borough instituted litigation against the JIF-MEL, seeking contribution and/or payment of the Judgment, which litigation was consolidated with said previously filed matter as follows: Jacquelyn Ferentz vs. Mayor Herbert Frederick, Individually and in his official capacity, and The Borough of West Wildwood, Consolidated With Borough Of West Wildwood vs. Municipal Excess Joint Insurance Fund (Docket No. CPM-L-140-15 consolidated with CPM-L-797-08); and

WHEREAS, the Judge denied the Borough the relief sought in said litigation;

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 Special Counsel, Louis Barbone, Esquire, to file a Motion for Reconsideration of the Judge's decision denying the Borough relief in the above referenced matter.

	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 **Special Meeting** held on **May 9, 2018**


**Donna L. Frederick, RMC
Municipal Clerk**

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

RESOLUTION 2018-040

RESOLUTION AUTHORIZING SPECIAL COUNSEL LOUIS BARBONE, ESQUIRE, TO FILE AN APPEAL OF THE JUDGE’S DECISION IN THE CASE OF JACQUELYN FERENTZ VS. MAYOR HERBERT FEDERICK, individually and in his official capacity, and the BOROUGH OF WEST WILDWOOD, consolidated with BOROUGH OF WEST WILDWOOD VS. MUNICIPAL EXCESS JOINT INSURANCE FUND, (Docket No. CPM-L-140-15 consolidated with CPM-L-797-08), SHOULD THE MOTION FOR RECONSIDERATION BE DENIED

WHEREAS, on October 27, 2017, the Superior Court of New Jersey Law Division, Cape May County, entered a Judgment (hereinafter, the “Judgment”) in favor of the Plaintiff, Jacquelyn Ferentz, in the amount of \$1,766,687.40 including attorney fees and costs in the matter captioned Jacquelyn Ferentz v. Mayor Herbert Frederick and the Borough of West Wildwood, Docket No. CPM-L-797-08; and

WHEREAS, the Judgment ordered payment from the Borough of West Wildwood to Jacquelyn Ferentz in the amount of \$1,766,687.40; and

WHEREAS, thereafter the Borough instituted litigation against the JIF-MEL, seeking contribution and/or payment of the Judgment, which litigation was consolidated with said previously filed matter as follows:


Jacquelyn Ferentz vs. Mayor Herbert Frederick, Individually and in his official capacity, and the Borough of West Wildwood, consolidated with Borough of West Wildwood vs. Municipal Excess Joint Insurance Fund (Docket No. CPM-L-140-15 consolidated with CPM-L-797-08); and

WHEREAS, the Judge denied the Borough the relief sought in said Litigation;

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 Special Counsel, Louis Barbone, Esquire, to file an appeal with the Appellate Division of the Superior Court of New Jersey, appealing the Judge’s decision denying the relief sought by the Borough in the matter referenced above (should a motion for reconsideration of same be denied).

	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 **Special Meeting** held on **May 9, 2018**.


**Donna L. Frederick, RMC
Municipal Clerk**

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

RESOLUTION 2018-041

A RESOLUTION OF THE GOVERNING BODY OF THE BOROUGH OF WEST WILDWOOD ADOPTING THE FORM OF THE NEW JERSEY TORT CLAIMS ACT QUESTIONNAIRE REQUIRED TO BE UTILIZED BY CLAIMANTS FOR THE FILING OF NOTICES OF TORT CLAIM AGAINST THE BOROUGH OF WEST WILDWOOD IN ACCORDANCE WITH THE PROVISIONS OF THE NEW JERSEY TORT CLAIMS ACT, *N.J.S.A. 59:8-6* AND DESIGNATING QUAL-LYNX AS THE AGENT FOR THE BOROUGH OF WEST WILDWOOD TO PROVIDE THE QUESTIONNAIRE TO ALL OF THE CLAIMANTS AND TO RECEIVE THE COMPLETED QUESTIONNAIRE FROM THE CLAIMANTS.

WHEREAS, the New Jersey Tort Claims Act, specifically *N.J.S.A. 59:8-6*, provides that a public entity may adopt a form specifying information to be contained in claims filed against a public entity or its employee under the New Jersey Tort Claims Act; and

WHEREAS, the Borough of West Wildwood is a public entity as defined in New Jersey Claims Act; and

WHEREAS, the Borough of West Wildwood has determined that it is advisable, necessary and in the public interest to adopt a form Tort Claims Act Questionnaire in the form attached hereto and made a part of this Resolution; and

WHEREAS, the Borough of West Wildwood has determined that it is in their best interest to designate the Claims Administrator for the Atlantic County Municipal Joint Insurance Fund (ACMJIF), Qual-Lynx, as their agent to provide the Tort Claims Act Questionnaire to all of the Claimants and to receive the completed Questionnaire from the Claimants.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of West Wildwood assembled at a public session on this 1st day of June 2018, that the attached form of Tort Claims Act Questionnaire be and it is hereby adopted as the official Tort Claim Act Questionnaire in accordance with *N.J.S.A. 59:8-6* for the Borough of West Wildwood; and

BE IT FURTHER RESOLVED, that all persons making claims against the Borough of West Wildwood, in accordance with the New Jersey Tort Claims Act, *N.J.S.A. 59:8-1, et seq.*, shall be required to complete the Questionnaire which is attached as a condition of compliance with the notice requirements of the New Jersey Tort Claims Act.

BE IT FURTHER RESOLVED, that Qual-Lynx, the Claims Administrator for the Atlantic County Municipal Joint Insurance Fund (ACMJIF) be and they are hereby designated as the agent for the Borough of West Wildwood to provide the Tort Claims Act

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

I, **Donna L. Frederick, RMC, Municipal Clerk** for the Borough of West Wildwood in the County of Cape May and State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a Resolution adopted by the Board of Commissioners of the Borough of West Wildwood, New Jersey at a **Regular Meeting** held on **June 1, 2018**.


 Donna L. Frederick, RMC
 Municipal Clerk

BOROUGH OF WEST WILDWOOD

C/O QUAL-LYNX
100 Decadon Drive
Egg Harbor Township, New Jersey 08234

TORT CLAIMS ACT QUESTIONNAIRE

CLAIMANT INFORMATION

Name: _____ Telephone: _____
Address: _____ Date of Birth: _____
_____ SSN: _____
Email: _____

ATTORNEY INFORMATION (if applicable)

Name: _____ Telephone: _____
Address: _____ FAX: _____
_____ File No.: _____
Email: _____

Send Notices to: _____ Claimant _____ Attorney

GENERAL INSTRUCTIONS: Pursuant to the provisions of the New Jersey Tort Claims Act, this Tort Claims Act Questionnaire has been adopted as the official form for the filing of claims against the Borough of West Wildwood.

The questions are to be completely and accurately responded to by the Claimant or by his/her attorneys, agents, servants, and employees, under oath. The fully completed Questionnaire and all of the requested documents shall be returned to:

**Borough of West Wildwood
c/o Qual-Lynx
100 Decadon Drive
Egg Harbor Township, New Jersey 08234**

PLEASE BE ADVISED: Your claim will not be considered to be filed as required by the New Jersey Tort Claims Act until this completed Questionnaire has been filed with the designated agent for the Borough of West Wildwood, Qual-Lynx. Your failure to provide all of the information requested in the Questionnaire, and including responses such as "To Be Provided" or "Under Investigation" will result in the claim being treated as not being properly filed.

In accordance with the New Jersey Tort Claims Act, timely Notices of Claim/Questionnaires must be filed within ninety (90) days after the incident giving rise to the claim.

This Questionnaire is designed as a general form for use with respect to all claims. Some of the questions may not be applicable to your particular claim. For example, if your claim does not arise out of an automobile accident, questions regarding road conditions might not be applicable. In that event, please indicate "Not Applicable".

If you are unable to answer any question because of a lack of information available to you, specify the reason the information is not available to you. If a question asks that you identify a document, it will be sufficient to furnish true and legible copies of the document. If a question asks that you "identify all persons," provide the name, address, telephone number and email address of the person.

If you need more space to provide a complete answer, attach supplementary pages, identifying the continuation of the answer with the number of the applicable question.

DEFINITIONS:

"*Claimant*" shall refer to the person or persons on whose behalf the Notice of Claim has been filed with the Borough of West Wildwood.

"*Documents*" shall refer to any written, photographic or electronic representation, and any copy thereof, including, but not limited to, computer tapes and/or disks, videotapes and other material relating to the subject matter of the claim.

"*Person*" shall include in its meaning a partnership, joint venture, corporation, association, trust or any other kind of entity, as well as a natural person.

"*Public Entity*" shall refer to the *Borough of West Wildwood* along with any agent, official or employee of the *Borough of West Wildwood* against whom a claim is asserted by the Claimant.

PLEASE NOTE that the questions are divided into sections relating to the claimant, the claim, property damage, personal injury and the basis for the claim against the public entity or a public employee.

If the claim involves only property damage, then the portion of the Questionnaire regarding personal injuries is not required to be answered. Under these circumstances, please enter as the answer to Question 12 "No personal injuries are being claimed."

If the claim involves no property damage, then the portion of the Questionnaire regarding property damage is not required to be answered. Under these circumstances, please enter as the answer to Question 11 "No property damage is being claimed."

INFORMATION REGARDING THE CLAIMANT

1. Provide the following information with respect to the Claimant:
 - a. Any other name by which the Claimant has been known.
 - b. Residence and Mailing Addresses at the time of the incident giving rise to the claim. Also provide current Email address.
 - c. Marital Status at the time of the incident and currently.
 - d. Identify each person residing with the claimant and the relationship of that person, if any, to the Claimant.

2. Provide all addresses of the Claimant for the last 10 years, the dates of the residence, the persons residing at the addresses at the same time that the Claimant resided at the address and the relationship of that person, if any, to the Claimant.

INFORMATION REGARDING ALL CLAIMS

3. Provide the exact date, time and place of the incident forming the basis of the claim and the weather conditions prevailing at the time.

4. Provide the Claimant's complete version of the events that form the basis of the claim. Describe in detail the alleged condition which caused the incident. Provide Photographs of the area where the incident occurred, and indicate on the Photographs the exact location where the incident occurred.

5. List any and all individuals who were witnesses to or who have knowledge of the facts of the incident which gave rise to the claim. Provide the full name, address, email address and telephone number of each individual.

6. Identify all public entities or public employees [by name and position] alleged to have caused the injury or property damage **and specify as to each public entity or employee the exact nature of the act or omission alleged to have caused the injury or property damage. Describe in detail the alleged condition which caused the incident and any and all facts which establish that the public entity or public employees were responsible for the condition.**

7. If you claim that the injury or property damage was caused by a dangerous condition of property under the control of the public entity, specify the nature of the alleged dangerous condition and the manner in which you claim the condition caused the injury.

8. If you allege a dangerous condition of public property, state the specific facts upon which you claim that the public entity was responsible for the condition and the specific facts and date upon which you claim that the public entity was provided with notice of the alleged dangerous condition. Provide copies of any and all evidence of written or oral notice to the public entity of the dangerous condition.

9. If you or any other party or witness consumed any alcoholic beverages, drugs or prescription medications within twelve (12) hours prior to the incident forming the basis of the Claim, identify the person consuming the same and for each person (a) what was consumed (b) the quantity thereof (c) where consumed (d) the names and addresses of all persons present.

10. If you have received any money or thing of value for your injuries or damages from any person, firm or corporation, state the amounts received, the dates, names and addresses of the payors. Specifically list any policies of insurance, including policy number and claim number, from which benefits have been paid to you or to any person on your behalf, including doctors, hospitals or any person repairing damage to property.

11. If any photographs, drawings, charts or maps were made with respect to anything which is the subject matter of the claim, state the date thereof, the names and addresses of the persons who took the photographs or who prepared the drawings, charts or maps and indicate who presently has possession of these documents. Attach copies of any photographs, drawings, charts or maps.

12. If you or any of the parties to this incident or any of the witnesses to this incident made any statements or admissions, set forth in detail the statements or admissions that were made; who made the statements or admissions; the date and place where the statements or admissions were made; and in whose presence the statements or admissions were made, providing the names and addresses of any persons having knowledge of the statements or admissions.

13. State the total amount of your claim and the basis upon which you have calculated the amount that is being claimed.

14. Provide copies of all documents, memoranda, correspondence, reports [including police reports], etc. which discuss, mention or pertain to the subject matter of this claim.

15. Provide the names and addresses of all persons or entities against whom you are asserting a claim for the injuries or damages arising out of the incident forming the basis of this claim and give the basis for your claim against each person or entity.

16. Were any criminal and/or traffic Complaints or Tickets issues as a result of this incident? If so, please provide copies of the Complaints and/or Tickets and advise as to the disposition of the Complaints and/or Tickets.

PROPERTY DAMAGE CLAIMS

17. If your claim is for property damage, attach a detailed description of the property damage that is being claimed, and include copies of any and all estimates obtained which detail the costs to repair the property damage. If your claim does not involve any claim for property damage, enter "None".

If your claim is for property damage only, initial here and proceed directly to page 15 and sign the Certification.
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Initials

PERSONAL INJURY CLAIMS

18. Were there any complaint regarding the incident or the condition which allegedly caused the incident made to the public entity or to any official or employee of the public entity? If so, state the time and place of the complaint and the person or persons to whom the complaint was made.

19. Describe in detail the nature, extent and duration of any and all injuries which were sustained as a result of this incident.

20. Describe in detail any and all injuries or conditions which were sustained in this incident which are claimed to be permanent, and set forth who has determined that any injury or condition is permanent.

21. If you have been confined to any hospitals as a result of the injuries sustained in this incident, state name and address of each hospital and the dates of admission and discharge. Also provide the name and address of each hospital where you were admitted prior to and subsequent to the alleged incident and provide the reason for each admission.

22. If X-Rays, MRIs, CAT Scans or any other diagnostic testing was performed, state (a) the address of the place where each was performed; (b) the name and address of the person who performed the testing; (c) the date when each test was performed; (d) the results of each test; (e) where and in whose possession they test results and films are now located. Include all X-Rays, MRIs, CAT Scans and any other diagnostic testing that was performed prior to or subsequent to the alleged injury forming the basis of the claim.

23. If were treated by doctors, including psychiatrists or psychologists, state (a) the name and present address of each doctor; (b) the dates and places where the Treatments were administered; (c) the nature of the treatment; (d) the date of last the last treatment; (e) and if treatments are continuing, the schedule of future continuing treatments. Provide true copies of all written reports rendered to you or about you by any doctors whom you propose to have testify on your behalf.

24. If you have any physical impairment which you allege is caused by any injury sustained in this incident and which is affecting your ordinary movements, hearing or sight, state in detail the nature and extent of the impairment and what corrective appliances, support or device you have been prescribed to overcome or alleviate the impairment.
25. If you claim that a previous injury has been aggravated or exacerbated, describe the injury and provide the name and present address of each doctor who treated you for the condition; the period during which treatment was received; and the cause of the previous injury. Specifically list any impairment, including use of eyeglasses, hearing aid or similar device, which existed at the time of the injury forming the basis of this claim.
26. If any treatments, operation or other form of surgery in the future has been recommended to alleviate any injury or condition resulting from the incident which forms the basis of the claim, state in detail (a) the nature and extent of the treatment, operation or surgery; (b) the purpose thereof and the results anticipated or expected; (c) the name and address of the doctor who recommended the treatments, operation or surgery; (d) the name and address of the doctor who will administer or perform the same; (e) the estimated medical expenses to be incurred; (f) the estimated length of time of treatments, operation or surgery, period of hospitalization and period of convalescence; (g) all other losses or expenditures anticipated as a result of the treatments, operation or surgery; (h) whether it is your intention to undergo the treatments, operation or surgery and the approximate date.

27. Itemize any and all expenses incurred for hospitals, doctors, nurses, x-rays, prescriptions, care and appliances and indicate which expenses were paid by any insurance coverage.

28. If you were employed at the time of the alleged injury forming the basis of the claim state (a) the name and address of the employer; (b) the position held and the nature of the work performed; (c) the average weekly wages for the year prior to the injury; (d) the period of time lost from employment, providing dates; (e) the amount of wages lost, if any. List any sources of income continuation or replacement, including, but not limited to, worker's compensation, disability income, social security and income continuation insurance.

29. If other loss of income, profit or earnings is claimed, state (a) total amount of the loss; (b) provide a complete detailed computation of the loss; (c) the nature and dates of the loss.

30. If you are claiming lost wages state (a) the date that the employment commenced; (b) the name and address of the employer; (c) the position held and the nature of the work performed; and (d) the average weekly wages. Attach copies of pay stubs, tax returns, W-2s or other complete payroll record for all wages received during the past year.

DOCUMENT REQUEST

You are required to produce any and all documents identified in your answers to the Questions set forth above.

CERTIFICATION

I hereby certify that the information provided is the truth and is the full and complete response to the questions, to the best of my knowledge.

Signature of Claimant

Dated: _____

**AUTHORIZATION FOR RELEASE OF
MEDICAL AND HOSPITAL RECORDS**

TO: _____

Date: _____

RE: _____
Patient's Name

Address

Address

Social Security Number

Claim Number

You are hereby authorized and requested to disclose, make available and furnish to:

QUAL-LYNX
100 Decadon Drive
Egg Harbor Township, New Jersey 08234

all information, records, x-rays, reports or copies thereof relating to my examination, consultation, confinement or treatment and to permit him or her to inspect and make copies or abstracts thereof.

Approximate date of admission to hospital, first examination, treatment or consultation:

A photocopy of this release form, bearing a photocopy of my signature, shall constitute your authorization for the release of the information in accordance with the request made to you.

Authorized Signature

AUTHORIZATION FOR RELEASE OF EMPLOYMENT RECORDS

TO: _____

Date: _____

RE: _____
Patient's Name

Address

Address

Social Security Number

Claim Number

You are hereby authorized and requested to disclose, make available and furnish to:

QUAL-LYNX
100 Decadon Drive
Egg Harbor Township, New Jersey 08234

all information relating to my employment, including, but not limited to, my job title, assigned duties, compensation, benefits, attendance, and sick leave and to permit him or her to inspect and make copies or abstracts thereof.

A photocopy of this release form, bearing a photocopy of my signature, shall constitute your authorization for the release of the information in accordance with the request made to you.

Authorized Signature

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

RESOLUTION 2018-042

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

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

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

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

OWNER	BLOCK	LOT	AMOUNT	TAX/SEWER
GARY J. TOBIN	118	4	\$734.31	TAX

Refund Overpayment to:
GARY J. TOBIN
413 EUCLID AVE.
MAPLE SHADE, NJ 08052-2409

	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 Frederick, RMC, Municipal Clerk** for the Borough of West Wildwood in the County of Cape May and State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a Resolution adopted by the Board of Commissioners of the Borough of West Wildwood, New Jersey at a **Regular Meeting** held on **June 1, 2018**.


Donna L. Frederick, RMC
Municipal Clerk

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

RESOLUTION 2018-043

AUTHORIZING THE REFUND OF OVERPAYMENT OF FIRE INSPECTION FEES

WHEREAS, the property owner listed below tendered excess fire inspection fees in 2017; and

WHEREAS, the excess fire inspection fee payment need to be refunded.

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

OWNER	BLOCK	LOT	AMOUNT	FEES
DOROTHY DALTON	105	10	\$ 50.00	Fire Inspection Fee

Refund Overpayment to:
DOROTHY DALTON
740 ROBYN RD.
HUNTINGTON VALLEY, PA. 19006

	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 Frederick, RMC, Municipal Clerk** for the Borough of West Wildwood in the County of Cape May and State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a Resolution adopted by the Board of Commissioners of the Borough of West Wildwood, New Jersey at a **Regular Meeting** held on **June 1, 2018**.



Donna L. Frederick, RMC
Municipal Clerk