

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

RESOLUTION 2017-021

**AWARDING CONTRACT TO CHARLES MARANDINO, L.L.C. FOR THE ROAD
CONSTRUCTION PROJECT TO BE PERFORMED ON AVENUE S, AVENUE P,
MUELLER AVENUE, PINE AVENUE, AVENUE Q AND AVENUE R**

WHEREAS, bids were received by the Borough of West Wildwood on December 28, 2016 in connection with a contract for road construction services for Avenue S, Avenue P, Mueller Avenue, Pine Avenue, Avenue Q and Avenue R; and

WHEREAS, Charles Marandino, L.L.C., P.O. Box 20, Milmay, NJ 08340, was the lowest bidder, based on the award of Alternate Bid No. 1; and

WHEREAS, the Borough Engineer and Borough Solicitor have reviewed the bid of Charles Marandino, L.L.C. and are satisfied that the bidder complied with the Instructions to Bidders and the conditions of the award; and

WHEREAS, the Borough Engineer is satisfied that Charles Marandino, L.L.C. is a qualified bidder and contractor; and

WHEREAS, the Borough Engineer has recommended award of the subject contract to Charles Marandino, L.L.C.; and

WHEREAS, of the total bid price of \$799,916.00, and the New Jersey Department of Transportation (N.J.D.O.T.) Participating Amount of \$299,560.00.

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

- 1) All of the statements of the preamble are incorporated herein by reference thereto as though the same were set forth at length.
- 2) A contract for the road construction project to be performed on Avenue S, Avenue P, Mueller Avenue, Pine Avenue, Avenue Q and Avenue R by Charles Marandino, L.L.C. of Milmay, New Jersey for a cost not to exceed \$799,916.00 with the Borough of West Wildwood's portion being \$500,356.00, and the New Jersey Department of Transportation's participating amount of \$299,560.00.
- 3) On behalf of the Borough of West Wildwood, the Mayor and Borough Clerk be and they hereby are authorized to sign the contract that was included with the contract bidding materials and to deliver same to Charles Marandino, L.L.C. for execution and return.
- 4) This award of contract is contingent upon approval by N.J.D.O.T.

- 5) This award of contract is contingent upon receipt of a certification of funds from the Borough's Chief Financial Officer.
- 6) The Borough Clerk shall return to all bidders whose bids have been rejected the bids and bid security that was posted.

	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 **January 6, 2017**.


 Donna L. Frederick, RMC
 Municipal Clerk

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

RESOLUTION NO. 2017-022

APPOINTMENT OF DEPUTY MUNICIPAL CLERK

WHEREAS, NJSA 40A:9-135 provides for the unclassified appointment of a Deputy Municipal Clerk by the governing body, as well as the compensation, term of office, the powers, duties and functions of such office; and

WHEREAS, the Deputy Municipal Clerk, “during the absence or disability of the Municipal Clerk, shall have all the powers of the Municipal Clerk and shall perform the functions and duties of such office” as set forth in NJSA 40A:9-135; and

WHEREAS, the specific powers, duties, and functions to be exercised and/or performed are fully contained in the job specifications for the position of Deputy Municipal Clerk; and

WHEREAS, Carl O’Hala has been serving as the Deputy Municipal Clerk; and

WHEREAS, the Board of Commissioners of the Borough of West Wildwood has determined that it is in the best interest of the Borough to confirm and ratify the appointment of Carl O’Hala.

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

- 1.) That the full-time appointment of Carl O’Hala as Deputy Municipal Clerk effective January 1, 2017, at an annual rate of pay as permitted within the parameters of the range established in the Salary Ordinance of the Borough of West Wildwood.
- 2.) That said unclassified appointment shall extend for a period of three (3) years commencing effective January 1, 2017, is in accordance with NJSA 40A:9-135, and all provisions pertaining thereto.

	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 **January 6, 2017**.



Donna L. Frederick, RMC
Municipal Clerk

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

RESOLUTION 2017-023

**APPOINTING BRIAN A. GIBSON FROM TEMPORARY POLICE OFFICER
TO FULL TIME POLICE OFFICER ON THE
WEST WILDWOOD POLICE DEPARTMENT**

WHEREAS, it has been determined by the Director of Public Safety, in consultation with the Chief of Police, that there is a need to hire a full time police officer; and

WHEREAS, the Ordinances of the Borough of West Wildwood establish the full time position of police officer; and

WHEREAS, Brian A. Gibson is currently employed by the West Wildwood Police Department as a Temporary Police Officer and has demonstrated his skills and abilities while employed with the Department; and

WHEREAS, it is deemed in the best interest of the Borough to appoint Brian A. Gibson to full time police officer.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners, of the Borough of West Wildwood, County of Cape May, New Jersey, that Brian A. Gibson be and is hereby appointed as a full time police officer for the West Wildwood Police Department.

BE IT FURTHER RESOLVED that Officer Brian A. Gibson be and is hereby authorized to carry out all of the duties, functions and responsibilities of police officer as allowed by New Jersey Statutes, Titles and Ordinances and Resolutions of the Borough of West Wildwood, New Jersey.

	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 **Regular Meeting** held on **January 6, 2017**.


Donna L. Frederick, RMC
Municipal Clerk

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

RESOLUTION 2017-024

**ACCEPTING THE RESIGNATION OF
MUNICIPAL COURT JUDGE DOTSIE GARRABRANT, P.C.**

WHEREAS, Resolution 2016-014, appointed Dotsie Garrabrant, P.C. as the Municipal Court Judge for the Borough of West Wildwood for a three year term as required by N.J.S.A. 2B:12-4; and

WHEREAS, on December 26, 2016 the Borough received a letter of resignation from Municipal Court Judge Dotsie Garrabrant effective January 9, 2017; and

NOW, THEREFORE BE IT RESOLVED that the Board of Commissioners of the Borough of West Wildwood, County of Cape May, New Jersey, hereby accepts the resignation of Municipal Court Judge Dotsie Garrabrant, P.C. and congratulates her on her appointment as Administrative Law Judge.

	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 **January 6, 2017**.


Donna L. Frederick, RMC
Municipal Clerk

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

RESOLUTION 2017-025

**AUTHORIZING THE APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A
GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION
FOR THE RECONSTRUCTION OF POPLAR AVENUE PROJECT HEREBY IDENTIFIED AS
MA-2017-THE RECONSTRUCTION OF POPLAR AVENUE-00190**

WHEREAS, the Board of Commissioners of the Borough of West Wildwood, formally approves the grant application for the above stated project.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners hereby authorize the Mayor and Clerk to submit an electronic grant application identified as MA-2017-The Reconstruction of Poplar Avenue-00190 to the New Jersey Department of Transportation on behalf of the Borough of West Wildwood.

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

	Motion	Second	Yes	No	Abstain	Absent
Mayor Christopher J. Fox			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 **January 6, 2017**.


Donna L. Frederick, RMC
Municipal Clerk

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

RESOLUTION 2017-026

**AUTHORIZING THE EXECUTION OF AN AGREEMENT FOR THE PROFESSIONAL
SERVICES OF A SPECIAL PROJECT ENGINEER**

WHEREAS, the Board of Commissioners of the Borough of West Wildwood has a need to acquire Professional Services of a Special Project Engineer; and

WHEREAS, John A. Feariheller, Jr. P.E., has previously served as Engineer for the Borough of West Wildwood and is duly qualified under the laws of the State of New Jersey to serve as Special Project Engineer and has submitted a Proposal for such services; and

WHEREAS, the Board of Commissioners deem it advisable and necessary to engage the professional services of John A. Feariheller, Jr., P.E. with offices located at 435 Wesley Avenue, Ocean City, N.J. 08226.


NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of West Wildwood, County of Cape May, New Jersey, that the Mayor and the Borough Clerk are hereby authorized and directed to execute appropriate contracts with John A. Feariheller, Jr. P.E., to serve as Special Project Engineer commencing January 1, 2017 and expiring on December 31, 2017; and

BE IT FURTHER RESOLVED that this contract is awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law because N.J.S.A. 40A:11-5, which provides inter alia, that no local unit shall be required to advertise for bids for services rendered or performed by a person authorized by law to practice a recognized profession and whose practice is regulated by law, or to advertise for bids for services which are of such a qualitative nature as will not reasonably permit the drawing of specifications or the receipt of competitive bids all of which classification the aforesaid contract falls within; and

BE IT FURTHER RESOLVED that a copy of this Resolution shall be published by the Municipal Clerk in accordance with the requirements of 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 **Regular Meeting** held on **January 6, 2017**.


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

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

RESOLUTION 2017-027

**ACCEPTING THE RESIGNATION OF
ANDREW J. CAFIERO AS BOROUGH SOLICITOR**

WHEREAS, Resolution 2016-114, appointed Andrew J. Cafiero as the Borough Solicitor for the Borough of West Wildwood for a one year term commencing January 1, 2017; and

WHEREAS, on January 6, 2017 the Borough received the resignation of Andrew J. Cafiero, as the Borough Solicitor.

NOW, THEREFORE BE IT RESOLVED that the Board of Commissioners of the Borough of West Wildwood, County of Cape May, New Jersey, hereby accepts the resignation of Andrew J. Cafiero, and thank him for his service to the Borough.

	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 **January 6, 2017**.


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

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

RESOLUTION NO. 2017-028

**AUTHORIZING THE AWARDING OF A NON-FAIR AND OPEN CONTRACT
FOR THE PROFESSIONAL SERVICES OF A MUNICIPAL SOLICITOR**

WHEREAS, Resolution No. 2016-114 appointed Andrew J. Cafiero, Esq., of the Law Firm of Cafiero & Kaufmann, P.A., having offices located at 3303 New Jersey Avenue, Wildwood, New Jersey, as the Borough Solicitor; and

WHEREAS, on January 6, 2017 the Borough received the resignation of Andrew J. Cafiero as Borough Solicitor; and

WHEREAS, the Board of Commissioners of the Borough of West Wildwood has a need to acquire Professional Services of a Borough Solicitor; and

WHEREAS, Marcus H. Karavan, P.C., having offices located at 3311 New Jersey Avenue, Wildwood, New Jersey, is qualified to serve as Borough Solicitor for the Borough of West Wildwood and has submitted a Proposal which is attached hereto; and

WHEREAS, Marcus H. Karavan, P.C., has completed and submitted a Business Entity Disclosure Certification which certifies that Marcus H. Karavan, P.C., has not made any reportable contributions to a political or candidate committee in the name of West Wildwood Borough Commissioners within the previous year and that this Contract will prohibit Marcus H. Karavan, P.C., and the Law Firm of Blaney & Karavan, P.C., from making any reportable contributions for the term of this Contract.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of West Wildwood, Cape May County, New Jersey that the Mayor be and he is hereby authorized to execute a Contract with Andrew J. Cafiero, Esq., to serve as Municipal Solicitor for the Borough of West Wildwood; and

BE IT FURTHER RESOLVED that the term of appointment shall commence on January 6, 2017 and expire on December 31, 2017; and

BE IT FURTHER RESOLVED that this contract is awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law because N.J.S.A. 40A:11-5, which provides inter alia, that no local unit shall be required to advertise bids for services rendered or performed by a person authorized by law to practice a recognized profession and whose practice is regulated by law, or to advertise for bids for services which are of such a qualitative nature as will not reasonably permit the drawing of specifications or the receipt of competitive bids, all of which classification the aforesaid contract falls within; and

BE IT FURTHER RESOLVED that a copy of this Resolution shall be published by the Municipal Clerk in accordance with the requirements of Law; and

BE IT FURTHER RESOLVED, that a Certificate of Availability of Funds from the Chief Financial Officer is attached hereto.

	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 **January 6, 2017**.



Donna L. Frederick, RMC
Municipal Clerk

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

RESOLUTION 2017-029

**AUTHORIZING THE APPOINTMENT
OF A MUNICIPAL JUDGE**

WHEREAS, Resolution 2016-014, appointed Dotsie Garrabrant, P.C. as the Municipal Court Judge for the Borough of West Wildwood for a three year term as required by N.J.S.A. 2B:12-4, expiring on December 31, 2018; and

WHEREAS, on December 26, 2016 the Borough received a letter of resignation from Municipal Court Judge Dotsie Garrabrant effective January 9, 2017; and

WHEREAS, it is necessary for the Board of Commissioners of the Borough of West Wildwood to appoint a Municipal Court Judge as required by NJSA 2B: 12-4; and

WHEREAS, it is the desire of the Board of Commissioners to appoint Andrew J. Cafiero as the Borough of West Wildwood Municipal Court Judge to fill the unexpired term of Judge Garrabrant.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of West Wildwood, County of Cape May, New Jersey, that Andrew J. Cafiero is hereby appointed as Municipal Court Judge for the Borough of West Wildwood to fill the unexpired term of Judge Garrabrant commencing January 9, 2017 with the expiration date of December 31, 2018.

	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 **January 6, 2017**.


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

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

RESOLUTION 2017-030

**AUTHORIZING THE TAX ASSESSOR OF THE BOROUGH OF WEST WILDWOOD
TO FILE REGULAR APPEALS ON BEHALF OF THE BOROUGH OF WEST
WILDWOOD TO THE CAPE MAY COUNTY BOARD OF TAXATION FOR THE YEAR
2017**

WHEREAS, by the directive of the Cape May County Board of Taxation and pursuant to N.J.A.C. 18:12A-1.6 (C), the governing body of the Borough of West Wildwood may designate that any and all tax appeals for an increase or a decrease of assessments may be submitted to the County Board of Taxation by the Tax Assessor of the Borough of West Wildwood.

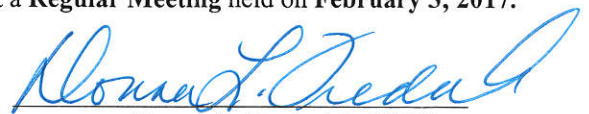
WHEREAS, it is deemed to be in the best interest of the Borough of West Wildwood that the Tax Assessor be authorized to file same on behalf of the Borough of West Wildwood for the year 2017, for disposition by the County Board of Taxation.

NOW, THEREFORE, BE IT RESOLVED, by the Commissioners of the Borough of West Wildwood, in the County of Cape May and State of New Jersey, as follows:

- 1) All of the statements of the preamble are incorporated herein by this reference thereto as though the same were set forth at length.
- 2) The Tax Assessor of the Borough of West Wildwood hereby is authorized, empowered and directed to file regular appeals with the Cape May County Board of Taxation on behalf of the Borough of West Wildwood for the year 2017.
- 3) A certified copy of this resolution shall be forwarded to the Borough Tax Assessor, the Borough Tax Collector and the Cape May County Board of Taxation.

	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 **February 3, 2017**.


Donna L. Frederick, RMC
Municipal Clerk

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

RESOLUTION 2017-031

**A RESOLUTION ACKNOWLEDGING THE CURRENT ROSTER
OF ACTIVE FIREFIGHTERS, LADIES AUXILIARY MEMBERS AND
JUNIOR FIREFIGHTERS OF THE WEST WILDWOOD VOLUNTEER FIRE COMPANY**

WHEREAS, it has been determined during Safety Meetings with representative Joseph Meola, of J. Byrne Agency (JIF Consultant), that the Borough of West Wildwood should maintain a current roster of all of the active members of the West Wildwood Volunteer Fire Company, including the Ladies Auxiliary and the Junior Firefighters; and

WHEREAS, the Chief of the West Wildwood Volunteer Fire Company has provided a list to the Municipal Clerk; and

WHEREAS, the Board of Commissioners deem it is in the best interest of all concerned to maintain this roster on file with the Municipal Clerk.

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 acknowledges those members provided by the Chief of the West Wildwood Volunteer Fire Company, and thank them for their selfless volunteer service on behalf of all of the residents.

BE IT FURTHER RESOLVED that the clerk is authorized to provide a copy of this Resolution to the Chief of the West Wildwood Volunteer Fire Company, and attach a copy of the roster to this Resolution.

	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 **February 3, 2017**.



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

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

RESOLUTION 2017-032

**A RESOLUTION COMMEMORATING THE 30TH ANNIVERSARY OF THE ATLANTIC
COUNTY MUNICIPAL JOINT INSURANCE FUND**

WHEREAS, the Atlantic County Municipal Joint Insurance Fund has been organized pursuant to N.J.S.A. 40A:10-36 et seq., and

WHEREAS, the Borough of West Wildwood of Cape May County is a member of the Atlantic County Municipal Joint Insurance Fund; and

WHEREAS, the Atlantic County Municipal Joint Insurance Fund commenced operations on January 1, 1987 with seven charter members who, when challenged with an unfavorable market for their insurance, decided to join together to avoid the high costs and limited coverage associated with traditional insurance for fire and property, liability and workers compensation risks; and

WHEREAS, over the past 30 years the Fund has grown to 41 members and stands today as one of the greatest examples of an inter-local service agreement in the State of New Jersey's history; and

WHEREAS, municipalities participating in the ACMJIF have saved their local taxpayers millions of dollars in the form of lower premiums and the return of nearly \$31 million dollars in surplus distributions; and

WHEREAS, the elected officials and the municipal employees covered by the Atlantic County Municipal Joint Insurance Fund are the foundation of the Fund's success and without whose dedication to the Fund Safety and Risk Management programs the Fund would not have achieved the status it enjoys today; and

WHEREAS, the Board of Commissioners of the Borough of West Wildwood wish to recognize and commemorate the Fund on its 30th year of successful operation.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Borough of West Wildwood assembled in a public session on February 3, 2017, that this body does hereby recognize and commemorate 2017 as the 30th year of the successful operation of the Atlantic County Municipal Joint Insurance Fund; and

BE IT FURTHER RESOLVED that the Board of Commissioners of the Borough of West Wildwood wishes to acknowledge this 30th Anniversary as a milestone event in the history of the Fund and wishes the Fund continued success for many years to come; and

BE IT FURTHER RESOLVED, that a copy of this Resolution shall be provided to the Executive Director of the Atlantic County Municipal Joint Insurance Fund for his information and distribution to the membership.

	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 **February 3, 2017**.



Donna L. Frederick, RMC
Municipal Clerk

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

RESOLUTION 2017-033

APPROVING BUDGET TRANSFERS FOR THE YEAR 2016

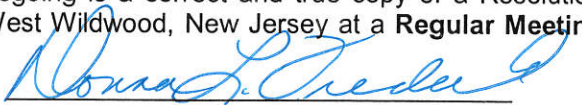
WHEREAS, the following transfers are necessary to make certain year end transfers to the CY 2016 budget.

NOW, THEREFORE, BE IT RESOLVED, that the following CY2016 budget transfers be made:

Budget Description	From	To	Budget Account
Employee Group Health Ins	22,000.00		6-01-23-220-000
Police O/E	20,640.00		6-01-25-240-020
Contractual - Trash Collection		42,640.00	6-01-26-305-029
	<u>42,640.00</u>	<u>42,640.00</u>	

	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 **February 3, 2017**.



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

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

RESOLUTION 2017-034

**AUTHORIZING THE AWARDING OF A NON-FAIR AND OPEN CONTRACT
FOR THE PROFESSIONAL ENGINEERING SERVICES OF CH2M
SPECIAL PROJECT ENGINEER**

WHEREAS, the Board of Commissioners of the Borough of West Wildwood has a need to acquire Professional Engineering Services for the Living Shoreline and Wetlands Restoration proposed project for West 26th Avenue peninsula; and

WHEREAS, CH2M has submitted a proposal to conduct Topographic and Bathymetric Mapping; Hydrodynamic Modeling; Geotechnical Analysis; Engineering; Design and Permits; and

WHEREAS, to reduce the costs and expedite the project schedule, CH2M will utilize the data presented in the Sevens Institute of Technology Report entitled, Living Shoreline Site Conditions and Conceptual Design for West 26th Ave. peninsula.


NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of West Wildwood, County of Cape May, New Jersey, that the Mayor/Deputy Mayor and the Borough Clerk are hereby authorized and directed to execute appropriate contracts with CH2M with a term expiring Dec. 31, 2017.

BE IT FURTHER RESOLVED that this contract is awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law because N.J.S.A. 40A:11-5, which provides inter alia, that no local unit shall be required to advertise for bids for services rendered or performed by a person authorized by law to practice a recognized profession and whose practice is regulated by law, or to advertise for bids for services which are of such a qualitative nature as will not reasonably permit the drawing of specifications or the receipt of competitive bids all of which classification the aforesaid contract falls within; and

BE IT FURTHER RESOLVED that a copy of this Resolution shall be published by the Municipal Clerk in accordance with the requirements of 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 **Regular Meeting** held on **February 3, 2017**.



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

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

RESOLUTION 2017-034

**AUTHORIZING A RENEWAL APPLICATION AND MEMORANDUM OF UNDERSTANDING
(AGREEMENT) BETWEEN THE
NEW JERSEY MOTOR VEHICLE COMMISSION (NJMVC)
AND THE BOROUGH OF WEST WILDWOOD**

WHEREAS, the State of New Jersey, Motor Vehicle Commission, hereinafter called the "Commission", maintains or keeps on file as required by law certain driver license, vehicle, and vessel records of individuals licensed and vehicles and vessels registered in this State; and

WHEREAS, the Commission also maintains, as an administrative convenience, a computer record of the aforementioned records, hereinafter called the "database"; and

WHEREAS, the database is not a public record and the information in the database is not required to be released under the New Jersey Open Public Records Act, N.J.S.A. 47:1A-1 et seq. (P.L. 2001, c404), but may be released at the discretion of the Commission in such manner as may be determined by the Commission to be administratively appropriate and in accordance with applicable laws and regulations; and

WHEREAS, the Commission in its discretion has established a Limited Online Access Program, to provide certain information contained in the database, via electronic communications, to businesses or public entities that demonstrate a beneficial interest in and legitimate business use of the database information; and

WHEREAS, the Borough of West Wildwood is currently a "Program Participant" in the Online Program and has demonstrated a beneficial interest in and legitimate business use of the database information; and

WHEREAS, the current one year contact will be expiring on May 4, 2017, and so that there is no interruption in service the Borough is submitting the renewal application at least 45 days before the date of expiration; and

WHEREAS, the Borough of West Wildwood officially domiciled at 701 W. Glenwood Avenue, West Wildwood, New Jersey 08260, deems it in the best interest to authorize a renewal application as a Program Participant and enter into a Memorandum of Understanding (Agreement), with the Commission for the aforementioned Limited Online Access Program for the following:

Driver History Abstracts / 5 Year Display (AB)

WHEREAS, the Borough agrees to pay an annual administrative fee of \$150.00 made payable to the NJMVC.

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 Clerk to file the renewal application and the Mayor to enter into the Memorandum of Understanding (Agreement) on behalf of the Borough with the NJMVC; and

BE IT FURTHER RESOLVED that an executed original copy of said agreement by both parties be attached to this resolution.

	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 **March 3, 2017**.



Donna L. Frederick, RMC
Municipal Clerk

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

RESOLUTION 2017-035

ADOPTION OF A SECOND TEMPORARY BUDGET FOR CY 2017

WHEREAS, the Borough of West Wildwood adopted a Temporary Budget as authorized under N.J.S.A. 40A:4-19 in accordance with Resolution 2016-115 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 CY2017 Municipal Budget will not occur prior to March 31, 2017 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 CY2017 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 the attachment statements to this Resolution entitled Second Emergency Temporary Budget for CY2017 shall be and is hereby approved in order to meet obligations of any contract, commitment, or payment required to be made between January 1, 2017 and the formal adoption and approval of the CY2017 Budget in accordance with, and as permitted by, the New Jersey Statutes.

	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 **March 3, 2017**.



Donna L. Frederick, RMC
Municipal Clerk

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

RESOLUTION 2017-036

**APPOINTING CONTACT PERSON FOR
THE EMPLOYMENT PRACTICES LIABILITY HELPLINE
ATLANTIC COUNTY MUNICIPAL JOINT INSURANCE FUND**

WHEREAS, the Governing Body of the Borough of West Wildwood hereinafter referred to as "MUNICIPALITY", is a member of the Atlantic County Municipal Joint Insurance Fund, hereinafter referred to as "FUND"; and

WHEREAS, the FUND has purchased Employment Practices Liability coverage from XL Insurance Company; and

WHEREAS, XL Insurance has arranged for the Fund members to have access to an EPL HELPLINE service and;

WHEREAS, the HELPLINE will provide the following services:

- Attorneys will answer *specific* HR and Employment Law questions
 - Confidential and timely responses
 - Attorney client privilege
 - Via Website/E-mail
 - By Telephone with written follow up response
- On Line Training
 - Managers/Supervisors
 - Slides, Audio, File Downloads
 - Small Chapters
 - Certificates of Completion
- Additional On Line Resources
 - Question of The Month
 - Case of The Month
 - HR Alerts via e-mail and posted on website
 - Federal/State News Updates
 - HR Posters
 - Model Policies/Handbook


WHEREAS, the FUND requires the MUNICIPALITY to designate specific managerial or supervisory individuals who will have access to the HELPLINE;

NOW THEREFORE, be it resolved that the governing body of the Borough of West Wildwood does hereby appoint Administrator Christopher Ridings as its Contact Person.

BE IT FURTHER RESOLVED that the governing body does hereby appoint Clerk Donna L. Frederick and Deputy Clerk Carl O'Hala as their additional Contact Persons.

	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 **March 3, 2017**.



Donna L. Frederick, RMC
Municipal Clerk

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

RESOLUTION 2017-037

**A RESOLUTION AUTHORIZING THE ADVERTISEMENT OF FORMAL BIDS BY THE
BOROUGH ENGINEER FOR THE REPLACEMENT OF THE PEDESTRIAN BEACH
ACCESS RAMP AT THE GLENWOOD AVENUE BULKHEAD**

WHEREAS, the Borough Engineer has submitted a scope of work and budget to perform engineering design, permit preparation, contract administration and construction observation services for the replacement of the pedestrian beach access ramp at the Glenwood Avenue bulkhead; and

WHEREAS, the scope of work and budget for engineering services shall not exceed \$16,000.00.


NOW, THEREFORE BE IT RESOLVED, that the Board of Commissioners of the Borough of West Wildwood, County of Cape May, New Jersey, hereby authorize the Borough Engineer to proceed with the aforementioned legal advertisement; and

BE IT FURTHERED RESOLVED that the Board of Commissioners of the Borough of West Wildwood, County of Cape May, New Jersey, hereby authorize the Borough Engineer to proceed with the project for the replacement of the pedestrian beach access ramp at Glenwood Avenue Bulkhead.

BE IT FURTHERED RESOLVED, that a certified copy of this Resolution be forwarded to the Borough Engineer.

	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 **March 3, 2017**.


Donna L. Frederick, RMC
Municipal Clerk

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

RESOLUTION 2017-038

RESOLUTION DETERMINING THE FORM AND OTHER DETAILS OF NOT TO EXCEED \$1,050,000 PRINCIPAL AMOUNT OF GENERAL IMPROVEMENT REFUNDING BONDS OF THE BOROUGH OF WEST WILDWOOD, IN THE COUNTY OF CAPE MAY, NEW JERSEY, OR SUCH OTHER AMOUNT AS DETERMINED BY THE CHIEF FINANCIAL OFFICER TO ACCOMPLISH THE REFUNDING ON THE TERMS REQUIRED BY THE LOCAL FINANCE BOARD PURSUANT TO N.J.A.C. 5:30-2.5 AND CONSISTENT WITH THE REFUNDING PROVISIONS OF THE INTERNAL REVENUE CODE OF 1986 AND TO PROVIDE FOR THE SALE AND DELIVERY OF SUCH BONDS AND TO DELEGATE THE AUTHORITY TO THE CHIEF FINANCIAL OFFICER OF THE BOROUGH TO SELL THE BONDS TO A PURCHASER TO BE DELEGATED BY THE CHIEF FINANCIAL OFFICER.

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

Section 1. An amount not to exceed \$1,050,000 of General Improvement Refunding Bonds (the "*Bonds*") of the Borough of West Wildwood, in the County of Cape May, New Jersey (the "*Borough*") (the specific par amount to be determined as provided herein) and as more fully described in the refunding bond ordinance finally adopted by the Borough pursuant to the Local Bond Law on March 3, 2017, and entitled, "Refunding Bond Ordinance of the Borough of West Wildwood, in the County of Cape May, New Jersey, Providing for the Refunding of All or a Portion of the Borough's Outstanding 1992 General Improvement Bonds and 1994 General Improvement Bonds, Appropriating \$1,050,000 Therefor and Authorizing the Issuance of Not to Exceed \$1,050,000 Refunding Bonds of the Borough for Financing the Cost Thereof", shall be issued as "General Improvement Refunding Bonds".

Section 2. The Bonds are hereby authorized to be sold to the purchaser selected by the Chief Financial Officer of the Borough (the "*Purchaser*") at a purchase price determined by the parameters set forth below and otherwise consistent with the parameters set by the Local Finance Board in the Department of Community Affairs of the State of New Jersey (the "*Local Finance Board*") pursuant to N.J.A.C. 5:30-2.5 (the "*LFB Refunding Parameters*");

- (a) the aggregate principal amount of the Bonds shall not exceed \$1,050,000;
- (b) the net present value savings is at least three percent;
- (c) the debt service on the Bonds shall be structured such that no annual debt service payment is more than the annual debt service payment on the Refunded Bonds (as defined herein) in the same year;
- (d) the final year of maturity of the Bonds does not exceed the final year of maturity of the Refunded Bonds;
- (e) the debt service savings are substantially level in each year across the life of the refunding;
- (f) the true interest cost of the Bonds does not exceed an interest rate that would enable the Borough to complete the refunding within the LFB Refunding Parameters; and
- (g) the underwriter's discount or purchaser fee, as applicable, does not exceed the amount referenced in Exhibit A attached hereto.

Section 3. The Chief Financial Officer is hereby authorized and directed, without further authorization, to enter into and execute a bond purchase contract or other similar purchase or loan agreement (the "*Purchase Contract*") on behalf of the Borough with the Purchaser, in form satisfactory to Bond Counsel to the Borough and upon terms consistent with the above parameters.

Upon execution of the Purchase Contract, the signature of the Mayor and/or the Chief Financial

Officer shall be conclusively presumed to evidence any necessary approvals for the sale of the Bonds. If the Chief Financial Officer, after consultation with the Purchaser, determines that the above parameters cannot be satisfied in the present market, the Bonds shall not be sold until such time as said parameters may be amended, in whole or in part, or a sale on different terms is otherwise approved by resolution of this Borough Board of Commissioners.

Section 4. (a) The Bonds shall be issued in the par amount consistent with the parameters set forth in Section 2 hereof and determined by the Chief Financial Officer to be necessary to pay the costs of issuance and to provide an escrow fund that, when invested, will be sufficient to provide for the timely payment of the principal of and redemption premium, if any, and interest on the following:

(i) all or a portion of the outstanding General Improvement Bonds, Series 1992, originally issued in the aggregate principal amount of \$562,600 to the United States Department of Agriculture – Rural Development (the “USDA”), on or about September 17, 1992 and maturing on or after February 1, 2017 (the “*Refunded 1992 Bonds*”); and

(ii) all or a portion of the outstanding General Improvement Bonds, Series 1994, originally issued in the aggregate principal amount of \$1,000,000 to the USDA, on or about August 12, 1994 and maturing on or after February 1, 2017 (the “*Refunded 1994 Bonds*” and, together with the Refunded 1992 Bonds, the “*Refunded Bonds*”).

(b) The Bonds shall be dated and shall bear interest at the rates per annum as the Chief Financial Officer shall determine.

(c) The Bonds shall be numbered and have such prefix or prefixes as determined necessary by the Chief Financial Officer and be sold and issued with such serial maturities or with such term bond maturities payable from mandatory sinking fund payments made by the Borough as determined in the Purchase Contract.

(d) The Bonds shall mature in each of the years 2017 to 2032, inclusive, or such other years deemed consistent with the LFB Refunding Parameters and in the principal amounts as may be determined by the Chief Financial Officer and shall bear interest on the dates as may be determined by the Chief Financial Officer.

(e) The Bonds shall have redemption provisions as are set forth in the Purchase Contract.

(f) The Bonds will be issued in fully-registered form. One certificate shall be issued for the aggregate principal amount of the Bonds maturing in each year. Both principal of and interest due on the Bonds will be payable in lawful money of the United States of America. If elected by the Purchaser, each certificate will be registered in the name of Cede & Co., as nominee for The Depository Trust Company, New York, New York, which will act as securities depository (the "*Securities Depository*"). If applicable, the certificates will be on deposit with the Securities Depository, and the Securities Depository will be responsible for maintaining a book-entry system for recording the interests of its participants or the transfers of the interests among its participants. The participants will be responsible for maintaining records recording the beneficial ownership interests in the Bonds on behalf of individual purchasers. Individual purchases may be made in the principal amount of \$1,000 (or any \$1,000 increments thereof).

(g) The principal of and interest due on the Bonds will be paid by the Borough on the respective maturity dates and due dates and will be credited on the respective maturity dates and due dates to the Purchaser or participants of the Securities Depository as listed on the records of the Securities Depository, as applicable, as of the 15th day next preceding each payment date. The Bonds shall be executed by the manual or facsimile signatures of the Mayor and the Chief Financial Officer under the official seal of the Borough (or facsimile thereof) affixed, printed, engraved or reproduced thereon and attested by the manual or facsimile signature of the Clerk.

Section 5. The Bonds shall be substantially in the following form with such additions, deletions and omissions as may be necessary for the Borough to conform the Bonds to the requirements of the Purchase Contract:

**SAMPLE BOND FORM FOR INFORMATION
ONLY – DO NOT COMPLETE**

**REGISTERED
NUMBER – R - ____**

**REGISTERED
\$ _____**

**UNITED STATES OF AMERICA
STATE OF NEW JERSEY
COUNTY OF CAPE MAY**

BOROUGH OF WEST WILDWOOD

GENERAL IMPROVEMENT REFUNDING BOND

PRINCIPAL AMOUNT:

DATED DATE:

MATURITY DATE:

INTEREST PAYMENT DATES:

INITIAL INTEREST PAYMENT DATE:

RATE OF INTEREST PER ANNUM:

[CUSIP NUMBER]:

BOROUGH OF WEST WILDWOOD, in the County of Cape May, New Jersey (the "*Borough*"), hereby acknowledges itself indebted and for value received promises to pay to [Purchaser] [Cede & Co., as nominee for The Depository Trust Company, which will act as Securities Depository], on the MATURITY DATE, the PRINCIPAL AMOUNT, and to pay interest on such sum from the DATED DATE of this bond until the MATURITY DATE at the RATE OF INTEREST PER ANNUM semiannually on the INTEREST PAYMENT DATES in each year until maturity, commencing on the INITIAL INTEREST PAMENT DATE. Interest on this bond will be paid to the [Purchaser] [Securities Depository] by the Borough and will be credited to the [Purchaser] [participants of the Securities Depository as listed on the records of the Securities Depository] as of the 15th day prior to each INTEREST PAYMENT DATE. Principal of this bond,

upon presentation and surrender to the Borough, will be paid to the [Purchaser] [Securities Depository] by the Borough and will be credited to the participants of the [Purchaser] [Securities Depository].

This bond is not transferable as to principal or interest. [The participants are responsible for maintaining the records regarding the beneficial ownership interest in the bonds on behalf of the individual purchasers except to an authorized nominee of the Securities Depository. The Securities Depository shall be responsible for maintaining the book-entry system for recording the interests of its participants or the transfers of the interests among its participants.]

[This bond is not subject to redemption prior to its stated maturity.]

[The bonds of this issue maturing prior to _____ 1, 20__ are not subject to redemption prior to their stated maturities. The bonds of this issue maturing on or after _____ 1, 20__ are redeemable at the option of the Borough in whole or in part on any date on or after _____ 1, 20__ upon notice as required herein at par, plus in each case unpaid accrued interest to the date fixed for redemption.]

Notice of redemption shall be given by mailing by first class mail in a sealed envelope with postage prepaid to the registered owners of the bonds not less than thirty (30) days, nor more than sixty (60) days prior to the date fixed for redemption. Such mailing shall be to the owners of such bonds at their respective addresses as they last appear on the registration books kept for that purpose by the Borough or a duly appointed Bond Registrar. [Any failure of the Securities Depository to advise any of its participants or any failure of any participant to notify any beneficial owner of any notice of redemption shall not affect the validity of the redemption proceedings]. If the Borough determines to redeem a portion of the bonds prior to maturity, the bonds to be redeemed shall be selected by the Borough. [The bonds to be redeemed having the same maturity shall be selected by the Securities Depository in accordance with its regulations].

If notice of redemption has been given as provided herein, the bonds or the portion thereof called for redemption shall be due and payable on the date fixed for redemption at the redemption price, together with unpaid accrued interest to the date fixed for redemption. Interest shall cease to accrue on the bonds after the date fixed for redemption. Payment shall be made upon surrender of the bonds redeemed.]

This bond is one of an authorized issue of bonds and is issued pursuant to the Local Bond Law of the State of New Jersey, a refunding bond ordinance of the Borough finally adopted by the Borough Board of Commissioners on March 3, 2017, and entitled, "Refunding Bond Ordinance of the Borough of West Wildwood, in the County of Cape May, New Jersey, Providing for the Refunding of All or a Portion of the Borough's Outstanding 1992 General Improvement Bonds and 1994 General Improvement Bonds, Appropriating \$1,050,000 Therefor and Authorizing the Issuance of Not to Exceed \$1,050,000 Refunding Bonds of the Borough for Financing the Cost Thereof", and a resolution of the Borough Board of Commissioners duly adopted on March 3, 2017.

The full faith and credit of the Borough are hereby irrevocably pledged for the punctual payment of the principal of and interest on this bond according to its terms.

It is hereby certified and recited that all conditions, acts and things required by the Constitution or statutes of the State of New Jersey to exist, to have happened or to have been performed precedent to or in the issuance of this bond exist, have happened and have been performed, and that the issue of bonds of which this is one, together with all other indebtedness of the Borough, is within every debt and other limit prescribed by such Constitution or statutes.

IN WITNESS WHEREOF, the Borough has caused this bond to be executed in its name by the manual or facsimile signatures of its Mayor and its Chief Financial Officer, its corporate seal to be hereunto imprinted or affixed, this bond and the seal to be attested by the manual or facsimile signature of its Clerk and this bond to be dated the DATED DATE as specified above.

BOROUGH OF WEST WILDWOOD

[SEAL]

By: _____
Mayor

ATTEST:

By: _____
Clerk

By: _____
Chief Financial Officer

[END OF SAMPLE BOND FORM]

Section 6. The law firm of McManimon, Scotland & Baumann, LLC is authorized to arrange for the printing of the Bonds. The proper officials of the Borough are hereby authorized and directed to execute the Bonds and to deliver them to the Purchaser upon receipt of payment therefor.

Section 7. The Bonds shall have printed thereon a copy of the written opinion with respect to the Bonds that is to be rendered by the law firm of McManimon, Scotland & Baumann, LLC, complete except for omission of its date. The Clerk is hereby authorized and directed to certify the truth and correctness of the copy of such opinion by executing on each of the Bonds by facsimile signature a certificate in form satisfactory to that law firm and to file a signed duplicate of such

written opinion in the Clerk's office. Alternatively, each Bond may be accompanied by an executed legal opinion or copy thereof.

Section 8. The Bonds are being issued to refund the Refunded Bonds. The Chief Financial Officer shall take all steps necessary to call the Refunded Bonds on the first available call date at the applicable redemption price, deposit the proceeds of the Bonds with a bank for the purpose of defeasing the Refunded Bonds, invest the proceeds of the Bonds for this purpose and assist with the redemption of the Refunded Bonds. The Chief Financial Officer is hereby authorized to enter into an escrow deposit agreement with a bank to effectuate the purpose of this Section 8.

Section 9. The Borough hereby approves the preparation and distribution of a Preliminary Official Statement on behalf of the Borough in the form approved or to be approved by the Chief Financial Officer. Such Official Statement may be distributed in preliminary form and deemed final for purposes of Rule 15c2-12 of the Securities and Exchange Commission on behalf of the Borough by the Mayor or the Chief Financial Officer. The Preliminary Official Statement, if prepared, shall be prepared in final form in connection with the issuance of the Bonds and the Mayor and/or the Chief Financial Officer of the Borough are authorized to execute any certificates necessary in connection with the distribution of the Official Statement. Final Official Statements shall be delivered to the Purchaser of the Bonds within the earlier of seven business days following the sale of the Bonds or to accompany the Purchaser's confirmations that request payment for the Bonds.

Section 10. If applicable, the Chief Financial Officer is hereby authorized to make representations and warranties, to enter into agreements and to make all arrangements with the Securities Depository, as may be necessary in order to provide that the Bonds will be eligible for deposit with the Securities Depository and to satisfy any obligation undertaken in connection therewith.

Section 11. In the event that the Securities Depository may determine to discontinue providing its service with respect to any Bonds or is removed by the Borough and if no successor Securities Depository is appointed, any Bonds that were previously issued in book-entry form shall be converted to Registered Bonds (the "*Registered Bonds*") in denominations of \$1,000 (or any \$1,000 increments thereof). The beneficial owner under the book-entry system, upon registration of the Bonds held in such beneficial owner's name, will become the registered owner of such Registered Bonds. The Borough shall be obligated to provide for the execution and delivery of the Registered Bonds in certificate form.

Section 12. The Borough hereby covenants that it will comply with any conditions subsequently imposed by the Internal Revenue Code of 1986, as amended, in order to preserve the exemption from taxation of interest on the Bonds, including the requirement to rebate all net investment earnings on the gross proceeds above the yield on the Bonds, if necessary.

Section 13. Solely for purposes of complying with Rule 15c2-12 of the Securities and Exchange Commission, as amended and interpreted from time to time (the "*Rule*"), and provided that the Bonds are not exempt from the Rule and provided that the Bonds are not exempt from the following requirements in accordance with paragraph (d) of the Rule, for so long as the Bonds remain outstanding (unless the Bonds have been wholly defeased), the Borough shall provide for the benefit of the holders of the Bonds and the beneficial owners thereof:

(a) On or prior to 270 days from the end of each fiscal year, beginning with the fiscal year ending December 31 in which the Bonds are issued, to the Municipal Securities Rulemaking Board through the Electronic Municipal Market Access Dataport (the "*MSRB*") annual financial information with respect to the Borough, consisting of the audited financial statements (or unaudited financial statements if audited financial statements are not then available, which audited financial

statements will be delivered when and if available) of the Borough and certain financial information and operating data consisting of (i) Borough and overlapping indebtedness, including a schedule of outstanding debt issued by the Borough, (ii) property valuation information and (iii) tax rate, levy and collection data. The audited financial statements will be prepared in accordance with modified cash accounting as mandated by State of New Jersey statutory principles in effect from time to time or with generally accepted accounting principles as modified by governmental accounting standards as may be required by New Jersey law and shall be filed electronically and accompanied by identifying information with the MSRB.

(b) In a timely manner not in excess of ten business days after the occurrence of the event, to the MSRB notice of any of the following events with respect to the Bonds:

- (1) Principal and interest payment delinquencies;
- (2) Non-payment related defaults, if material;
- (3) Unscheduled draws on debt service reserves reflecting financial difficulties;
- (4) Unscheduled draws on credit enhancements reflecting financial difficulties;
- (5) Substitution of credit or liquidity providers or their failure to perform;
- (6) Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Bonds, or other material events affecting the tax status of the Bonds;
- (7) Modifications to the rights of holders of the Bonds, if material;
- (8) Bond calls, if material, and tender offers;
- (9) Defeasances;
- (10) Release, substitution or sale of property securing repayment of the Bonds, if material;
- (11) Rating changes;
- (12) Bankruptcy, insolvency, receivership or similar event of the Borough;
- (13) The consummation of a merger, consolidation or acquisition involving the Borough or the sale of all or substantially all of the assets of the Borough, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material; and
- (14) Appointment of a successor or additional trustee or the change of name of a trustee, if material.

For the purposes of the event identified in subparagraph (12) above, the event is considered to occur when any of the following occur: the appointment of a receiver, fiscal agent or similar officer for the Borough in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or business of the Borough, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the Borough.

(c) In a timely manner to the MSRB, notice of failure of the Borough to provide required annual financial information on or before the date specified in this resolution.

(d) If all or any part of the Rule ceases to be in effect for any reason, then the information required to be provided under this resolution, insofar as the provisions of the Rule no longer in effect required the provision of such information, shall no longer be required to be provided.

(e) The Chief Financial Officer shall determine, in consultation with Bond Counsel, the application of the Rule or the exemption from the Rule for each issue of obligations of the Borough prior to their offering. Such officer is hereby authorized to enter into additional written contracts or undertakings to implement the Rule and is further authorized to amend such contracts or undertakings or the undertakings set forth in this resolution; *provided*, such amendment is, in the opinion of nationally recognized bond counsel, in compliance with the Rule.

(f) In the event that the Borough fails to comply with the Rule requirements or the written contracts or undertakings specified in this resolution, the Borough shall not be liable for

monetary damages. The sole remedy is hereby specifically limited to specific performance of the Rule requirements or the written contracts or undertakings therefor.

(g) The undertaking may be amended by the Borough from time to time, without the consent of the holders or beneficial owners of the Bonds, in order to make modifications required in connection with a change in legal requirements or change in law, which in the opinion of nationally recognized bond counsel complies with the Rule.

Section 14. There can be no assurance that there will be a secondary market for the sale or purchase of the Bonds. Such factors as prevailing market conditions, financial condition or market position of firms who may make the secondary market and the financial condition of the Borough may affect the future liquidity of the Bonds.

Section 15. The Mayor, the Chief Financial Officer, the Clerk and other appropriate representatives of the Borough are hereby authorized to take all steps necessary to provide for the issuance of the Bonds and the refunding of the Refunded Bonds, including preparing and executing such agreements and documents on behalf of the Borough, satisfying in full the requirements of notice of redemption of the Refunded Bonds and taking all steps necessary or desirable to implement this resolution and such agreements and documents as may be necessary and appropriate for the transactions contemplated hereby and thereby.

Section 16. The Chief Financial Officer is hereby authorized and directed to submit to the Local Finance Board, within ten days of the issuance of the Bonds, the items set forth in section (b) of N.J.A.C. 5:30-2.5.

Section 17. The Mayor and/or the Chief Financial Officer are each hereby authorized and directed to pay all costs of issuance in connection with the sale of the Bonds pursuant to a certificate of the Mayor and/or the Chief Financial Officer to be executed upon delivery of the Bonds, each such

cost in an amount not to exceed the amount set forth in Exhibit A attached hereto or, if in any greater amount, only upon the prior approval of the Borough in accordance with its customary procedure for approval and payment of bills.

Section 18. This resolution shall take effect immediately.

The foregoing resolution was adopted by the following vote:

	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 **March 3, 2017**.



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

EXHIBIT A

AUTHORIZED COSTS OF ISSUANCE

McManimon, Scotland & Baumann, LLC, as Bond Counsel	\$13,500.00
Underwriter's Discount/Purchase Fee	\$5.00/bond
Bowman & Company, as Auditor	\$7,500.00
Bowman & Company, as Verification Agent	\$3,500.00
Bowman & Company, as Printer	\$3,500.00
Phoenix Advisors, LLC, as Financial Advisor	\$6,500.00
Standard & Poor's Rating Services, as Rating Agency	\$15,000.00
Escrow Agent (To Be Determined)	\$5,000.00
Bond Insurance	*
Miscellaneous	\$5,000.00

*To the extent the Purchaser determines that the purchase of a bond insurance policy results in a lower interest rate on the Bonds and produces a savings that is greater than the cost of such bond insurance policy, the Purchaser is authorized to purchase such bond insurance policy to raise the credit rating on the Bonds, lower the interest rate on the Bonds and increase the total net debt service savings produced by the refunding.

CERTIFICATE

I, Donna L. Frederick, Clerk of the Borough of West Wildwood, in the County of Cape May, New Jersey (the "*Borough*"), HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the governing body of the Borough duly called and held on March 3, 2017, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of the governing body and is a true, complete and correct copy thereof and of the whole of the original minutes so far as they relate to the subject matters referred to in the extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Borough this 3rd day of March, 2017.



Donna L. Frederick, Clerk

[SEAL]

EXTRACT from the minutes of a regular meeting of the Borough Board of Commissioners of the Borough of West Wildwood, in the County of Cape May, New Jersey, held in the Municipal Building on March 3, 2017.

PRESENT: Mayor Fox; Commissioner Golden; Commissioner Maxwell

ABSENT: None

Comm. Maxwell introduced and moved the adoption of the following resolution and Comm. Golden seconded the motion: Roll Call Vote: Comm. Golden, yes; Comm. Maxwell, yes; Mayor Fox, yes. Resolution Adopted.

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

RESOLUTION 2017-039

TAX IDENTIFICATION STATEMENT-RECYCLING (2016)

WHEREAS, the Recycling Enhancement Act, P.L. 2007, Chapter 311, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling program; and

WHEREAS, there is levied upon the owner or operator of every Solid Waste Facility (with certain exceptions) a recycling tax of \$3.00 per ton on all solid waste accepted for disposal or transfer at the Solid Waste Facility; and

WHEREAS, whenever a municipality operates a municipal service system for solid waste collection, or provides for regular solid waste collection service under a contract awarded pursuant to the "Local Public Contracts Law", the amount of grant monies received by the municipality shall not be less than the annual amount of recycling tax paid by the municipality except that all grant monies received by the municipality shall be expended only for its recycling operation.

NOW THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of West Wildwood, Cape May County, New Jersey that it hereby certifies a submission of expenditure for taxes paid pursuant to P.L. 2007, Chapter 311 for 2016 in the amount of \$ 2,907.36; and

BE IT FURTHER RESOLVED that the supporting information is on file and available for inspection in the Office of the Municipal Clerk at Borough Hall, 701 W. Glenwood Avenue, and shall remain on file for not less than five (5) years.

	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 7, 2017**.


Donna L. Frederick, RMC
Municipal Clerk

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

RESOLUTION 2017-040

AUTHORIZING THE FILING OF THE 2016 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 2016 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						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 7, 2017**.


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