# REGULAR MEETING MINUTES

JUNE 4, 2021

# BOROUGH OF WEST WILDWOOD BOARD OF COMMISSIONERS

### **REGULAR MEETING**

June 4, 2021

7:00pm - ACTION MEETING

HELD VIA ONLINE ACCESS THROUGH ZOOM, US

### **MINUTES:**

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

### **ROLL CALL: Present**

Comm. Banning
Comm. Segrest
Mayor Ksiazek
Solicitor Lyons
Deputy Clerk Carl O'Hala

Municipal Clerk Donna L. Frederick

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

Clerk announced the following late additions to the agenda and will announce them as an additional item when read in numerical order

### Resolutions # 2021-083 - 084 - 085 - 086

### Clerk announced the following

DEP has noticed the Borough for the issuance of a permit for a Commercial/Industrial/Public Water Quality Certificate to legalize existing bulkhead, associated fill, dock configuration and mooring areas at 221 P Avenue

DEP has notified the Borough for the issuance of a CAFRA permit – for residential development of four single family homes and associated driveways, second floor decks, concrete/pool areas in the rear of proposed dwellings and a public access walkway along the perimeter of the site. 600 - 602 - 604 - 606 W. 26<sup>th</sup> St.

### APPROVAL OF MINUTES:

Regular Meeting – May 7, 2021

Workshop Meeting – May 19, 2021

Closed (Executive) Session - May 19, 2021 - minutes shall remain confidential until matters have concluded

Clerk asked for a motion to adopt the minutes as presented

Motion by Comm. Banning; Second by Comm. Segrest

Roll Call Vote: Comm. Banning, yes; Comm. Segrest, yes; Mayor Ksiazek, yes.

Motion Adopted.

### **ORDINANCES:**

### Clerk read the following Ordinances by title:

592 (2021) — Second Reading/Public Hearing — BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE BOROUGH OF WEST WILDWOOD, IN THE COUNTY OF CAPE MAY, NEW JERSEY, APPROPRIATING \$1,861,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,822,850 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

Mayor opened the meeting for public comment on Ordinance 592(2021).

Joe Kline, 750 W. Poplar Avenue, asked what the projects were associated with this bond. Commissioner Segrest read out each capital project items in the bond.

Hearing no more public comment, Mayor closed the public hearing. Clerk asked for a motion to adopt Ordinance 592(2021) on the second reading/public hearing.

Motion by Commissioner Banning; Second by Commissioner Segrest.

Roll Call Vote: Comm. Banning, yes; Comm. Segrest, yes; Mayor Ksiazek, yes.

Ordinance 592(2021) was adopted on the first reading by not less than 2/3rds vote of the full membership of the governing body.

593(2021) – Second Reading/Public Hearing – REFUNDING BOND ORDINANCE PROVIDING
FOR THE FUNDING OF THE REMAINING PORTION OF A LITIGATION JUDGMENT IN AND
BY THE BOROUGH OF WEST WILDWOOD, IN THE COUNTY OF CAPE MAY, NEW JERSEY,
APPROPRIATING \$800,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$800,000
REFUNDING BONDS OR NOTES OF THE BOROUGH FOR FINANCING THE COST THEREOF

Mayor opened the meeting for public comment on Ordinance 593(2021).

Joe Kline, 750 W. Poplar Avenue, asked if the bond was approved by the state. Solicitor Lyons stated it was not, the next meeting agenda of the Local Finance Board is July 14, the borough can't proceed until the Local Finance Board hears the case and approves it. Mr. Kline asked if there will be any recourse with the state. Solicitor clarified this is the only path of relief for the borough, there are no other payers, just the borough.

Susan Czwalina, 547 W. Maple Avenue, asked the difference between a refunding bond ordinance and a capital bond. Solicitor explained the refunding ordinance is money that is an obligation of the borough, and this bond can lengthen the payment terms. Capital bond is money for new projects.

Hearing no other comments, Mayor closed the public hearing.

Clerk asked for a motion to adopt Ordinance 593(2021) on the second reading/public hearing.

Motion by Commissioner Banning; Second by Commissioner Segrest.

Roll Call Vote: Comm. Banning, yes; Comm. Segrest, yes; Mayor Ksiazek, yes.

Ordinance 593(2021) was finally adopted on the second reading/public hearing by not less than 2/3rds vote of the full membership of the governing body.

# <u>594(2021) – First Reading/Introduction – ORDINANCE TO PROHIBIT SMOKING IN PUBLIC PLACES</u>

Clerk asked for a motion to adopt ordinance 594(2021) on the first reading/introduction.

Motion by Mayor Ksiazek; Second by Comm. Segrest

Roll Call Vote: Comm. Banning, yes; Comm. Segrest, yes; Mayor Ksiazek, yes.

Clerk announced the public hearing on Ordinance 594(2021) will be at the regular meeting on July 2, 2021, at 7:00pm prevailing time.

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

### <u>2021-078 – APPOINTING AN ADDITIONAL RECORDS CUSTODIAN FOR THE WEST</u> <u>WILDWOOD POLICE DEPARTMENT</u>

Clerk asked for a motion to adopt resolution

Motion by Comm. Banning; Second by Comm. Segrest

Roll Call Vote: Comm. Banning, yes; Comm. Segrest, yes; Mayor Ksiazek, yes.

Resolution Adopted.

### <u>2021-079 – AUTHORIZING THE REFUND OF OVERPAYMENT OF PROPERTY TAX</u> <u>AND UTILITY PAYMENTS</u>

Clerk asked for a motion to adopt resolution

Motion by Comm. Banning; Second by Mayor Ksiazek

Roll Call Vote: Comm. Banning, yes; Comm. Segrest, yes; Mayor Ksiazek, yes.

Resolution Adopted.

### <u>2021-080 – AUTHORIZING THE OPENING OF AN AFFORDABLE HOUSING TRUST</u> <u>FUND BANK ACCOUNT</u>

Clerk asked for a motion to adopt resolution

Motion by Comm. Banning; Second by Comm. Segrest

Roll Call Vote: Comm. Banning, yes; Comm. Segrest, yes; Mayor Ksiazek, yes.

Resolution Adopted.

### <u>2021-081 – ESTABLISHING AN ACCOUNT FOR DONATIONS TO BEAUTIFICATION</u> <u>FUND</u>

Clerk asked for a motion to adopt resolution

Motion by Mayor Ksiazek; Second by Comm. Segrest

Roll Call Vote: Comm. Banning, yes; Comm. Segrest, yes; Mayor Ksiazek, yes.

Resolution Adopted.

# <u>2021-082 – APPROVING THE RENEWAL OF A LIQUOR LICENSE FOR WEST WILDWOOD LIQUOR STORE, INC.</u>

Clerk asked for a motion to adopt resolution

Motion by Comm. Banning; Second by Comm. Segrest

Roll Call Vote: Comm. Banning, yes; Comm. Segrest, yes; Mayor Ksiazek, yes.

Resolution Adopted.

Clerk announced the following resolutions are additions to the agenda.

### 2021-083 – ASSESSMENT OF GRASS CUTTING COSTS

Clerk asked for a motion to adopt resolution Motion by Comm. Banning; Second by Comm. Segrest Roll Call Vote: Comm. Banning, yes; Comm. Segrest, yes; Mayor Ksiazek, yes. Resolution Adopted.

### <u>2021-084 – APPOINTING MATTHEW F. REILLY AS A FULL TIME POLICE OFFICER ON THE</u> WWPD

Clerk asked for a motion to adopt resolution Motion by Comm. Banning; Second by Comm. Segrest Roll Call Vote: Comm. Banning, yes; Comm. Segrest, yes; Mayor Ksiazek, yes. Resolution Adopted.

# <u>2021-085 – APPOINTING HAYDEN M. DENHAM AS A FULL TIME POLICE OFFICER ON THE WWPD</u>

Clerk asked for a motion to adopt resolution Motion by Comm. Banning; Second by Comm. Segrest Roll Call Vote: Comm. Banning, yes; Comm. Segrest, yes; Mayor Ksiazek, yes. Resolution Adopted.

### <u>2021-086 – APPROVING THE RENEWAL OF A LIQUOR LICENSE FOR WEST SIDE</u> <u>SALOON, LLC.</u>

Clerk asked for a motion to adopt resolution Motion by Comm. Banning; Second by Mayor Ksiazek Roll Call Vote: Comm. Banning, yes; Comm. Segrest, yes; Mayor Ksiazek, yes. Resolution Adopted.

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

Motion by Mayor Ksiazek; Second by Comm. Segrest. Roll Call Vote: Comm. Banning, yes; Comm. Segrest, yes; Mayor Ksiazek, yes. Motion Carried

### **REPORTS FROM COMMISSIONERS:**

Mayor Ksiazek stated the DPW report is not available at this time and will double up next month.

Comm. Segrest gave a report on finances (copy attached)

Comm. Banning presented highlighted items on the police activity report for the month of May 2021 (full copy attached).

Prior to opening the meeting for public comment, the mayor announce that he is aware of the condition of the beach, and it will be addressed this coming week, he asked for patience.

Mayor opened the meeting for public comment.

MEGAN McDEVITT, 505 W. Poplar Avenue, questioned the CAFRA permit for the 26<sup>th</sup> Street properties regarding docks and bulkhead installation. Mayor stated he is unaware of any updates to that permit regarding docks and bulkheads but will check on it.

SUSAN CZWALINA, 547 W. Maple Avenue, asked who was appointed in the resolution as records custodian for the PD and who are the custodians. Clerk stated Chief Ferentz is the new appointee and that Sgt. Dodd and Officer Gibson are also records custodians. Ms. Czwalina asked about the two new hires in the PD. Comm. Banning stated they are replacing two officers who left, and they will be introduced at next month's meeting. Ms. Czwalina asked the officers' names. Comm. Banning stated Matthew Reilly and Hayden Denham.

JOE KLINE, 750 W. Poplar Avenue, asked if there are any updates on the former mayor's ethics charges. Mr. Kline asked about the living shoreline. Mayor stated he is in communications with the conservancy, working on locating funding sources. Mayor explained the previous engineering work did not get us to the permitting process, and more money would be needed to get to that end goal.

MARYANN WELSH, 741 W. Poplar Avenue, commented on the ordinance passed last month prohibiting cannabis and asked the policy for Wildwood.

SUSAN CZWALINA, 547 W. Maple Avenue, questioned the balance due to the engineer for the living shoreline. Mayor stated the original contract was around \$100,000 of which about \$80,000 was paid leaving around 20% balance to get signed engineered plans.

JOE KLINE, 750 W. Poplar Avenue, asked if the right of way issues on 26<sup>th</sup> Street have been resolved. Mayor stated he had a conversation with the new property owners and believes there will not be an issue, although nothing is in writing. Mr. Kline asked if there will be a July 4 parade. Mayor stated yes, all out of doors. Mr. Kline asked if meeting would continue to be virtual. Mayor stated they are going live starting with the workshop meeting.

HELEN RAO, 741 W. Poplar Avenue, asked if live meeting could also be virtual too for those who can't attend in person. Mayor stated no. Solicitor stated virtual were permitted due to the State of Emergency, and there are no provisions to provide hybrid meeting. Ms. Rao asked the solicitor if there is any new litigation or claims. Solicitor Lyons stated there are no additional lawsuits, there are tax appeals that have been filed. Ms. Rao asked if there is still a conflict attorney. Comm. Banning stated there are no conflicts at this time.

Hearing no more public comment, Mayor called for a motion to adjourn.

### **Motion to Adjourn:**

Motion by Comm. Banning; Second by Comm. Segrest.

Roll Call Vote: Comm. Banning, yes; Comm. Segrest, yes; Mayor Ksiazek, yes.

Motion Carried

Respectfully submitted

Donna L. Frederick, RMC Municipal Clerk

This is a generalization of the Regular meeting on June 4, 2021, and not a verbatim transcript. THESE MINUTES WERE APPROVED AT THE JULY 2, 2021, REGULAR COMMISSION MEETING

MAYOR MATTHEW J. KSIAZEK

COMMISSIONER JOHN J. BANNING

COMMISSIONER JOSEPH D. SEGREST

### **ORDINANCE 592 (2021)**

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE BOROUGH OF WEST WILDWOOD, IN THE COUNTY OF CAPE MAY, NEW JERSEY, APPROPRIATING \$1,861,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,822,850 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.

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

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Borough of West Wildwood, in the County of Cape May, New Jersey (the "Borough") as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$1,861,000, including a grant expected to be received from the State of New Jersey Department of Transportation in the amount of \$185,000 for the purpose in Section 3(a), a grant expected to be received from the State of New Jersey Department of Transportation in the amount of \$160,000 for the purpose in Section 3(b) and \$227,280 of a \$400,000 grant expected to be received from the State of New Jersey Department of

Community Affairs for the purpose in Section 3(c) (collectively, the "State Grants") and further including the aggregate sum of \$38,150 as the several down payments for the improvements or purposes required by the Local Bond Law. Pursuant to N.J.S.A. 40A:2-11(c), no down payment is provided for the costs of the projects in Section 3(a), 3(b) and 3(c) herein since the projects are being partially funded by the State Grants. The amount of the down payment is at least 5% of the costs of the improvements or purposes in the aggregate amount of \$763,000 that are not being funded by the State Grants. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments and in anticipation of receipt of the State Grants, negotiable bonds are hereby authorized to be issued in the principal amount of \$1,822,850 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

<u>Purpose</u>	Appropriation & Estimated Cost	Estimated Maximum Amount of Bonds & Notes	Period of <u>Usefulness</u>
a) The reconstruction of Avenue A, including all work and materials necessary therefor and incidental thereto.	\$380,000 (includes the \$185,000 grant expected to be received from the State of New Jersey Department of Transportation)	\$380,000	10 years
b) The reconstruction of Pine Avenue, including all work and materials necessary therefor and incidental thereto.	\$443,000 (includes the \$160,000 grant expected to be received from the State of New Jersey Department of Transportation)	\$443,000	10 years
c) The installation of police ADA ramps, including all work and materials necessary therefor and incidental thereto.	\$275,000 (includes \$227,280 of a \$400,000 grant expected to be received from the State of New Jersey Department of Community Affairs)	\$275,000	10 years

d) The installation of new bulkheads at Taggard Park, Lake Avenue (street end) and Neptune Avenue (street end), including all work and materials necessary therefor and incidental thereto.	\$495,000	\$470,250	15 years
e) Lining and resealing of various manholes, including all work and materials necessary therefor and incidental thereto.	\$88,000	\$83,600	15 years
f) The replacement of the tide flex valve, including all work and materials necessary therefor and incidental thereto.	\$55,000	\$52,250	15 years
g) The acquisition of a utility vehicle and a police vehicle, including all related costs and expenditures incidental thereto.	\$ <u>125,000</u>	\$ <u>118,750</u>	5 years
Total:	\$ <u>1,861,000</u>	\$ <u>1,822,850</u>	

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the down payment for each purpose.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such

form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

- (a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements or purposes that the Borough may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.
- (b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 11.33 years.
- (c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$1,822,850, and the obligations authorized herein will be within all debt limitations prescribed by that Law.
- (d) An aggregate amount not exceeding \$191,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements.
- Section 7. The Borough hereby declares the intent of the Borough to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes or improvements described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of the Treasury Regulations.

Section 8. Any grant moneys received for the purposes or improvements described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable real property

within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

**COMMISSIONERS:** 

MAYOR MATTHEW J. KSIAZEK

COMMISSIONER JOHN J. BANNING

COMMISSIONER JOSEPH D. SEGREST

First Reading/Introduction:

2021 05-07

Publication:

2021 05-13

	Motion	Second	Yes	No	Abstain	Absent
Mayor Matthew J. Ksiazek		X	Χ			
Commissioner John J. Banning	X		Χ			
Commissioner Joseph D. Segrest			Χ			

I, **Donna L. Frederick, RMC, Municipal Clerk** of the Borough of West Wildwood, Cape May County, do hereby certify the forgoing to be a true and correct copy of an ordinance introduced and passed on the first reading at the May 7, 2021 Regular Meeting held via online access through Zoom.us, and will be considered for final passage after a public hearing to be held on June 4, 2021 at 7:00pm prevailing time, via online access through Zoom.us

**COMMISSIONERS:** 

MAYOR MATTHEW J. KSIAZEK

COMMISSIONER JOHN J. BANNING

COMMISSIONER JOSEPH D. SEGREST

First Reading/Introduction:

2021 06-04

Publication:

2021 06-10

	Motion	Second	Yes	No	Abstain	Absent
Mayor Matthew J. Ksiazek			X			
Commissioner John J. Banning	X		X			
Commissioner Joseph D. Segrest		X	Χ	<del></del>		410000000000000000000000000000000000000

I, **Donna L. Frederick, RMC, Municipal Clerk** of the Borough of West Wildwood, Cape May County, do hereby certify the forgoing to be a true and correct copy of an ordinance introduced and passed on the first reading at the May 7, 2021 Regular Meeting held via online access through Zoom.us, and finally adopted after a public hearing held on June 4, 2021 at 7:00pm prevailing time, via online access through Zoom.us

### **ORDINANCE 593 (2021)**

REFUNDING BOND ORDINANCE PROVIDING FOR THE FUNDING OF THE REMAINING PORTION OF A LITIGATION JUDGMENT IN AND BY THE BOROUGH OF WEST WILDWOOD, IN THE COUNTY OF CAPE MAY, NEW JERSEY, APPROPRIATING \$800,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$800,000 REFUNDING BONDS OR NOTES OF THE BOROUGH FOR FINANCING THE COST THEREOF.

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

Section 1. The purpose authorized herein by the Borough of West Wildwood, in the County of Cape May, New Jersey (the "Borough") is to fund an emergency appropriation in the amount of \$800,000 authorized by a resolution adopted on May 7, 2021 not otherwise provided for in the Borough's budget to provide for the funding of the remaining portion of a judgement in the matter <u>Jacquelyn Ferentz v. Mayor Herbert Frederick and the Borough of West Wildwood</u>, Superior Court of New Jersey Law Division, Docket No: CPM-L-797-08, and the costs and expenses associated therewith.

Section 2. An aggregate amount not exceeding \$30,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-51(b) has been included in the aggregate principal amount of refunding bonds authorized herein.

Section 3. In order to finance the cost of the project described in Section 1 hereof, negotiable refunding bonds are hereby authorized to be issued in the principal amount of \$800,000 pursuant to the Local Bond Law.

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

All refunding bond anticipation notes issued hereunder may be renewed from time to time, but all such refunding bond anticipation notes including renewals shall mature and be paid no later than the anniversary of the date of the original refunding bond anticipation notes, as determined by the Local Finance Board; provided, however, that no refunding bond anticipation notes shall be renewed beyond the first or any succeeding anniversary date of the original refunding bond anticipation notes unless an amount of such refunding bond anticipation notes, at least equal to the first legally payable installment of the refunding bonds in anticipation of which the refunding bond anticipation notes are issued, determined in accordance with the maturity schedule for the refunding bonds approved by the Local Finance Board, is paid and retired on or before such anniversary date; and provided, further, that the period during which the refunding bond

anticipation notes and any renewals thereof and any permanent refunding bonds are outstanding, shall not exceed the period set for the maturity of the refunding bonds by the Local Finance Board.

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

Section 5. The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 6. The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the refunding bonds and refunding bond anticipation notes provided in this bond ordinance by \$800,000, but that the net debt of the Borough determined as provided in the Local Bond Law is not increased by this bond ordinance. The obligations authorized herein will be within all debt limitations prescribed by that Law.

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

Section 8. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be general obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 9. A certified copy of this refunding bond ordinance as adopted on first reading has been filed with the Director of the Division of Local Government Services in the Department

of Community Affairs of the State of New Jersey prior to final adoption, together with a complete statement in the form prescribed by the Director and signed by the chief financial officer of the Borough as to the indebtedness to be financed by the issuance of the refunding bonds authorized herein.

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

**COMMISSIONERS**;

MAYOR MATTHEW J. KSIAZEK

COMMISSIONER JOHN J, BANNING

COMMISSIONER JOSEPH D. SEGREST

First Reading/Introduction:

2021 05-07

Publication:

2021 05-13

	Motion	Second	Yes	No	Abstain	Absent
Mayor Matthew J. Ksiazek			X			
Commissioner John J. Banning	X		X			
Commissioner Joseph D. Segrest		X	X			

I, **Donna L. Frederick, RMC, Municipal Clerk** of the Borough of West Wildwood, Cape May County, do hereby certify the forgoing to be a true and correct copy of an ordinance introduced and passed on the first reading at the May 7, 2021 Regular Meeting held via online access through Zoom.us, and will be considered for final passage after a public hearing to be held on June 4, 2021 at 7:00pm prevailing time, via online access through Zoom.us

Donna L. Frederick, RMC Municipal Clerk

**COMMISSIONERS:** 

MAYOR MATTHEW J. KSIAZEK

COMMISSIONER JOHN J. BANNING

COMMISSIONER JOSEPH D. SEGREST

First Reading/Introduction:

2021 06-04

Publication:

2021 06-10

	Motion	Second	Yes	No	Abstain	Absent
Mayor Matthew J. Ksiazek			X			
Commissioner John J. Banning	X		X			
Commissioner Joseph D. Segrest		X	X			

I, **Donna L. Frederick, RMC, Municipal Clerk** of the Borough of West Wildwood, Cape May County, do hereby certify the forgoing to be a true and correct copy of an ordinance introduced and passed on the first reading at the May 7, 2021 Regular Meeting held via online access through Zoom.us, and finally adopted after a public hearing held on June 4, 2021 at 7:00pm prevailing time, via online access through Zoom.us

### **ORDINANCE 594(2021)**

### ORDINANCE TO PROHIBIT SMOKING IN PUBLIC PLACES

WHEREAS, the dangers of smoking and the effects of second hand smoke are well documented health hazards; and

WHEREAS, the Borough of West Wildwood, through adoption of this Ordinance to prohibit smoking activities in public places with the Borough of West Wildwood; and

WHEREAS, the Borough Commissioners of Borough of West Wildwood wish to create this Ordinance – "Smoking Ban," prohibiting smoking in public places.

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

### Section 1.

Chapter

Smoking

### § 1. Definitions

As used in this chapter, the following terms shall have the meanings indicated:

### PUBLIC BUILDINGS

Any Borough-owned or leasing building, including but not limited to all municipal buildings, beaches, parks and playgrounds, etc., in which the public is invited, or the public is permitted.

### **SMOKING**

The burning or use of a lighted cigar, cigarette, pipe, e-cigarette, vape or any other matter or substance, including cannabis, which emits a vapor or smoke.

### § 2. Smoking prohibited in public places; signs to be posted.

- A. Smoking in public buildings and on Borough properties as herein defined within the Borough of West Wildwood is prohibited.
- B. "No Smoking" signs or the international no smoking symbol (consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a diagonal red line through its cross-section) shall be posted at each public building entrance and within said building, as well as at conspicuous locations on recreation properties, in a number and in

a manner determined by the administrator in charge of each such building or recreation property to be sufficient to inform the public that there is no smoking allowed within the building or on any such recreation property. The signs may contain a warning that smoking within the building or on any such recreation property is subject to a fine. The failure to post any such sign shall not be a defense to a violation of this chapter.

### § 3. Enforcement

The enforcement authority of this chapter shall be the Police Department of the Borough of West Wildwood.

### § 4. Violations and penalties.

- A. Any person who violated any provision of this chapter shall be subject to the following:
  - 1) A fine in the maximum amount of \$125 for the first violation.
  - 2) A fine in the maximum amount of \$200 for the second violation.
  - 3) A fine in the maximum amount of \$300 for each additional violation.

### Section 2.

If any section, paragraph, subsection, clause, or provision of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudged, and the remainder of this ordinance shall be deemed valid and effective.

### Section 3.

This ordinance shall take effect upon its passage and publication and filing with the Borough of West Wildwood Planning Board, and as otherwise provided for by law.

MAYOR MATT	HEW J. KSIA	ZEK
COMMISSIONE	R JOHN J. BA	NNING

First Reading/Introduction:

2021 06-04

Publication:

2021 06-10

	Motion	Second	Yes	No	Abstain	Absent
Mayor Matthew J. Ksiazek	X		X			
Commissioner John J. Banning			X			
Commissioner Joseph D. Segrest		X	Χ			

I, **Donna L. Frederick, RMC, Municipal Clerk** of the Borough of West Wildwood, Cape May County, do hereby certify the forgoing to be a true and correct copy of an ordinance introduced and passed on the first reading at the June 4, 2021 Regular Meeting held via online access through Zoom.us, and will be considered for final passage after a public hearing to be held on July 2, 2021 at 7:00pm prevailing time.

Donna L. Frederick, RMC Municipal Clerk

**COMMISSIONERS:** 

MAYŐR MATTHEW J. KSÍAZEK

COMMISSIONER JOHN J. BANNING

COMMISSIONER JOSEPH D. SEGREST

### **RESOLUTION 2021-078**

# APPOINTING AN ADDITIONAL CUSTODIAN OF RECORDS FOR THE WEST WILDWOOD POLICE DEPARTMENT

WHEREAS, it is required by New Jersey's law governing access to government records maintained by public agencies N.J.S.A. 47:1A-1 et. seq. to have a custodian of records; and

WHEREAS, it is necessary to appoint a custodian of records for the West Wildwood Police Department due to the nature and confidentiality of police records; and

WHEREAS, Chief Jacquelyn Ferentz is hereby appointed as an additional Custodian of Records for the West Wildwood Police Department.

**NOW, THEREFORE BE IT RESOLVED** by the Board of Commissioners of the Borough of West Wildwood, County of Cape May, New Jersey, that Chief Jacquelyn Ferentz be and are hereby appointed as an additional custodian of records for the West Wildwood Police Department.

	Motion	Second	Yes	No	Abstain	Absent
Mayor Matthew J. Ksiazek			Х			
Commissioner John J. Banning	X		Х		1	
Commissioner Joseph D. Segrest		X	Х			

I, Donna L. Frederick, RMC, Municipal Clerk for the Borough of West Wildwood in the County of Cape May and State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a Resolution adopted by the Board of Commissioners of the Borough of West Wildwood, New Jersey at a Regular Meeting held via online access through Zoom.us on June 4, 2021.

### **RESOLUTION 2021-079**

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

WHEREAS, the property owners 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 Acting Chief Financial Officer is hereby authorized to make the following payments in the amount indicated; as follows:

OWNER BLOCK LOT AMOUNT TAX/SEWER

MADIRACA, JOHN & BARBARA etals 138.02 1 \$1,331.45 TAX

Refund to: FREEDOM TITLE & ABSTRACT CO 1233 HADDONFIELD BERLLN RD, SUITE 3 VOORHEES, NJ 08043

	Motion	Second	Yes	No	Abstain	Absent
Mayor Matthew J Ksiazek			X	1 12		_
Commissioner John J Banning	X		Х			
Commissioner Joseph D Segrest		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 via online access through Zoom.us on June 4, 2021.

Donna Frederick Municipal Clerk

### **RESOLUTION 2021-080**

# AUTHORIZING THE OPENING OF AN AFFORDABLE HOUSING TRUST FUND BANK ACCOUNT

WHEREAS, the Borough of West Wildwood has a need to establish a separate, interest bearing trust fund for the purpose of depositing development fees collected from residential and nonresidential developers; and

WHEREAS, the Borough of West Wildwood shall not expend any funds or interest earned from the Affordable Housing Trust Fund except in a manner in accordance with the Borough's Affordable Housing Spending Plan as approved by the Court; and

WHEREAS, the Mayor and Commissioners of the Borough of West Wildwood desire to formally establish this account.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Commissioners of the Borough of West Wildwood, in the County of Cape May, State of New Jersey, authorize the establishment of an Affordable Housing Trust Fund bank account.

	Motion	Second	Yes	No	Abstain	Absent
Mayor Matthew J Ksiazek			X			
Commissioner John J Banning	X		X			
Commissioner Joseph D Segrest		X	X		. 1	

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 via online access through Zoom.us on June 4, 2021.

### **RESOLUTION 2021-081**

# ESTABLISHING A DEDICATION BY RIDER FOR DONATIONS TO BEAUTIFICATION FUND

WHEREAS, the Borough of West Wildwood wishes to create a "Donation Fund" for beautification of public spaces; and

WHEREAS, the DCA provides for receipt of donations by the Borough of West Wildwood, to be utilized for any projects involving the beautification of the Borough of West Wildwood, including beaches, parks and public facilities; and to provide for the operating costs of such a Fund; and

**WHEREAS**, N.J.S.A. 40A:4-39 provides for the dedicated revenues anticipated from the Fund to be used to establish and maintain public parks, recreation areas, wildlife management areas, preserves or sanctuaries.

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

- 1. The Account for Beautification of Public properties is created.
- 2. The Clerk, Mayor and the Chief Financial Officer of the Borough of West Wildwood, in the County of Cape May, are hereby authorized to execute any documents to open said account.

	Motion	Second	Yes	No	Abstain	Absent
Mayor Matthew J Ksiazek	х		Х			
Commissioner John J Banning		Х	Х			
Commissioner Joseph D Segrest			Х			

I, **Donna L. Frederick, RMC, Municipal Clerk** for the Borough of West Wildwood in the County of Cape May and State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a Resolution adopted by the Board of Commissioners of the Borough of West Wildwood, New Jersey at a **Regular Meeting** held via online access through Zoom.us on **June 4, 2021.** 

### **RESOLUTION 2021-082**

### APPROVING THE RENEWAL OF A LIQUOR LICENSE FOR WEST WILDWOOD LIQUOR STORE, INC.

WHEREAS, an application has been made by the person(s) and/or corporation(s) hereinafter set forth, for the renewal of Plenary Distribution Licenses heretofore granted by this issuing Authority; and

WHEREAS, all things required to be done by said Applicant have been done, including the payment of any and all required fees; and

WHEREAS, the Borough of West Wildwood, as the Issuing Authority, having found that:

- The Applicant is qualified to be licensed according to all statutory, regulatory and local governmental ABC laws and regulations; and
- (b) The Applicant has disclosed, and the Issuing Authority has reviewed, any additional financing obtained in the previous license term for use in the licensed businesses.

WHEREAS, no objections to the issuance thereof have been filed with the Municipal Clerk and this Governing Body is of the opinion that said Application should be granted and license issued.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Borough of West Wildwood, Cape May County, New Jersey, that the Plenary Retail Distribution License as hereinafter set forth be, and the same are, hereby granted for the period of one (1) year through June 30, 2022 unto each of the person and corporation and limited liability company recited, for the premises in West Wildwood, New Jersey, as listed below:

Name of Licensee and State assigned License No.

**Premises Location** 

Type

West Wildwood Liquor Store, Inc.

654 W. Glenwood Avenue West Wildwood, NJ 08260 Plenary Retail Distribution License

#0513-44-003-004

BE IT FURTHER RESOLVED, that the Municipal Clerk be, and hereby is, authorized empowered and directed to sign such licenses by and on behalf of said Borough of West Wildwood, New Jersey and to complete same in accordance with directives received from the Division of Alcoholic Beverage Control of the State of New Jersey; and

BE IT FURTHER RESOLVED, that the Municipal Clerk shall forthwith forward a certified copy of this Resolution to the Director of the Division of Alcoholic Beverage Control pursuant to the Statutes and the rules and regulations of the Division in such cases made and provided and in accordance with the aforesaid directives issued by said Director.

	Motion	Second	Yes	No	Abstain	Absent
Mayor Matthew J. Ksiazek			X			
Commissioner John J. Banning	X		X			
Commissioner Joseph D. Segrest		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 via online access through Zoom.us on June 4, 2021.

Dønna L. Frederick, RMC

**Municipal Clerk** 

### **RESOLUTION 2021-083**

### ASSESSMENT OF GRASS CUTTING COSTS

WHEREAS, Ordinance 434 of the Borough of West Wildwood authorizes the assessment of costs to properties associated with the elimination of certain growths, grass, materials, and/or debris as determined by the Supervisor of the Public Works Department; and

WHEREAS, said Supervisor has certified to the Governing Body a list of properties to be assessed with the associated costs.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of West Wildwood, County of Cape May, New Jersey that the following assessments and liens are hereby assigned to the listed properties

Block	Lot	Property Address	Amount
122	7	634 W. Maple Ave.	\$100.00
119	10	632 W. Glenwood Ave.	\$100.00
145	16	207 P Ave.	\$100.00
145	15	209 P Ave.	\$100.00

BE IT FURTHER RESOLVED that the Municipal Assessor and Tax Collector take the appropriate action in assigning such charges as liens to be added to and become a part of the taxes next to be assessed and levied upon said lands; and

BE IT FURTHER RESOLVED that the associated assessments and liens shall bear the same interest at the same rate as taxes and shall be collected and enforced by the same Municipal Officers and in the same manner as taxes; and

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution shall be forwarded to both the Municipal Tax Assessor and Municipal Tax Collector upon its adoption

	Motion	Second	Yes	No	Abstain	Absent
Mayor Matthew J. Ksiazek			X	***************************************		
Commissioner John J. Banning	X	1	X			
Commissioner Joseph D. Segrest		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 via online access through Zoom.us on June 4, 2021.

### RESOLUTION 2021-084

# APPOINTING MATTHEW F. REILLY AS A FULL TIME 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, it is deemed in the best interest of the Borough to appoint Matthew F. Reilly 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 Matthew F. Reilly be and is hereby appointed as a full-time police officer for the West Wildwood Police Department.

**BE IT FURTHER RESOLVED** that Matthew F. Reilly be and is hereby authorized to carry-out all of the duties, functions and responsibilities of a 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 Matthew J. Ksiazek			X			
Commissioner John J. Banning	X		X			
Commissioner Joseph D. Segrest		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 via online access through Zoom.us on June 4, 2021.

### **RESOLUTION 2021-085**

### APPOINTING HAYDEN M. DENHAM AS A FULL TIME 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, it is deemed in the best interest of the Borough to appoint Hayden M. Denham 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 Hayden M. Denham be and is hereby appointed as a full-time police officer for the West Wildwood Police Department.

BE IT FURTHER RESOLVED that Hayden M. Denham be and is hereby authorized to carry-out all of the duties, functions and responsibilities of a 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 Matthew J. Ksiazek			X			×
Commissioner John J. Banning	X		X	***		
Commissioner Joseph D. Segrest		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 via online access through Zoom.us on June 4, 2021.

### **RESOLUTION 2021-086**

# APPROVING THE RENEWAL OF A LIQUOR LICENSE FOR WEST SIDE SALOON, LLC

WHEREAS, an application has been made by the person(s) and/or corporation(s) hereinafter set forth, for the renewal of Plenary Distribution Licenses heretofore granted by this issuing Authority; and

WHEREAS, all things required to be done by said Applicant have been done, including the payment of any and all required fees; and

WHEREAS, the Borough of West Wildwood, as the Issuing Authority, having found that:

- (a) The Applicant is qualified to be licensed according to all statutory, regulatory and local governmental ABC laws and regulations; and
- (b) The Applicant has disclosed, and the Issuing Authority has reviewed, any additional financing obtained in the previous license term for use in the licensed businesses.

WHEREAS, no objections to the issuance thereof have been filed with the Municipal Clerk and this Governing Body is of the opinion that said Application should be granted and license issued.

**NOW, THEREFORE, BE IT RESOLVED,** by the Board of Commissioners of the Borough of West Wildwood, Cape May County, New Jersey, that the Plenary Retail Distribution License as hereinafter set forth be, and the same are, hereby granted for the period of one (l) year through June 30, 2021 unto each of the person and corporation and limited liability company recited, for the premises in West Wildwood, New Jersey, as listed below:

Name of Licensee and State assigned License No.

**Premises Location** 

Type

West Side Saloon

770 W. Glenwood Avenue West Wildwood, NJ 08260 Plenary Retail Consumption License

#0513-33-001-006

**BE IT FURTHER RESOLVED,** that the Municipal Clerk be, and hereby is, authorized empowered and directed to sign such licenses by and on behalf of said Borough of West Wildwood, New Jersey and to complete same in accordance with directives received from the Division of Alcoholic Beverage Control of the State of New Jersey, **SUBJECT TO THE FOLLOWING SPECIAL CONDITIONS:** 

- 1. There shall be no sale or service of food or beverages of any nature to the exterior licensed area after 10:30pm, prevailing time.
- 2. There shall be no consumption of food or beverages of any nature at the exterior licensed area after 11:00pm, prevailing time.
- 3. Musical entertainment, whether live or recorded, and loud speakers of any nature shall not be permitted at the exterior licensed area.
- 4. The boundaries of the exterior licensed area shall be designated by rope or fencing.
- 5. Appropriate signs shall be erected indicating the limits of the exterior area where alcoholic beverages are permitted to be consumed and the time when consumption of food and beverages at the exterior licensed area must cease.

**BE IT FURTHER RESOLVED**, that the Municipal Clerk shall forthwith forward a certified copy of this Resolution to the Director of the Division of Alcoholic Beverage Control pursuant to the Statutes and the rules and regulations of the Division in such cases made and provided and in accordance with the aforesaid directives issued by said Director.

	Motion	Second	Yes	No	Abstain	Absent
Mayor Matthew J. Ksiazek		X	X			
Commissioner John J. Banning	X		X			
Commissioner Joseph D. Segrest			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 via online access through Zoom.us on **June 4, 2021.** 

Donna L. Frederick, RMC

**Municipal Clerk** 

Range of Checking Repor		T Ra eport Format:	nge of Check Ids: 14878 to Detail Check Type	14908 : Computer: Y Manual: Y	Dir Deposit:	Υ
PO # Item	e Vendor Description	Amount Paid	Charge Account		/Void Ref Num Ref Seq Ac	
14878 06/02/21 21-00255 1	*	·	1-01-25-240-043 Clothing Allowance	Budget		1
21-00255 2	UNIFORM PANTS FOR J. DODD —	1,504.99	1-01-25-240-032 Uniforms	Budget	8	1
14879 06/02/21 21-00194 1	00307 ADVANCE AUTO PARTS AIR FILTERS FPR SWEEPER	97.22	1-01-26-290-034 Fleet Maintenance	Budget	1404 1	
14880 06/02/21	00308 ADP, INC.			~	1404	
21-00257 1	CHARGES FOR MAY 2021	134.42	1-01-20-130-028 Payroll Services	Budget	12	1
21-00274 1	CHARGES FOR MAY 2021	120.44	1-01-20-130-028	Budget	43	1
	_	254.86	Payroll Services			
14881 06/02/21	00312 DAVE GREENLAND				1404	Æ
	LABOR - REPLACE BLOWN	300.00	1-01-25-240-034	Budget		1
21-00264 2	#16 BRAKE DIAPHRAGM	14.00	Fleet Maintenance 1-01-25-240-034 Fleet Maintenance	Budget	32	1
		314.00	.,,			
14882 06/02/21	019011 ATLANTIC CITY ELECTRIC				1404	
21-00258 1	CHARGES FOR MAY 2021	1,948.06	1-01-31-435-000 Street Lighting	Budget	13	1
21-00258 2	CHARGES FOR MAY 2021	518.44	1-01-31-430-000 Electricity	Budget	14	1
21-00258 3	CHARGES FOR MAY 2021	10.53	1-01-31-430-000	Budget	15	1
21-00258 4	CHARGES FOR MAY 2021	356.78	Electricity 1-01-31-430-000 Electricity	Budget	16	1
21-00258 5	CHARGES FOR MAY 2021	23.44	1-01-31-430-000 Electricity	Budget	17	1
21-00258 6	CHARGES FOR MAY 2021	10.56	1-01-31-430-000 Electricity	Budget	18	1
21-00258 7	CHARGES FOR MAY 2021	244.31	1-01-31-430-000	Budget	19	1
21-00272 1	CHARGES FOR MAY 2021	17.94	Electricity 1-01-31-430-000 Electricity	Budget	41	1
	_	3,130.06	a receiver to rey			
883 06/02/21	04002 BOWMAN & COMPANY LLP				1404	
	PROFESSIONAL SERVICES RENDERED	10,500.00	1-01-20-135-000	Budget		1
21-00266 2	PROFESSIONAL SERVICES RENDERED	9,500.00	AUDITOR 1-09-55-502-028 Professional Services	Budget	35	1

PO # Item	te Vendor Description	Amount Paid	Charge Account		ciled/Void Ref Num tract Ref Seq Acc
4883 BOWMAN & 0 21-00267 1	COMPANY LLP Continued PROFESSIONAL SERVICES RENDERED -	1,000.00	1-01-20-155-027 Legal Services	Budget	36
4884 06/02/21 21-00294 1	05001 J.BYRNE AGENCY RENEWAL - MIS COMMERCIAL LINE	921.00	1-01-23-215-000 WORKER COMPENSATION INSURA	Budget NCE	1404 54
4885 06/02/21 21-00269 1	05203 C.M.C.M.U.A. WASTER WA 1ST QTR 2021 MUA WASTEWATER		1-09-55-502-078 Contract Services-MUA	Budget	1404 38
21-00295 1	DISPOSAL FEES FOR APRIL 2021	3,657.43	1-01-32-465-000 SOLID WASTE DISPOSAL	Budget	55
4886 06/02/21 21-00253 1	05233 CAPE 47 LUMBER 2X6X16 TREATED LUMBER FOR	726.25	1-01-28-375-030 materials & supplies	Budget	1404 5
21-00268 1	SPRAY PAINT - TRASH CONTAINERS -	38.48 764.73	1-01-26-290-030 Materials and Supplies	Budget	37
887 06/02/21 21-00271 1	06001 CITY OF WILDWOOD GASOLINE FOR MAY 2021	538.20	1-01-31-460-000 Gasoline and Diesel	Budget	1404 40
4888 06/02/21 21-00263 1	06615 COMCAST CHARGES FOR MAY 2021	309.75	1-01-31-440-000 Telephone	Budget	1404 26
21-00263 2	CHARGES FOR MAY 2021	15.02	1-01-31-440-000 Telephone	Budget	27
	CHARGES FOR MAY 2021		1-01-31-440-000 Telephone	Budget	28
	CHARGES FOR MAY 2021  CHARGES FOR MAY 2021		1-01-31-440-000 Telephone 1-01-31-440-000	Budget Budget	29 30
21-00203	CHARGES FOR MAI 2021	603.98	Telephone	ьийдес	30
889 06/02/21 21-00270 1	08201 DELTA DENTAL PLAN OF N CHARGES FOR JUNE 2021		1-01-23-220-000 EMPLOYEE GROUP INSURANCE	Budget	1404 39
4890 06/02/21 21-00260 1	13416 CONSTELLATION NEWENERO CHARGES FOR MAY 2021		1-01-31-430-000 Electricity	Budget	1404 21
21-00260 2	CHARGES FOR MAY 2021	2.45	1-01-31-430-000 Electricity	Budget	22
	_	234.41			

peck # Check Dat PO # Item		Amount Paid	Charge Account	Reconciled/V Account Type Contract	
4891 06/02/21 21-00286 1	18611 JOYCE MEDIA WEB HOSTING FOR MAY 2021	89.95	1-01-20-140-059 Data Processing Equipment	Budget	1404 49
14892 06/02/21 21-00275 1	31220 MAX COMMUNICATIONS, INC. CHARGES FOR MAY 2021	703.75	1-01-31-440-000 Telephone	Budget	1404 44
	31402 McMANIMON, SCOTLAND & BA PROFESSIONAL SERVICES RENDERED		1-01-20-155-027 Legal Services	Budget	1404 60
	34220 NEXTEL COMMUNICATIONS/SP CHARGES FOR JUNE 2021		1-01-31-440-000 Telephone	Budget	1404 53
.4895 06/02/21 21-00259 1	39002 PARAMOUNT CHEMICAL & PAP VARIOUS CLEANING SUPPLIES		1-01-26-310-052 Janitorial Equipment	Budget	1404 20
4896 06/02/21 21-00276 1	47212 SECLUDED ACRES FARM GARD FLOWERS FOR PARKS		1-01-28-375-030 materials & supplies	Budget	1404 45
4897 06/02/21 21-00256 1	48201 SOUTH JERSEY GAS COMPANY CHARGES FOR MAY 2021		1-01-31-446-000 Natural Gas	Budget	1404 9
21-00256 2	CHARGES FOR MAY 2021	300.45	1-01-31-446-000	Budget	10
21-00256 3	CHARGES FOR MAY 2021		Natural Gas 1-01-31-446-000 Natural Gas	Budget	11
		553.79			
	48207 SOUTH JERSEY WELDING SUP CHARGES FOR MAY 2021		1-01-26-290-038 Gen. Hardware-maint. suppl	Budget es	1404 25
4899 06/02/21 21-00292 1	48729 STATE TOXICOLOGY LABORATOR RANDOM TESTING		1-01-25-240-026 Maintenance Contract	Budget	1404 52
7.50	50102 THE PRESS LEGAL ADVERTISING	650.00	1-01-20-120-021 Legal Advertising	Budget	1404 51
	54602 VALDELLE, INC. T/A VALDO'S REPAIR TO A/ IN P/D		1-01-26-310-082 Building Repairs	Budget	1404 56
	60201 XEROX CORPORATION COPIER LEASE IN BACK OFFICE	154.96	1-01-20-100-023 GEN. ADMIN. PRINTING	Budget	1404 58

Check # Check Dat PO # Item	e Vendor Description	Amount Paid	Charge Account	Account Type C	oid Ref Nu Ref Seq A	
14903 06/02/21 21-00277 1	65406 STANDARD OFFICE SYSTEMS CHARGES FOR MAY 2021	187.46	1-01-20-100-030 GEN. ADMIN. MATERIALS & SUPP	Budget	140 46	)4
21-00277 2	CHARGES FOR MAY 2021	45.06	1-01-20-100-030 GEN. ADMIN. MATERIALS & SUPI	Budget	47	1
14904 06/02/21 21-00261 1	66666 VERIZON CHARGES FOR MAY 2021	523.27	1-01-31-440-000 Telephone	Budget	140 23	)4 1
21-00261 2	CHARGES FOR MAY 2021	50.36	1-01-31-440-000	Budget	24	1
21-00273 1	CHARGES FOR MAY 2021		Telephone 1-01-31-440-000 Telephone	Budget	42	1
	964644 SURENIAN, EDWARDS & NOLA PROFESSIONAL SERVICES RENDERED		1-01-20-155-027 Legal Services	Budget	140 50	1
14906 06/02/21 21-00201 1	964646 GOLD MEDAL ENVIRONMENTAL 30 YARD DUMPSTER HAUL		1-01-26-290-030 Materials and Supplies	Budget	140 2	1
21-00297 1	CHARGES FOR MAY 2021	6,213.08	1-01-26-305-029 Contractual-collection	Budget	57	1
14907 06/02/21 21-00299 1	964689 BLANEY, DONOHUE, KARAVAN PROFESSIONAL SERVICES RENDERED	١	1-01-20-155-027 Legal Services	Budget	140 59	
14908 06/02/21 21-00225 1	03102 BANK OF AMERICA VARIOUS SUPPLIES	41.60	1-01-26-310-030	Budget	140 3	4
21-00228 1	PARK SUPPLIES	57.13	Materials and Supplies 1-01-28-370-065	Budget	4	1
21-00254 1	TREATED LUMBER, DECK SCREWS AND	198.38	Recreation Program Equipment 1-01-28-375-030	t Budget	6	1
21-00265 1	KEYS CUT FOR 26 ST STREET	7.72	materials & supplies 1-01-26-290-030	Budget	33	1
21-00282 1	BOROUGH MEETING DUE TO	15.98	Materials and Supplies 1-01-20-100-041 GEN. ADMIN. CONFERENCES & ME	Budget EETINGS	48	1
eport Totals	Checks: 31 0 rect Deposit: 0 0 Total: 31 0	Amount P 134,898 0 134,898	.71 0.00 .00 0.00			<del></del>

Totals by Year-Fund d Description	Fund	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND	1-01	39,588.46	0.00	0.00	39,588.46
ILITY FUND	1-09	95,310.25	0.00	0.00	95,310.25
"]	rotal Of All Funds:	134,898.71	0.00	0.00	134,898.71

State of All Health Care

# 149, 324.<sup>21</sup>

	Accts: CURRENT to CURRENT t Type: All Checks Re		nge of Check Ids: 14875 to Detail Check Type:	14877 Computer: Y Manual: Y	Dir Deposit: Y
check # Check Dat				\$29000000 5-0-00000 \$2000 \$2000 \$2000	Void Ref Num
PO # Item	Description	Amount Paid	Charge Account	Account Type Contract	Ref Seq Acct
14875 06/01/21 21-00278 1	13409 JACQUELYN FERENTZ JUDGMENT DOCKET #CPM-797-08	5,040.60	1-01-37-480-001 JUDGMENTS	Budget	1403 1 1
14876 06/01/21 21-00280 1	964647 EQUITY TRUST COMPANY JUDGMENT PARTIAL ASSIGNMENT	10,000.00	1-01-37-480-001 JUDGMENTS	Budget	1403 3 1
14877 06/01/21 21-00279 1	964673 DOUGLAS LAW GROUP, LLC JUDGMENT DOCKET #CPC-L797-08	7,589.96	1-01-37-480-001 JUDGMENTS	Budget	1403 2 1
Report Totals	Checks: 3 0 rect Deposit: 0 0 Total: 3 0	Amount Pa 22,630 0 22,630	.56 0.00 .00 0.00		

otals by Year-Fund nd Description	l Fund	Budget Total	Revenue Total	G/L Total	Total
URRENT FUND	1-01	22,630.56	0.00	0.00	22,630.56
	Total Of All Funds:	22,630.56	0.00	0.00	22,630.56

Range of		Accts: CAPIT. t Type: All C		to CAPITA		ange of Check Ids Detail		o 1417 e: Computer: Y	Manual: Y	Dir Deposit: Y
cneck #		e Vendor Description			Amount Paid	Charge Account		Account Type		/Void Ref Num Ref Seq Acct
1417 21-00	06/02/21 290 1	964688 T o	§ M ASSOCI SERVICES		743.75	C-04-55-918-100 ORD 579(2020) F		Budget HOUSING ELEMENT		1405 1 1
Report To		Checks: rect Deposit: Total:	Paid 1 0 1	<u>Void</u> 0 0 0		Paid Amour 3.75 0.00 3.75	0.00 0.00 0.00			

Totals by Year-Fund nd Description	Fund	Budget Total	Revenue Total	G/L Total	Total
CAPITAL FUND	C-04	743.75	0.00	0.00	743.75
Total Of	f All Funds:	743.75	0.00	0.00	743.75

Range of Checki Rep	ng Accts: SEWER ort Type: All C		to SEWER		nge of Check Ids Detail			Manual: Y	Dir Deposit: Y
eck # Check D	ate Vendor n Description			Amount Paid	Charge Account		Account Type		/Void Ref Num Ref Seq Acct
1052 06/02/2 21-00301	1 31402 MC 1 PROFESSIONAL		SCOTLAND & RENDERED		C-08-55-905-002 IMPROVEMENTS TO		Budget , GLENWOOD AVES		1406 1 1
Report Totals	Checks: Direct Deposit: Total:	0	Void 0 0 0	Amount P 2,134 0 2,134	.64	t <u>Void</u> 0.00 0.00 0.00			

Totals by Year-Full description	nd Fund	Budget Total	Revenue Total	G/L Total	Total
JTILITY CAPITAL	C-08	2,134.64	0.00	0.00	2,134.64
	Total Of All Funds:	2,134.64	0.00	0.00	2,134.64

Pange of Checking Accts: ANIMAL CONTROL to Report Type: All Checks	ANIMAL CONTROL Range of Check Ids: 1157 to Report Format: Detail Check Type:	
Check # Check Date Vendor PO # Item Description	Amount Paid Charge Account	Reconciled/Void Ref Num Account Type Contract Ref Seq Acct
1157 06/02/21 654170 STATE OF NJ DEPT 21-00287 1 DOG LICENSE FOR MAY 2021	OF HEALTH 5.40 T-14-00-000-002 DUE TO STATE OF NEW JERSEY	Budget 1407 1 1
Report Totals  Checks: 1  Direct Deposit: 0  Total: 1	Void         Amount Paid         Amount Void           0         5.40         0.00           0         0.00         0.00           0         5.40         0.00	

tals by Year-Fund nd Description	Fund	Budget Total	Revenue Total	G/L Total	Total
	T-14	5.40	0.00	0.00	5.40
Total Of All Fun	ds:	5.40	0.00	0.00	5.40



# Activity for the Month of May 2021

lls for Service: 255 MVA's State Roads:		MVA's County Roads:	MVA's Municpal Roads:
Adults Arrested: Juv. Arrested:	CDS Arrests:	DWI Arrests: Summonses	s: 911 Calls: 15
Directed Patrol	84	Lost Plate	1
Directed Walking Beat	39	Lockout	1
Parking Complaint/ Violation	15	Intoxicated Person	1
MV Stop	15	Illegal Dumping	1
Property Check	13	Gas Leak (odor)	1
Back-up Officer	13	Fraud	1
Property Check	8	Family Trouble (Dispute)	1
Relay Person/Paper	5	Blocked Driveway	1
General Compliants	5	911 Abandoned	1
Follow-Up Investigation	5		0
Verbal Dispute	4		
Animal Complaint	4		
ner Public Service	3		
Jise Complaint	3		
Assist Other Agency	3		
Alarm - Burglar/ Panic	3		
Administrative	3		
Suspicious Vehicle	2		
Parking Violation	2		
Open Door	2		
ocal Ordinance	2		
and-Lord/Tenant Dispute	2		
Velfare Check	1		
ow Release	1		
heft 2C:20-3	1		
Suspicious Person(s)	1		
Suspicious Activity/ Auto/ Person	1		
and By	1		
arking Complaint - Warning	1		
Missing Person – Lost / Found	1		
ledical Emergency / Assistance	1		

# Commissioner's Report

#### Finance and Revenue

### **Tax Assessor Report**

Nothing new to report this month.

# **Tax Collector Report**

2021 Taxes collected thru 5/31/2021: \$1,710,139

Delinquent Taxes collected thru 5/31/2021: \$50,003

2021 Sewer Rents collected thru 5/31/2021: \$288,472

Delinquent Sewer Rents collected thru 5/31/2021: \$19,236

# **Operating Budget**

2020 Audit – The field work is completed and the report should be finalized at the end of June.

# **Capital Planning**

- General Capital

  The second reading and public hearing for Ordinance 592 (2021) is this
  month.
- Sewer Utility Capital No updates this month.

### Judgement Bond

- Bond Counsel is working the application package and scheduling of the meeting with
  Department of Community Affairs Local Finance Board. This is to create permanent
  financing for the remainder of judgement from Litigation Docket number CPM-L-797-08.
  The second reading of Ordinance 593 (2021) will occur after the meeting and the specifics
  on how this bond will be structured will be dependent on the outcome of the meeting.
  Objectives of the permanent financing are as follows:
  - Reduce accelerated monthly payments from \$22,630.56 for three years to about \$14,000 monthly over 5 to 7 years providing \$100,000 annual relief in the Borough operating budget.
  - Create a permanent financial instrument that eliminates the risk to the Borough of the Police Chief requesting accelerated payment with 60 days notice.

### **Fair Housing**

 A Spending Plan and Rehabilitation Plan are being prepared to complete the near-term documentation requirements.