

**WORKSHOP**

**MEETING**

**MINUTES**

*July 21, 2021*

BOROUGH OF WEST WILDWOOD  
BOARD OF COMMISSIONERS  
**WORKSHOP MEETING**  
**Official Action may be taken**  
WEDNESDAY – JULY 21, 2021  
9:00 AM

**MINUTES:**

Mayor Ksiazek called the meeting to order, read the OPMA statement:

**THIS WORKSHOP MEETING WAS CALLED PURSUANT TO THE PROVISIONS OF THE OPEN PUBLIC MEETING LAW. NOTICE OF THIS MEETING WAS RE-ESTABLISHED IN RESOLUTION 2021-062. NOTICE OF THIS MEETING WAS SENT TO THE ATLANTIC CITY PRESS AND THE CAPE MAY COUNTY HERALD ELECTRONICALLY AND POSTED CONTINUOUSLY ON THE OFFICIAL CLERKS BULLETIN BOARD AND BOROUGH WEBSITE**

Mayor led the Pledge of Allegiance

**ROLL CALL: Present**

Comm. Banning

Comm. Segrest

Mayor Ksiazek

Solicitor Lyons

Deputy Clerk Carl O'Hala

CFO Elaine Crowley

Municipal Clerk Donna L. Frederick

Also noted in attendance were Borough Engineer James Oris and Senior Associate and Survey Mgr. Charles Adamson

Mayor requested to go into closed (executive) session. Solicitor provided the necessary statute for the closed session meeting. Clerk prepared and read by title Resolution 2021-093 as follows: Authorizing a closed (executive) session meeting pursuant to N.J.D.S. 10:4-12(B7) for pending and/or anticipated litigation for contract issues involving attorney-client privilege.

Clerk called for a motion to adopt resolution 2021-093. Motion by Comm. Banning; Second by Comm. Segrest. Roll Call all in favor.

After the closed session ended, the clerk called for a motion to reconvene the Workshop Meeting. Motion by Comm Banning; Second by Comm. Segrest. Roll Call vote, all in favor.

Clerk reviewed possible agenda items for the regular meeting. Resolution chapter 159, insertion of a clean communities grant for 2021.

There was a lengthy discussion regarding the D.O.T. grant application for Lake Road improvements between the Commissioners and the Engineers which included discussions on drainage matters. Engineers advised Commissioners that the scope of work can be reduced. When discussion ended the clerk called for a motion to remove from the table Resolution 2021-

090 titled "Approval to submit a grant application and execute grant contract with the NJDOT for Lake Road roadway and drainage improvements project MA-2022 – Lake Road Roadway and drainage impr-00452. Motion by Comm. Banning; Second by Comm. Segrest. Roll call all in favor. Clerk then read by title resolution 2021-090 and called for a motion to adopt said resolution. Motion by Comm. Banning; Second by Comm. Segrest. Roll call vote all in favor.

Discussion between Commissioners and Engineers regarding seeking USDA funding for Pine Avenue sewers. Comm. Segrest suggested to table this discussion until the Poplar Avenue project is completed, and stated that Maple Avenue is critical, since there is actual video footage of the condition of the Maple Avenue sewer mains. Charles Adamson stated USDA funding time frame is in August, he will talk to Carolyn at TRIAD. Clerk reminded the Commissioner that the borough does not have a contract in place for TRIAD. Engineer Oris stated they can do the USDA application, if the Commissioner want him to do it, the cost would be approximately \$7,500.00 to file the application. Mayor inquired opinions of the Commissioners regarding not doing infrastructure on Pine Avenue. Comm. Segrest stated that Maple Avenue from Arion to Neptune should be the priority and recommends seeking USDA funding for Maple Avenue. Mayor agreed with Comm. Segrest to search for grants for Maple Avenue, as did Comm. Banning. CFO Crowley pointed out that the grants are all reimbursable and the funding must be in place. Clerk was instructed to prepare a resolution to authorize the borough engineers to apply for USDA funding for Maple Avenue from Arion to Neptune Avenue for the August regular meeting.

Mayor discussed with the engineer's small cities grants for parks and recreation upgrades. There was a discussion regarding parking at the playground. Clerk informed engineers that the playground area is open space owned by the County so they may need to be in the loop on any changes to that area with regards to the off-street parking area. Engineer stated there may be grants from the County for improvements and will check.

Commissioners and engineers discussed the "A" Avenue D.O.T. grant project, which includes milling and street resurfacing, curbs, and sidewalks. Mayor requests that borough officials be included in meetings pre-construction, and that homeowners are properly individually notified. Engineers will advise during the pre-design state to get officials (Zoning, Police Chief) input.

Commissioners and engineers discussed the ADA ramp at the Police Department. Engineer stated survey work and concept plan are complete and must be completed by the end of the year. Engineer has reached out to Blue Water to quote for aluminum construction. Concept plan is done using concrete. Engineer requests that the DPW mark-out the location of the utilities coming into the borough building, and if we have building plans. Also, due to the time constraints engineer requested the Commissioners to authorize to go to bid for the ADA ramp at the regular August 6<sup>th</sup> meeting. After this discussion the engineers left the meeting.

Mayor inquired with Comm. Banning about the parking problems raised at the July meeting. Comm. Banning stated he is in conversation with the Zoning Officer regarding evaluating illegal driveways and how to address this with the residents. And the code enforcement officer looking into the housing issues raised regarding overcrowding in houses and mercantile licenses.

There was a discussion on enforcing driveway parking in garages. Solicitor stated you can not enforce parking in garages but can enforce if they are blocking driveways and sidewalks. Comm. Segrest suggests checking with John Fearheller about the borough owned property on North Drive and the possibility of grading and filling in the area for possible storm debris management area as well as parking. Mayor brought up concerns over the public parking area on 26<sup>th</sup> St. by the marina. Comm. Banning stated he will be meeting with the code enforcement officer on Monday regarding local ordinances, state statutes that regular parking matters including unhitched boat trailers. Mayor inquired about a dead-end sign be posted on 26<sup>th</sup> Street.

Mayor and Commissioners discussed the process of employee evaluations. Comm. Banning stated the police department already has evaluation reports they use and believes there should be an across-the-board policy for evaluations. Comm. Banning stated they should be completed two times a year and each commissioner should manage their own departments evaluation to fit the specific needs of each department. Clerk will provide the existing policies and procedures manual to the Commissioners and Solicitor for their review.

Mayor and Commissioners discussed the issue of the canal docks and pier points to keep open navigation. Clerk will research the canal deed.

Mayor discussed the 26<sup>th</sup> Street living shoreline project. He has a proposal package with a cost of \$32,500.00 that has many excluded permitting items. Comm. Segrest suggested the mayor reach back to the company to get a cost of those items that were excluded so a better decision can be made. Comm. Segrest is searching through old capital projects and is waiting on clarification from Bond Counsel to see if the funds could be used from the 26<sup>th</sup> St. bulkhead project. Solicitor will have to look at the original ordinance. CFO Crowley will contact Bond Counsel. Comm. Banning inquired if the property owners on 26<sup>th</sup> Street have given permission for the borough to gain access, this will be put on hold until further costs are provided.

Comm. Segrest discussed prior capital money which may be able to fund the refurbishing of the street sweeper, which he will discuss with Bond Counsel. Solicitor suggested the possibility of a shared service contract with another municipality for street sweeping.

Comm. Segrest asked Solicitor for an update on the Fair Share Housing (FSH) Matter. Solicitor stated everything is in place. Comm. Segrest inquired as to the timing of the monitoring and enforcement of the FSH. Solicitor projects the monitoring and enforcement of the FSH will not be implemented until the fourth quarter of the year. Comm. Segrest stated the application was filed today to the Local Finance Board for possible including at their August meeting and the documents have been filed to receive the COVID funding over the next two years.

There was a conversation among the Commissioners regarding pole decorations as to who is responsible for maintaining/installing the electrical outlets on the poles; Comm. Segrest asked how the Flood Plain Ordinance review was going and asked the solicitor about the conservation zoned property which the owner wishes to donate to the borough. Comm. Segrest suggested a possible paper shred day. And Mayor Ksiazek discussed the formation of a Green Team as it relates to sustainable New Jersey once the paperwork is filed.

CFO Crowley presented the Commissioners with a quote for employee short term disability benefits policy as suggested by Labor Counsel Bill Blaney. Comm. Segrest questioned the impact on the budget. CFO stated monies can be transferred. Solicitor stated this is the preferred route advised by Labor Counsel. A discussion ensued and it was advised by the Solicitor for the Commissioners to go into closed session to further discuss this matter. Solicitor provided the statute, and the clerk prepared the resolution to go into closed session. Clerk read out Resolution 2021-094 by title as follows: "Authorizing a Closed (executive) session meeting pursuant to N.J.S.A. 10:4-12(b7) (b8) for matters involving potential litigation, contract negotiations, employment regarding temporary disability benefits." Clerk called for a motion to adopt said resolution. Motion by Comm. Banning; Second by Comm. Segrest. Roll call vote all in favor.

After the closed session ended, the clerk called for a motion to reconvene the Workshop Meeting. Motion by Comm Banning; Second by Comm. Segrest. Roll Call vote, all in favor.

Having no further matters 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 Workshop meeting on June 21, 2021, 2021 and not a verbatim transcript.*

**THESE MINUTES WERE APPROVED AT THE AUGUST 6, 2021, REGULAR COMMISSION MEETING**



MAYOR MATTHEW J. KSIAZEK



COMMISSIONER JOHN J. BANNING



COMMISSIONER JOSPEH D. SEGREST

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

**RESOLUTION 2021-090**

**APPROVAL TO SUBMIT GRANT APPLICATION AND EXECUTE  
GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION  
FOR THE LAKE ROAD ROADWAY AND DRAINAGE IMPROVEMENTS PROJECT  
MA-2022-LAKE ROAD ROADWAY AND DRAINAGE IMPRO-00452**

**NOW, THEREFORE, BE IT RESOLVED** that Board of Commissioners of the Borough of West Wildwood formally approves the grant application for the above stated project.

**BE IT FURTHER RESOLVED** that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2022-Lake Road Roadway and Drainage Impro-00452 to the New Jersey Department of Transportation on behalf 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 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 **Workshop Meeting** held on **July 21, 2021**.

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

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

**RESOLUTION 2021-093**

**AUTHORIZING A CLOSED (EXECUTIVE) SESSION MEETING  
PURSUANT TO N.J.S.A. 10:4-12(b7) FOR PENDING AND/OR ANTICIPATED LITIGATION  
FOR CONTRACT ISSUES INVOLVING ATTORNEY-CLIENT PRIVILEGE**

**WHEREAS**, in accordance with the provisions of the Open Public Meetings Act, N.J.S.A. 10:4-12(b7), it is permissible by resolution for the Governing Body to enter into a Closed (Executive) Session in order to discuss matters falling within one or more of the permitted nine exemptions; and

**WHEREAS**, the Borough anticipates discussion of pending and/or anticipated litigation matters which constitutes one of the permitted exemptions; and

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

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

	Motion	Second	Yes	No	Abstain	Absent
Mayor 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 **Workshop Meeting** held via online access through Zoom.us on **July 21, 2021**.

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

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

**RESOLUTION 2021-094**

**AUTHORIZING A CLOSED (EXECUTIVE) SESSION MEETING  
PURSUANT TO N.J.S.A. 10:4-12(b7)(b8) FOR MATTERS INVOLVING POTENTIAL  
LITIGATION, CONTRACT NEGOTIATIONS, EMPLOYMENT  
REGARDING TEMPORARY DISABILITY BENEFITS**

**WHEREAS**, in accordance with the provisions of the Open Public Meetings Act, N.J.S.A. 10:4-12(b7)(b8) it is permissible by resolution for the Governing Body to enter into a Closed (Executive) Session in order to discuss matters falling within one or more of the permitted nine exemptions; and

**WHEREAS**, the Borough anticipates discussion of potential litigation, contract negotiations, employment regarding temporary disability benefits which constitutes permitted exemptions; and

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

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

	Motion	Second	Yes	No	Abstain	Absent
Mayor 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 **Workshop Meeting** held via online access through Zoom.us on **July 21, 2021**.



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