

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

**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.

	<b>Motion</b>	<b>Second</b>	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>
<b>Mayor Matthew J. Ksiazek</b>			X			
<b>Commissioner John J. Banning</b>	X		X			
<b>Commissioner Joseph D. Segrest</b>		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 L. Frederick, RMC  
Municipal Clerk**

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

**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:

<b>OWNER</b>	<b>BLOCK</b>	<b>LOT</b>	<b>AMOUNT</b>	<b>TAX/SEWER</b>
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**

	<b>Motion</b>	<b>Second</b>	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>
<b>Mayor Matthew J Ksiazek</b>			X			
<b>Commissioner John J Banning</b>	X		X			
<b>Commissioner Joseph D Segrest</b>		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**

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

**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			

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



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

**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

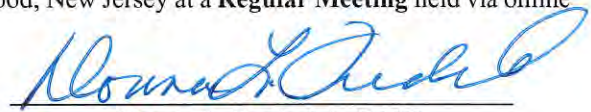
**WHEREAS**, N.J.S.A. 40A:4-39 provides for the dedicated revenues anticipated from the Fund to be used to establish and maintain public parks, recreation areas, wildlife management areas, preserves or sanctuaries.

**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	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**

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

**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:

- (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 (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.  #0513-44-003-004	654 W. Glenwood Avenue West Wildwood, NJ 08260	Plenary Retail Distribution License

**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**.

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



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

**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

<b>Block</b>	<b>Lot</b>	<b>Property Address</b>	<b>Amount</b>
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

	<b>Motion</b>	<b>Second</b>	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>
<b>Mayor Matthew J. Ksiazek</b>			X			
<b>Commissioner John J. Banning</b>	X		X			
<b>Commissioner Joseph D. Segrest</b>		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 L. Frederick, RMC**  
**Municipal Clerk**

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

**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.

	<b>Motion</b>	<b>Second</b>	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>
<b>Mayor Matthew J. Ksiazek</b>			X			
<b>Commissioner John J. Banning</b>	X		X			
<b>Commissioner Joseph D. Segrest</b>		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 L. Frederick, RMC**  
**Municipal Clerk**



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

**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**.

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



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

**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 (1) 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:

<b>Name of Licensee and State assigned License No.</b>	<b>Premises Location</b>	<b>Type</b>
West Side Saloon  #0513-33-001-006	770 W. Glenwood Avenue West Wildwood, NJ 08260	Plenary Retail Consumption License

**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**



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

**RESOLUTION 2021-087**

**AUTHORIZING THE TAX COLLECTOR TO PROCESS THIRD QUARTER  
“ESTIMATED” TAX BILLS, DUE AUGUST 1, 2021**

**WHEREAS**, N.J.S.A. 54:4-66.3, pursuant to Section 3 of P.L. 1994 c. 72 and 54:4-66.2, the Governing Body of the Borough of West Wildwood has determined that the Tax Collector will be unable to complete the mailing and delivery of the tax bills due to the absence of a certified tax rate; and

**WHEREAS**, due to the late adoption of the municipal budgets, the County Board of Taxation will be unable to certify the tax rate at this time and the municipal Tax Collector will be unable to mail the tax bills on a timely basis; and

**WHEREAS**, the Tax Collector, in consultation with the Chief Financial Officer, computed and certified an estimated Tax Levy in accordance with N.J.S.A. 54:4-66.3, necessary to bill third quarter taxes due August 1, 2021.

**WHEREAS**, in accordance with Chapter 72, P.L. 1994, the Tax Collector requests the Governing Body of the Borough of West Wildwood to approve the estimated tax levy; which is between the mandated estimated ranges proposed by the Division of Local Government Services. Approval will enable the Borough to meet its financial obligations, maintain the tax collection rate, provide uniformity for the tax payments and save the unnecessary costs of interest on borrowing,

**NOW, THEREFORE, BE IT RESOLVED**, that the Governing Body of the Borough of West Wildwood authorizes the Tax Collector to process estimated tax bills for the third quarterly installment of 2021 taxes; and

**BE IT FURTHER RESOLVED** that, the third quarterly installment of 2021 taxes shall not be subject to interest until the later of August 10, 2021 or the twenty-fifth (25) calendar day after the date the estimated tax bills were mailed. The estimated tax bills shall contain a notice specifying the date on which interest may begin to accrue.

	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 on **July 2, 2021**.



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



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

**RESOLUTION 2021-088**

**A RESOLUTION OF THE GOVERNING BODY OF THE BOROUGH OF WEST  
WILDWOOD AUTHORIZING THE ADOPTION OF THE  
2021 CAPE MAY COUNTY, NEW JERSEY HAZARD MITIGATION PLAN UPDATE**

**WHEREAS**, all jurisdictions within Cape May County have exposure to hazards that increase the risk to life, property, environment, and the County and local economy; and

**WHEREAS**; pro-active mitigation of known hazards before a disaster event can reduce or eliminate long-term risk to life and property; and

**WHEREAS**, The Disaster Mitigation Act of 2000 (Public Law 106-390) established new requirements for pre and post disaster hazard mitigation programs; and

**WHEREAS**; a coalition of Cape May County municipalities with like planning objectives has been formed to pool resources and create consistent mitigation strategies within Cape May County; and

**WHEREAS**, the coalition has completed a planning process that engages the public, assesses the risk and vulnerability to the impacts of natural hazards, develops a mitigation strategy consistent with a set of uniform goals and objectives, and creates a plan for implementing, evaluating and revising this strategy;

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

- 1) Adopts in its entirety, the 2021 Cape May County Hazard Mitigation Plan Update (the “Plan”) as the jurisdiction’s Hazard Mitigation Plan and resolves to execute the actions identified in the Plan that pertain to this jurisdiction.
- 2) Will use the adopted and approved portions of the Plan to guide pre- and post-disaster mitigation of the hazards identified.
- 3) Will coordinate the strategies identified in the Plan with other planning programs and mechanisms under its jurisdictional authority.
- 4) Will continue its support of the Mitigation Planning Committee as described within the Plan.
- 5) Will help to promote and support the mitigation successes of all participants in this Plan.
- 6) Will incorporate mitigation planning as an integral component of government and partner operations.
- 7) Will provide an update of the Plan in conjunction with the County no less than every five years.

	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 on **July 2, 2021**.

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



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

**RESOLUTION 2021-089**

**A RESOLUTION SUPPORTING PARTICIPATION IN THE SUSTAINABLE JERSEY  
MUNICIPAL CERTIFICATION PROGRAM**

**WHEREAS**, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic, and social objectives are balanced and mutually supportive; and

**WHEREAS**, the Borough of West Wildwood strives to save tax dollars, assure clean land, air, and water, improve working and living environments as steps to building a sustainable community that will thrive well into the new century; and

**WHEREAS**, the Borough of West Wildwood hereby acknowledges that the residents of West Wildwood desire a stable, sustainable future for themselves and future generations; and

**WHEREAS**, the Borough of West Wildwood wishes to support a model of government which benefits our residents now and far into the future by exploring and adopting sustainable, economically-sound, local government practices; and

**WHEREAS**, by endorsing a sustainable path the Borough of West Wildwood is pledging to educate itself and community members further about sustainable activities and to develop initiatives supporting sustainable local government practices; and

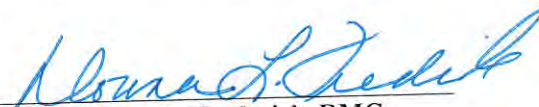
**WHEREAS**, as elected representatives of the Borough of West Wildwood, we have a significant responsibility to provide leadership which will seek community-based sustainable solutions to strengthen our community.

**NOW, THEREFORE, BE IT RESOLVED** that to focus attention and effort withing the Borough of West Wildwood on matters of sustainability, the Governing Body wishes to pursue local initiatives and actions that will lead to Sustainable Jersey Municipal Certification.

**BE IT FURTHER RESOLVED**, by the Board of Commissioners of the Borough of West Wildwood, Cape May County, New Jersey that we do hereby authorize Mayor Matthew J. Ksiazek to serve as the Borough of West Wildwood's agent for the Sustainable Jersey Municipal Certification process and authorize him to complete the Municipal Registration on behalf of the Borough of West Wildwood.

	<b>Motion</b>	<b>Second</b>	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>
<b>Mayor Matthew J. Ksiazek</b>					X	
<b>Commissioner John J. Banning</b>	X		X			
<b>Commissioner Joseph D. Segrest</b>		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 on **July 2, 2021**.

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



**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.

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

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 **July 2, 2021**.

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

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

**RESOLUTION 2021-091**

**RESOLUTION ADOPTING AN AFFORDABLE HOUSING TRUST FUND  
SPENDING PLAN**

**WHEREAS**, on April 15, 2021, the West Wildwood Borough’s Planning Board adopted a Housing Element and Fair Share Plan that addresses the Borough’s Rehabilitation Need, Prior Round and Third Round “fair share” obligations; and

**WHEREAS**, on May 4, 2021, the Borough Commission held a properly-noticed public meeting to consider endorsing the Housing Element and Fair Share Plan adopted by the Planning Board on April 15, 2021 and, after consideration of any questions or concerns raised by members of the governing body or the public, the Borough Commission determined that it is in the best interest of the Borough and the region’s low- and moderate-income households to endorse said Housing Element and Fair Share Plan and to direct the Borough’s professionals to file said Plan with the Court and to take any and all reasonable actions to secure a Judgment of Compliance and Repose approving said plan to protect the Borough from any Mount Laurel lawsuits; and

**WHEREAS**, the adopted and endorsed Plan includes a Spending Plan component, as required by the Council on Affordable Housing’s Rules at N.J.A.C. 5:93-5.1(c), which projects anticipated revenues to the Borough’s Affordable Housing Trust Fund, and describes anticipated expenditures of funds to address its fair share obligation as set forth in the Fair Share Plan; and

**NOW THEREFORE BE IT RESOLVED**, by the Governing Body of the Borough of West Wildwood in the County of Cape May, and the State of New Jersey hereby adopts the Spending Plan component of the Housing Element and Fair Share Plan, attached hereto.

	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 on **July 2, 2021**.



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



## **BOROUGH OF WEST WILDWOOD**

### **AFFORDABLE HOUSING SPENDING PLAN**

#### **INTRODUCTION**

To comply with the March 10, 2015 Mt. Laurel IV decision, West Wildwood Borough petitioned the Superior Court on April 2, 2019, for a Declaratory Judgment and temporary immunity from builder's remedy suits.

The Borough adopted a 2021 Housing Element and Fair Share Plan amendment and executed a Settlement Agreement with FSHC which was the result of the amicable resolution of meeting the Borough's fair share affordable housing obligation.

On February 5, 2021, the Borough adopted a mandatory development fee ordinance. The 2021 ordinance included the establishment of residential development fees in the amount of 1% of the equalized assessed value of residential development and nonresidential development fees in the amount of 2.5% of the equalized assessed value of nonresidential development.

All development fees, payments in lieu of constructing affordable units on site, "other" income, and interest generated by the fees are deposited in one (1) separate interest-bearing account dedicated toward the creation of affordable housing. These funds shall be spent in accordance with N.J.A.C. 5:93-8.16, as described in the sections that follow.

This spending plan is submitted to the Superior Court of New Jersey for approval to expend Affordable Housing Trust Fund monies that will contribute to the rehabilitation program. All initial funds will be expended toward the Borough's rehabilitation program. Additionally, once affordable units are produced within the Borough, it will expend funds on affordability assistance (including infrastructure grants), including expenditures to create very-low

income units or to render existing units more affordable, and toward administrative expenses.

## REVENUES FOR CERTIFICATION PERIOD

To calculate a projection of revenue anticipated during the period of Third Round Judgment of Repeal, West Wildwood considered the following:

**(a) Development fees: \$70,000**

1. Residential and nonresidential projects which have had development fees imposed upon them at the time of preliminary or final development approvals;
2. All projects currently before the planning and zoning boards for development approvals that may apply for building permits and certificates of occupancy; and
3. Future development that is likely to occur based on historical rates of development.

**(b) Payment in lieu (PIL): \$0**

Actual and committed payments in lieu of construction from developers. The Borough does not anticipate receiving payment-in-lieu of construction through the Third Round.

**(c) Other funding sources: \$0**

The Borough does not anticipate future funds from this category at this time. Funds from other sources, include, but are not limited to the sale of units with extinguished controls, repayment of affordable housing program loans, rental income, and proceeds from the sale of affordable units. All monies in the

Affordable Housing Trust fund are anticipated to come from development fees and interest.

(d) **Projected interest:**                    **\$ 700**

Based on interest earned in recent years and projected rates of development fee revenue, West Wildwood anticipates collecting \$700 in interest through 2025.

Table SP-1 indicates the anticipated revenue to be generated from development impact fees and interest. West Wildwood Borough projects a Total of \$70,700 to be collected between May 2021 and December 31, 2025, including interest, to be used for affordable housing purposes. All interest earned on the account shall accrue to the account to be used only for the purposes of affordable housing.



Source of Funds – Housing Trust Fund 2020 through 2025

Year Source of Funds	2021	2022	2023	2024	2025	2020-2025 Total
Projected Residential Development	\$14K	\$14K	\$14K	\$14K	\$14K	\$70K
Projected Non-Residential Development	-	-	-	-	-	-
Interest	\$140	\$140	\$140	\$140	\$140	\$700
<b>Total</b>	<b>\$14,140</b>	<b>\$14,140</b>	<b>\$14,140</b>	<b>\$14,140</b>	<b>\$14,140</b>	<b>\$70,700</b>

Projected residential development is based on the estimate of 20 new homes being constructed over the next five (5) years; this is a rate of 4 new housing units per year. This estimate does not include affordable housing sites that will be producing affordable housing and may not be charged a residential development fee. Interest calculations are based on deposits, averaged and extrapolated through 2025.

## **ADMINISTRATIVE MECHANISM TO COLLECT AND DISTRIBUTE FUNDS**

The following procedural sequence for the collection and distribution of development fee revenues shall be followed by West Wildwood Borough:

### **a) Collection of development fee revenues:**

All collection of development fee revenues will be consistent with local regulations which follow COAH administrative models for both residential and non-residential developments and in accordance with N.J.S.A. 40:55D-8.1 through 8.7.

### **(b) Distribution of development fee revenues:**

The governing body may hear and decide upon a request for development fee revenues for the purpose of creating affordable housing. The governing body reviews the request for consistency with the Spending Plan and adopts the recommendation by resolution.

The release of funds requires the adoption of the governing body resolution. Once a request is approved by resolution, the Chief Financial Officer releases the requested revenue from the trust fund for the specific use approved in the governing body's resolution.

## **DESCRIPTION OF ANTICIPATED USE OF AFFORDABLE HOUSING FUNDS**

### **(c) Rehabilitation: \$35,350**

West Wildwood Borough has a 3-unit rehabilitation obligation and intends to satisfy that obligation through participation in the Wildwood Regional Affordable Homeowner Repair Program. The Borough will devote the funds for rehabilitation assistance to the upgrade of a substandard unit for income-eligible homeowners qualified through the county program in accordance with N.J.A.C. 5:93-5.2. The

expenditure of funds on the Borough's rehabilitation program will be a priority over the remaining expenditures set forth in this Spending Plan.

**(d) Affordability Assistance (N.J.A.C. 5:93-8.16(c))**

The Borough will initially prioritize trust fund expenditures toward its rehabilitation obligation until affordable units are produced within the Borough that would qualify for the affordability assistance program. Once affordable units come online, West Wildwood Borough is required to spend a minimum of 30 percent of development fee revenue to render affordable units more affordable and at least one-third of that amount must be dedicated to very low-income households or to create very low-income units (i.e. households with incomes less than 30 percent of the regional median income). The actual affordability assistance minimums should be calculated based on actual revenues.

Projected Minimum Affordability Assistance Requirement		
Development Fees Projected 2021-2025	+	\$70,000
Interest Projected 2021-2025	+	\$700
<b>Total</b>	<b>=</b>	<b>\$70,700</b>
30 Percent Requirement	x 0.30 =	\$21,210
<b>Projected Minimum Affordability Assistance Requirement</b>	<b>=</b>	<b>\$21,210</b>
<b>Projected Minimum Very Low-Income Requirement</b>	<b>÷ 3 =</b>	<b>\$7,070</b>

Based on fees and interest for projected revenues, West Wildwood Borough will dedicate at least \$21,210 from the affordable housing trust fund to render units more affordable, including \$7,070 to render units more affordable to households with income at 30 percent or less of median income by region. This program will be subordinate to the Borough's Rehabilitation Program until such time as affordable units are created within the Borough, thus necessitating the affordability assistance program. Please refer to the affordability assistance



program manual provided as an appendix to the Spending Plan for details of how the affordability assistance funds are anticipated to be used. It may use a variety of vehicles to do this including, but not limited to the following:

- Emergency Repair Program;
- Down-payment assistance;
- Rental assistance;
- Security deposit assistance;
- Moving expenses;
- Low interest loans;
- Assistance with homeowners' association or condominium fees and special assessments; and/or
- Converting low-income units to very-low-income units or creating new very-low income units, etc.

The Borough will work with its affordable housing providers and administrator to expand outreach to ensure the existing and new households of very-low-, low- and moderate-income programs can take advantage of affordability assistance programs. Additionally, the Borough will work with affordable housing providers to convert low income units to very low-income units.

#### **(e) Administrative Expenses (N.J.A.C. 5:93-8.16(e))**

West Wildwood Borough may use Affordable Housing Trust Fund revenue for related administrative costs up to a 20 percent limitation pending funding availability after programmatic and affordability assistance expenditures. The actual administrative expense maximum is calculated on an ongoing basis based on actual revenues.

Projected Administrative Expenses		
Development Fees Projected 2021-2025	+	\$70,000
Interest Projected 2021-2025	+	\$700
<b>Total</b>	=	<b>\$70,700</b>
20 Percent Maximum Permitted Administrative Expenses	x 0.20 =	\$14,140
<b>Projected Allowed Administrative Expenditures</b>	=	<b>\$14,140</b>

West Wildwood Borough projects that \$14,140 may be available from the affordable housing trust fund to be used for administrative purposes. Projected administrative expenditures, subject to the 20 percent cap, are as follows:

- Borough Attorney, Engineer, and Planner fees related to plan preparation and implementation, and to obtaining Judgment of Compliance and Repose;
- Administration fees related to rehabilitation, extension of expiring controls, affordability assistance programs, and municipally-sponsored construction programs;
- Affirmative Marketing;
- Income qualification of households; and
- Administration of Borough's Affordable Housing Units.

## EXPENDITURE SCHEDULE

West Wildwood Borough intends to use Affordable Housing Trust Fund revenues for its rehabilitation program, affordability assistance including the creation of very-low income units and making existing units more affordable, and administrations expenses. Additionally, this expenditure schedule meets the requirement that trust fund revenues are expended within four years of their collection.

Projected Expenditure Schedule 2021 Through 2025

Program	Units	2021	2022	2023	2024	2025	Total
Rehabilitation		\$7,070	\$7,070	\$7,070	\$7,070	\$7,070	\$35,350
Affordability Assistance		\$4,242	\$4,242	\$4,242	\$4,242	\$4,242	\$21,210
Administration		\$7,000	\$1,785	\$1,785	\$1,785	\$1,785	\$14,140
<b>TOTAL</b>		<b>\$18,312</b>	<b>\$13,097</b>	<b>\$13,097</b>	<b>\$13,097</b>	<b>\$13,097</b>	<b>\$70,700</b>

### EXCESS OR SHORTFALL OF FUNDS

In the event that a shortfall of anticipated revenues occurs, West Wildwood will fund the shortfall through bonding or other funding mechanisms to satisfy the gap in funding. In the event that funds exceed projected expenditures, the Borough will devote any excess funds on additional affordability assistance above the 30 percent minimum requirement. Alternatively, the Borough reserves the opportunity to amend its Housing Element and Fair Share Plan, as well as this Spending Plan, to create additional affordable housing opportunities.

### SUMMARY

The Borough of West Wildwood intends to spend Affordable Housing Trust Fund revenues pursuant to the extant regulations governing such funds and consistent with the housing programs outlined in the 2020 Third Round Housing Plan Element and Fair Share Plan. West Wildwood anticipates \$70,700 in revenues before the expiration of a Third Round Judgment of Repose. The Borough may expend up to \$14,140 of Trust Funds on administrative costs during the period of repose. At this time, the Borough estimates that approximately \$7,070 of Trust Funds will be spent to create very low-income units, and to make units more affordable. The Borough intends to prioritize all trust fund money for its



rehabilitation program until such time as affordable housing units are created, which will necessitate the affordability assistance program.

Spending Plan Summary	
Revenues	
Projected Revenue from 2021 through 2025	
1. Development Fees	+ \$70,000
2. Payments-In-Lieu of Construction	+ \$0.00
3. Other Funds	+ \$0.00
Interest	+ \$700
<b>Total Projected Balance</b>	<b>= \$70,700</b>
Expenditures	
Funds Used for Rehabilitation	- \$35,350
Affordability Assistance	- \$21,210
New Construction	- \$0
Administration	- \$14,140

Total Projected Expenditures	= \$70,700
Remaining Balance	= \$0.00

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

**RESOLUTION 2021-092**

**RESOLUTION ADOPTING AN AFFORDABILITY ASSISTANCE MANUAL**

**WHEREAS**, a Mount Laurel Compliance Hearing is scheduled to take place during which the Court will consider whether to approve the Borough’s Round 3 Housing Element and Fair Share Plan, its implementing ordinances and ancillary documents; and

**WHEREAS**, as part of the compliance process, an Affordability Assistance Manual has been prepared by Affordable Housing Alliance, which will administer the program; and

**WHEREAS**, the Affordability Assistance Manual outlines the policies and procedures of the Affordability Assistance Program including the basic content and operation of the various program components; and

**WHEREAS**, the manual is a mandatory element of the Borough’s package of documents to be considered by the Court at the Fairness and Compliance Hearing referenced above.

**NOW THEREFORE BE IT RESOLVED** that the Board of Commissioners of the Borough of West Wildwood, County of Cape May, State of New Jersey, approves and adopts its Affordability Assistance Manual, attached hereto as Exhibit A, so that the Borough can implement its Affordability Assistance Program.

	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 on **July 2, 2021**.



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

OWNER UNIT AFFORDABILITY ASSISTANCE PROGRAM  
AND RENTAL UNIT AFFORDABILITY ASSISTANCE PROGRAM

OWNER UNIT AFFORDABILITY ASSISTANCE PROGRAM

Foreclosure Assistance Program

Eligible owners may receive payment of mortgage expenses for mortgages in the pre-foreclosure or foreclosure process, not to exceed one thousand five hundred dollars (\$1,500.00) per unit. This assistance shall be in the form of a grant.

## RENTAL UNIT AFFORDABILITY ASSISTANCE PROGRAM

### Rental Assistance

West Wildwood Borough may offer a Rental Assistance Program that is managed by the Administrative Agent. Eligible recipients of the program are renters who qualify for a very-low, low- or moderate-income rental unit. The following assistance is available to very-low, low- and moderate-income households:

1. Payment of "moving expenses" based upon verified receipts, in an amount not to exceed one thousand five hundred dollars (\$1,500.00) per family.
2. Rent subsidies based upon size of household and number of bedrooms in apartment
  - a) One-bedroom, low-income unit: \$55.00 per month subsidy.
  - b) One-bedroom, moderate-income unit: \$100.00 per month subsidy.
  - c) Two-bedroom, low-income unit: \$100.00 per month subsidy.
  - d) Two-bedroom, moderate-income unit: \$200.00 per month subsidy.
  - e) Three-bedroom, low-income unit: \$150.00 per month subsidy.
  - f) Three-bedroom, moderate-income units: \$250.00 per month subsidy

The following assistance is available to very low-income households:

1. Payment of "moving expenses" based upon verified receipts, in an amount not to exceed one thousand five hundred dollars (\$1,500.00) per household.
2. Rental security deposit -Deposits paid to landlord to be returned to the Borough's Affordable Housing Trust Fund upon termination of tenancy.
3. Rent subsidies based upon size of household and number of bedrooms in apartment
  - a) One-bedroom: \$75.00 per month subsidy.
  - b) Two-bedroom: \$125.00 per month subsidy.
  - c) Three-bedroom: \$175.00 per month subsidy,

Rental assistance does not need to be repaid by the tenant. The amount of the rental supplement will be calculated initially based on the tenant's actual income and the rent level of the affordable units to help bring the total shelter costs down to 30% of the total household income or lower, if warranted by the particular household circumstances. If the tenant wishes to renew the lease, he/she must be re-income qualified and the rental supplement will be recalculated. If the tenant no longer qualifies for the rental assistance, he/she may renew the lease and stay in the unit but will no longer receive rental assistance.

## Administration

West Wildwood Borough's Owner Unit and Rental Unit Affordability Assistance Programs will begin once the first affordable unit is constructed and deed restricted. Until such time, the Borough's affordable housing trust fund money shall be prioritized for addressing the Borough's rehabilitation obligation.

West Wildwood Borough's Owner Unit and Rental Unit Affordability Assistance Programs will be administered by the Borough's Administrative Agent. The availability of the program shall be advertised continually on the Borough's website. After an applicant is income-qualified by the Administrative Agent pursuant to the Uniform Housing Affordability Controls, the applicant will complete and provide an affordability assistance application to the Administrative Agent.

For qualified and approved payment of foreclosure payment assistance, the Administrative Agent will follow the Borough purchasing and requisition process for generating a check that is made out to the applicant. Once the check is produced, the Administrative Agent provides it to the applicant.

For qualified and approved payment of moving expenses, the Administrative Agent will follow the Borough purchasing and requisition process for generating a check that is made out to the applicant. Once the check is produced, the Administrative Agent provides it to the applicant.

For qualified and approved payment of utility deposit, the Administrative Agent follows the Borough purchasing and requisition process for generating a check that is made out to the utility company. Once the check is produced, the Administrative Agent provides it to the applicant for payment to the utility company.

The affordability assistance recipient will sign a contract with West Wildwood Borough which states, at a minimum: the amount of funds granted, interest information, procedures, duration and conditions of affordability assistance, and repayment information if required.

The availability of any Affordability Assistance Programs must be noticed to all owners and tenants of affordable units within West Wildwood Borough and provided to all administrative agents of affordable units within West Wildwood Borough and advertised on the Borough's website.

An income eligible occupant or applicant for an affordable unit within Borough may not be denied participation in the Affordability Assistance Program(s) unless funding is no longer available.



**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**.



**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 PRIVLEDGE**

**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**.



**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**



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

**RESOLUTION 2021-095**

**CHAPTER 159 – INSERTION OF CLEAN COMMUNITIES GRANT FOR 2021**

**WHEREAS**, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by any public or private funding source and the amount thereof shall not have been determined at the time of the adoption of the budget; and

**WHEREAS**, said Director may also approve the insertion of any item of appropriation for equal amount; and

**WHEREAS**, the Borough of West Wildwood is in receipt of \$4,034.58 from the Solid Waste Administration FY 2021 Clean Communities Grant and wishes to amend its 2021 Municipal Budget to include this amount of revenue.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of the Borough of West Wildwood, County of Cape May, New Jersey, does hereby request the Director of the Division of Local Government services to approve the insertion of an item of revenue in the municipal budget of the Borough of West Wildwood for the year 2021 in the sum of.....\$4,034.58 which is now available as a revenue from:

Miscellaneous Revenues  
Special Items of General Revenue Anticipated with  
Prior Written Consent of the Director of the Division  
of Local Government Services - Public and Private  
Revenues Offset with Appropriations:  
Clean Communities Grant ..... \$4,034.58

**BE IT FURTHER RESOLVED** that a like sum of ..... \$4,034.58  
be and the same is hereby appropriated under the caption of:

GENERAL APPROPRIATIONS  
(a) Operations Excluded from 5% Caps  
Public and Private Programs Offset by Revenues:  
2021 Clean Communities Grant

	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 s **Regular Meeting** held on **August 6, 2021**.



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

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

**RESOLUTION 2021-096**

**AUTHORIZING THE BOROUGH ENGINEER TO PROCEED WITH SURVEYING, DESIGN,  
BIDDING, CONSTRUCTION ENGINEERING, CONTRACT ADMIN. & CONSTRUCTION  
OBSERVATION SERVICES IN CONNECTION WITH  
THE RECONSTRUCTION OF “A” AVENUE FROM GLENWOOD AVENUE TO POPLAR  
AVENUE**

**WHEREAS**, the Board of Commissioners has awarded, pursuant to N.J.S.A. 40A:11-4.4, a Professional Service Contract after publishing, advertisement, and request for proposals for General Engineering Services with Remington & Vernick Engineers, Inc.; and

**WHEREAS**, the Board of Commissioners requires Surveying, Design, Bidding, Construction Engineering, Contract Admin. & Construction Observation Services in connection with “The Reconstruction of “A” Avenue from Glenwood Avenue to Poplar Avenue;” and

**WHEREAS**, Remington & Vernick Engineers has submitted their proposal for Surveying, Design, Bidding, Construction Engineering, Contract Admin. & Construction Observation Services in the amount of **FOURTY - EIGHT THOUSAND DOLLARS and 00/100 CENTS** (\$48,000.00); and

**WHERE AS, FOURTY - EIGHT THOUSAND DOLLARS and 00/100 CENTS** (\$48,000.00) is a matching obligation and attributable to the 2019/2020 NJDOT State Aid, total Amount being \$185,000.00; and

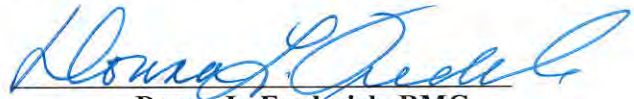
**WHEREAS**, the Chief Financial Officer of the Borough of West Wildwood has certified that there are sufficient funds available to pay the above referenced vendor from permanent budget General Capital account # C-04-55-919-101 – Bond Ordinance 592(2021).

**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 Engineer be and is hereby authorized to proceed with the Surveying, Design, Bidding, Construction Engineering, Contract Admin. & Construction Observation Services in connection with “The Reconstruction of “A” Avenue from Glenwood Avenue to Poplar Avenue” for an amount not to exceed **FOURTY - EIGHT THOUSAND and 00/100 CENTS** (\$48,000.00) and authorizes the Mayor to execute said agreements.

	<b>Motion</b>	<b>Second</b>	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>
<b>Mayor Mathew J. Ksiazek</b>			X			
<b>Commissioner John J. Banning</b>	X		X			
<b>Commissioner Joseph D. Segrest</b>		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 **August 6, 2021**.



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

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

**RESOLUTION 2021-097**

**AUTHORIZING THE BOROUGH ENGINEER TO PROCEED WITH BIDDING,  
CONSTRUCTION ENGINEERING, CONTRACT ADMIN. & CONSTRUCTION  
OBSERVATION SERVICES IN CONNECTION WITH  
THE RECONSTRUCTION OF THE MUNICIPAL BUILDING POLICE ADA RAMP**

**WHEREAS**, the Board of Commissioners has awarded, pursuant to N.J.S.A. 40A:11-4.4, a Professional Service Contract after publishing, advertisement, and request for proposals for General Engineering Services with Remington & Vernick Engineers, Inc.; and

**WHEREAS**, the Board of Commissioners requires Bidding, Construction Engineering, Contract Admin. & Construction Observation Services in connection with “The Reconstruction of the Municipal Building Police ADA Ramp;” and

**WHEREAS**, Remington & Vernick Engineers has submitted their proposal for Bidding, Construction Engineering, Contract Admin. & Construction Observation Services in the amount of **TWENTY-ONE THOUSAND SEVEN HUNDRED AND SEVEN FIVE DOLLARS and 00/100 CENTS** (\$21,775.00); and

**WHEREAS**, **TWENTY-ONE THOUSAND SEVEN HUNDRED AND SEVEN FIVE DOLLARS and 00/100 CENTS** (\$21,775.00) is a matching obligation and attributable to the NJDCA Small Cities Grant Award, total Amount being \$400,000.00; and

**WHEREAS**, the Chief Financial Officer of the Borough of West Wildwood has certified that there are sufficient funds available to pay the above referenced vendor from permanent budget General Capital Account #C-04-55-919-103 (Bond Ordinance 592(2021)).

**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 Engineer be and is hereby authorized to proceed with the Bidding, Construction Engineering, Contract Admin. & Construction Observation Services in connection with “The Reconstruction of the Municipal Building Police ADA Ramp” for an amount not to exceed **TWENTY-ONE THOUSAND SEVEN HUNDRED AND SEVEN FIVE and 00/100 CENTS** (\$21,775.00) and authorizes the Mayor to execute said agreements.

	<b>Motion</b>	<b>Second</b>	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>
<b>Mayor Mathew J. Ksiazek</b>		X	X			
<b>Commissioner John J. Banning</b>	X		X			
<b>Commissioner Joseph D. Segrest</b>			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 **August 6, 2021**.



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

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

**RESOLUTION 2021-098**

**AUTHORIZING THE BOROUGH ENGINEER TO PROCEED WITH PREPARING A USDA  
APPLICATION FOR SANITARY SEWER REPLACEMENT  
SERVICES IN CONNECTION WITH THE SANITARY SEWER IMPROVEMENTS  
TO MAPLE AVENUE FROM ARION AVENUE TO NEPTUNE AVENUE**

**WHEREAS**, the Board of Commissioners has awarded, pursuant to N.J.S.A. 40A:11-4.4, a Professional Service Contract after publishing, advertisement, and request for proposals for General Engineering Services with Remington & Vernick Engineers, Inc.; and

**WHEREAS**, the Board of Commissioners requires Preparing a USDA Application for Sanitary Sewer Replacement Services in connection with “The Sanitary Sewer Improvements for Maple Avenue from Arion Avenue to Neptune Avenue;” and

**WHEREAS**, Remington & Vernick Engineers has submitted their proposal for Preparing a USDA Application for Sanitary Sewer Replacement Services in the amount of **SEVENTY-FIVE HUNDRED DOLLARS and 00/100 CENTS** (\$7,500.00); and

**WHEREAS**, the Chief Financial Officer of the Borough of West Wildwood has certified that there are sufficient funds available to pay the above referenced vendor from permanent budget appropriation account # 1-01-20-165-028

**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 Engineer be and is hereby authorized to proceed with the Preparing a USDA Application for Sanitary Sewer Replacement Services in connection with “The Sanitary Sewer Improvements for Maple Avenue from Arion Avenue to Neptune Avenue;” for an amount not to exceed **SEVENTY-FIVE HUNDRED DOLLARS and 00/100 CENTS** (\$7,500.00) and authorizes the Mayor to execute said agreements.

	<b>Motion</b>	<b>Second</b>	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>
<b>Mayor Mathew J. Ksiazek</b>	X		X			
<b>Commissioner John J. Banning</b>		X	X			
<b>Commissioner Joseph D. Segrest</b>			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 **August 6, 2021**.

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



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

**RESOLUTION 2021-099**

**A RESOLUTION ACKNOWLEDGING AN ADDITIONAL MEMBER IN THE  
WEST WILDWOOD VOLUNTEER FIRE COMPANY**

**WHEREAS**, it has been established that JIF determined the Borough must keep a current roster of all active firefighters, ladies auxiliary members and junior firefighters of the West Wildwood Vol. Fire Company; and

**WHEREAS**, the Chief of the West Wildwood Vol. Fire Company has provided information of an additional applicant for the Borough to add to the roster; and


**WHEREAS**, the Board of Commissioners hereby acknowledges the following applicant for membership, contingent upon successful completion of a background check.

Andrew English – 221 W. 26<sup>th</sup> St., North Wildwood, NJ 08260

**NOW, THEREFORE BE IT RESOLVED** that the Board of Commissioners of the Borough of West Wildwood, County of Cape May, New Jersey that the Borough acknowledges Andrew English, and thanks him for his selfless volunteer service on behalf of all of the residents.

	<b>Motion</b>	<b>Second</b>	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>
<b>Mayor Mathew J. Ksiazek</b>			X			
<b>Commissioner John J. Banning</b>	X		X			
<b>Commissioner Joseph D. Segrest</b>		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 **August 6, 2021**.

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

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

**RESOLUTION 2021-100**

**RESOLUTION WAIVING THE ATTORNEY-CLIENT PRIVILEGE BETWEEN THE BOROUGH OF WEST WILDWOOD AND WILLIAM G. BLANEY, ESQUIRE, MARCUS H. KARAVAN, ESQUIRE, AND MARY D'ARCY BITTNER, ESQUIRE FOR THE LIMITED PURPOSE OF DISCUSSING NEGOTIATIONS OF THE BOROUGH CHIEF OF POLICE'S CONTRACT AND BACKGROUND INFORMATION RELATED TO THE SAME WITH THE DEPARTMENT OF COMMUNITY AFFAIRS**

**WHEREAS**, the Board of Commissioners of the Borough of West Wildwood has the authority to award Professional Service Contracts to professionals to provide services to the Borough in various areas of need; and

**WHEREAS**, previously, the Board of Commissioners of the Borough of West Wildwood has appointed William G. Blaney, Esquire, Marcus H. Karavan, Esquire, and Mary D'Arcy Bittner, Esquire, Professional Service Contracts to serve as legal representatives of the Borough in different capacities, which has included serving as the Borough's Labor Counsel and the Borough's Municipal Solicitor; and

**WHEREAS**, in serving as the Borough's Labor Counsel and Municipal Solicitor, Mr. Blaney, Mr. Karavan, and Ms. D'Arcy Bittner have established attorney-client relationships with the Borough which is afforded an absolute privilege that cannot be waived without prior approval; and

**WHEREAS**, the State of New Jersey Department of Community Affairs has contacted the Borough with inquiries related to the Borough Police Chief's Contract;

**WHEREAS**, the Board of Commissioners of the Borough of West Wildwood wishes to waive the attorney-client privilege outlined above for the limited purpose of allowing Mr. Blaney, Mr. Karavan, and/or Ms. D'Arcy Bittner to discuss the negotiations of the Borough Chief of Police's Contract and background information related to the same with the Department of Community Affairs; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Commissioners of the Borough of West Wildwood, Cape May County, New Jersey hereby approves the following:

1. The attorney-client privilege between the Borough and Mr. Blaney, Mr. Karavan, and/or Ms. D'Arcy Bittner is hereby waived as it relates to negotiations and background information related to the Borough Chief of Police's Contract.
2. Said waiver of the attorney-client privilege only relates discussions that may take place with the Department of Community Affairs and/or their designees.

3. Said waiver of the attorney-client privilege shall remain in full force and effect between the Borough and Mr. Blaney, Mr. Karavan, and/or Ms. D'Arcy Bittner as it relates to any other work that has been completed during the course of their Professional Service Contracts and their performances as Borough Labor Counsel and/or Borough Solicitor.

	Motion	Second	Yes	No	Abstain	Absent
<b>Mayor Mathew J. Ksiazek</b>			X			
<b>Commissioner John J. Banning</b>	X		X			
<b>Commissioner Joseph D. Segrest</b>		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 **August 18, 2021**.

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



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

**RESOLUTION 2021-101**

**AUTHORIZING APPOINTMENT TO THE  
URBAN ENTERPRISE ZONE BOARD OF DIRECTORS**


**WHEREAS**, it is necessary for the Borough of West Wildwood to have active participation in the Enterprise Zone Development Corporation of the Wildwoods (UEZ); and

**WHEREAS**, the Borough is entitled to make an appointment to said Corporation; one that is a member of the Governing Body and one that is either a member of the Public or an employee of the Borough.

**NOW, THEREFORE BE IT RESOLVED** by the Board of Commissioners of the Borough of West Wildwood, Cape May County, New Jersey that Carl O'Hala is hereby appointed as the Public/Municipal Employee Member.

	<b>Motion</b>	<b>Second</b>	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>
<b>Mayor Mathew J. Ksiazek</b>			X			
<b>Commissioner John J. Banning</b>	X		X			
<b>Commissioner Joseph D. Segrest</b>		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 **August 18, 2021**.

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



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

**RESOLUTION 2021-102**

**ESTABLISHING A DEDICATION BY RIDER FOR  
A BEAUTIFICATION FUND**

**WHEREAS**, the Borough of West Wildwood wishes to create a “Dedication by Rider” 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 Dedication by Rider 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			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 on **September 3, 2021**.

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

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

**RESOLUTION 2021-103**

**AUTHORIZING A SHARED SERVICES AGREEMENT  
WITH THE CAPE MAY COUNTY MUNICIPAL UTILITIES AUTHORITY FOR  
SOLID WASTE DISPOSAL AND RECYCLING SERVICES**

**WHEREAS**, the Cape May County Municipal Utilities Authority ("CMCMUA"/"Authority") has designed, financed, acquired, constructed, expanded, and currently operates a solid waste management system ("System") which presently serves the entire County of Cape May in the State of New Jersey, for the disposal, transfer, and recycling of solid waste; and,

**WHEREAS**, the Borough of West Wildwood has utilized and desires to continue to utilize the services of the CMCMUA's System; and,

**WHEREAS**, there presently exists a contract between the Borough of West Wildwood and the Authority for the use of the CMCMUA's System for the disposal, transfer, and recycling of solid waste entitled "Shared Services Agreement for Solid Waste Disposal and Recycling Services" ("Agreement") which will expire on December 31, 2021; and,

**WHEREAS**, the Borough of West Wildwood and the Authority desire to enter into a new Agreement and to fix the expiration date of said Agreement to occur on December 31, 2022; and,

**WHEREAS**, the Authority has offered the "Shared Services Agreement for Solid Waste Disposal and Recycling Services" to the Borough of West Wildwood in order to more efficiently provide and continue to offer municipalities within Cape May County the use of the CMCMUA's System from January 1, 2022 through December 31, 2022; and,


**WHEREAS**, the Authority has submitted the same proposed form of Agreement to all Cape May County Municipalities which will provide for both Solid Waste disposal and certain recycling services through December 31, 2022; and,

WHEREAS, N.J.S.A. 40A:65-1 et seq., the Uniform Shared Services and Consolidation Act, authorizes a municipality to enter into a contract with any other local unit for the sharing of governmental services.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of West Wildwood, County of Cape May, and State of New Jersey, that the Borough of West Wildwood shall enter into a contract with the Authority entitled "Shared Services Agreement for Solid Waste Disposal and Recycling Services", effective January 1, 2022, in the form to be maintained on file in the office of the West Wildwood Borough Clerk, and that the appropriate Borough of West Wildwood officials are hereby authorized and directed to execute said 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 **Regular Meeting** held on September 3, 2021.

  
 Donna L. Frederick, RMC  
 Municipal Clerk



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

**RESOLUTION 2021-104**

**AUTHORIZING CHANGE ORDER NO. 1 FOR *FY2020* USDA SANITARY SEWER PROJECT, FY2018 NJDOT MUNICIPAL AID PROGRAM RECONSTRUCTION OF POPLAR AVENUE, (ARION AVENUE TO “J” AVENUE), FY2019 NJDOT MUNICIPAL AID PROGRAM RECONSTRUCTION OF “G” AVENUE (POPLAR AVENUE TO GLENWOOD AVENUE)**

**WHEREAS**, the Board of Commissioners, of the Borough of West Wildwood, County of Cape May, State of New Jersey awarded a contract to **LEXA CONCRETE, LLC** for the project “**FY2020 USDA Sanitary Sewer Project, FY2018 NJDOT Municipal Aid Program Reconstruction of Poplar Avenue, (Arion Avenue to “J” Avenue), FY2019 NJDOT Municipal Aid Program Reconstruction of “G” Avenue (Poplar Avenue to Glenwood Avenue**”, and;

**WHEREAS**, **LEXA CONCRETE, LLC** has submitted **Change Order No. 1** through Remington & Vernick Engineers, which **increases** the price of the contract by **\$49,882.54**, to an amended total of **\$1,588,748.24** and;

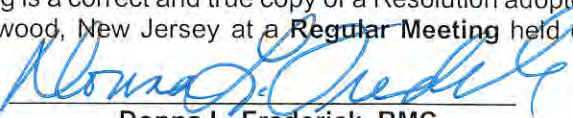
**WHEREAS**, the Chief Financial Officer of the City of Wildwood has certified that there are sufficient funds to execute said Change Order:

Original Contract Amount:	\$ 1,538,865.70
Amended Contract Amount:	\$ 1,588,748.24
Total Contract Change (Amount):	\$ 49,882.54
Total Contract Change (Percent):	3.24 %

**BE IT RESOLVED**, by the Board of Commissioners of the Borough of West Wildwood, County of Cape May, State of New Jersey that **Change Order No. 1**, as submitted by **LEXA CONCRETE, LLC**. Through Remington & Vernick Engineers, is hereby approved in the increased amount of **\$49,882.54**, to an amended total of **\$1,588,748.24**.

	Motion	Second	Yes	No	Abstain	Absent
Mayor Matthew J. Ksiazek	X		X			
Commissioner John J. Banning			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 on **September 3, 2021**.

  
 Donna L. Frederick, RMC  
 Municipal Clerk



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

**RESOLUTION 2021-105**

**AUTHORIZING THE REFUND OF ESCROW FEES TO ATLANTIC CITY ELECTRIC COMPANY**

**WHEREAS**, the Borough of West Wildwood received escrow fees from Atlantic City Electric Company for off-duty police officers to be onsite at the project area for traffic safety issues; and

**WHEREAS**, the project has been completed, leaving a remaining balance of escrow fees to be refunded to Atlantic City Electric Company.

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

**ATLANTIC CITY POLE PROJECT  
OFF DUTY POLICE**

<u>DATE</u> <u>RECEIVED</u>	<u>AMOUNT</u> <u>RECEIVED</u>	<u>DISBURSEMENTS</u>		<u>ESCROW</u> <u>DUE TO</u> <u>A/C</u>
		<u>DATE</u>	<u>DISB</u>	
4/15/2020	1,730.00	MAY	1,424.50	
7/2/2020	1,560.00	JUNE	2,205.14	
12/15/2020	1,000.00	DEC	10,177.24	
12/29/2020	1,680.00	JAN	1,442.75	
12/29/2020	2,040.00	FEB	3,486.86	
3/1/2021	1,590.00			
3/1/2021	3,540.00			
3/23/2021	2,670.00			
4/20/2021	3,900.00			
	\$ 19,710.00		\$18,736.49	<u><u>\$973.51</u></u>

	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 Frederick, 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 **October 1, 2021**.

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

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

**RESOLUTION 2021-106**

**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

<b>Block</b>	<b>Lot</b>	<b>Property Address</b>	<b>Amount</b>
120	7	732 W. Maple Ave.	\$100.00
145	15 & 16	209 P Avenue	\$200.00


**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

	<b>Motion</b>	<b>Second</b>	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>
<b>Mayor Matthew J. Ksiazek</b>			X			
<b>Commissioner John J. Banning</b>	X		X			
<b>Commissioner Joseph D. Segrest</b>		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 **October 1, 2021**.

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



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

**RESOLUTION 2021-107**

**KNOCK OUT OPIOID ABUSE DAY OCTOBER 6, 2021**

**WHEREAS**, New Jersey is in the midst of a life-threatening opioid abuse epidemic; and

**WHEREAS**, the State Senate and General Assembly jointly resolved that October 6 shall be permanently designated as Knock Out Opioid Abuse Day in New Jersey in order to raise awareness about the dangers of, and the link between, opioid abuse and heroin addiction and to educate health care providers, community leaders, state lawmakers and members of the public about the opioid abuse epidemic and its effects throughout the State of New Jersey and across the country; and

**WHEREAS**, there were 63 suspected overdose deaths in Cape May County in 2020 according to the NJ Office of the Attorney General and the majority of the County's treatment admissions were for heroin/other opiates in 2019 according to the NJ Department of Human Services Division of Mental Health and Addiction Services; and

**WHEREAS**, the Knock Out Opioid Abuse Day campaign is sponsored by the Partnership for a Drug Free New Jersey in cooperation with the Governor's Council for Alcoholism and Drug Abuse and the NJ Department of Human Services Division of Mental Health and Addiction Services to raise awareness of the potential for dependency on prescribed pain medicine and its link to heroin use rates in our state, reduce stigma of addiction and shine a light on the need for recovery support, and communicate to physicians information on safer prescribing messages found in the Centers for Disease Control and Prevention guidelines for prescribing opioids, which include considering other therapies, setting realistic treatment goals with patients and discussing with patients the positives and negatives of opioids; and


**WHEREAS**, the Board of Commissioners of the Borough of West Wildwood supports initiatives designed to raise awareness about opioid abuse in New Jersey and take steps to prevent addiction.

**THEREFORE, BE IT RESOLVED** encourages all residents to utilize the prescription drug drop boxes to dispose of unused and expired medications safely and securely. Prescription drug drop boxes are located at every Police Department in Cape May County;

**BE IT FURTHER RESOLVED** that October 6, 2021, be recognized as Knock Out Opioid Abuse Day in West Wildwood.

	<b>Motion</b>	<b>Second</b>	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>
<b>Mayor Matthew J. Ksiazek</b>			X			
<b>Commissioner John J. Banning</b>	X		X			
<b>Commissioner Joseph D. Segrest</b>		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 **October 1, 2021**.

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



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

**RESOLUTION 2021-108**

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

**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 a Closed (Executive) Session 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 **Regular Meeting** held on **October 1, 2021**.

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

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

**RESOLUTION 2021-109**

**ADOPTION OF CY2020 AUDIT**

**WHEREAS**, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

**WHEREAS**, the Annual Report of Audit for the year 2020 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

**WHEREAS**, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New to prescribe reports pertaining to the local fiscal affairs; and

**WHEREAS**, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Findings and Questioned Costs" or "Findings and Recommendations"; and

**WHEREAS**, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Findings and Questioned Costs" or "Findings and Recommendations", as evidenced by the group affidavit form of the governing body attached hereto; and

**WHEREAS**, such resolution of certification shall be adopted by the governing body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

**WHEREAS**, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

**WHEREAS**, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the governing body to the penalty provisions of R.S. 52:27BB-52 - to wit:

R.S. 52:27BB-52 - A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his/her office."

**NOW, THEREFORE BE IT RESOLVED**, that the Governing Body of the Borough of West Wildwood, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

	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 on **October 1, 2021**.

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

**BOROUGH OF WEST WILDWOOD**  
**Cape May County, New Jersey**

**RESOLUTION 2021-110**

**MEMORIALIZING THE APPOINTMENT OF THE MAYOR AND  
A BUSINESS COMMUNITY MEMBER TO THE ENTERPRISE ZONE  
DEVELOPMENT CORPORATION OF THE WILDWOODS**

**WHEREAS**, Ordinance No. 2002-421 designated certain areas of the Borough of West Wildwood, North Wildwood, Wildwood and Wildwood Crest as an Urban Enterprise Zone; and

**WHEREAS**, Ordinance – 2208-478 created a non-profit corporation known as the Enterprise Zone Development Corporation of the Wildwoods with the cities of Wildwood, North Wildwood and Wildwood Crest, known as the Enterprise Zone Development Corporation of the Wildwoods;” and

**WHEREAS**, the Board of Directors for the Enterprise Zone Development Corporation shall consist of 11 members as follows:

- A. One member of the local government from each of the municipalities of Wildwood, North Wildwood, Wildwood Crest and West Wildwood, each of whom shall serve as Chairman of the Board of Directors for one year beginning with the local government member from West Wildwood. The local government member from each municipality, at the option of each municipality shall be either the Mayor of the municipality or the Mayor’s designee from the governing body of a member of the governing body as chosen by the affirmative vote of all of the members of the governing body.
- B. One member from the business community of each of the four municipalities. The Mayor of each municipality shall appoint the business community member with the advice and consent of the governing body of the municipality. Each member so appointed shall serve for a term of four years; however, the initial term of such member shall be staggered with the Wildwood Crest member serving an initial term of one year, the North Wildwood member serving an initial term of two years, and the Wildwood member serving an initial term of three years.

**WHEREAS**, the Borough of West Wildwood wishes to appoint Mayor, Matthew J. Ksiazek, or his designee, to serve as Chairman of the Board of Directors of the Enterprise Zone Development Corporation of the Wildwoods; and

**WHEREAS**, the Borough of West Wildwood wishes to appoint business community member, Gus Tilsner, owner of the Bridgeport Family Marina, 227 Avenue R, West Wildwood, New Jersey, as the Business Community Member, to serve on the Board of Directors of the Enterprise Zone Development Corporation of the Wildwoods



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

1. Mayor, Matthew J. Ksiazek, Borough of West Wildwood, is hereby appointed to serve as the Chairman of the Board of Directors of the Enterprise Zone Development Corporation.
2. Gus Tilsner, owner of Bridgeport Family Marina, is hereby appointed to serve as the Business Community Member for the Borough of West Wildwood, on the Board of Directors of the Enterprise Zone Development Corporation.

	Motion	Second	Yes	No	Abstain	Absent
<b>Mayor Matthew J. Ksiazek</b>					X	
<b>Commissioner John J. Banning</b>		X	X			
<b>Commissioner Joseph D. Segrest</b>	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 **October 1, 2021**.

  
 Donna L. Frederick, RMC  
 Municipal Clerk

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

**RESOLUTION 2021-111**

**DECLARING TRICK OR TREAT TO BE HELD SUNDAY, OCTOBER 31, 2021  
FROM 5:00pm TO 7:00pm**

**BE IT RESOLVED**, by the Board of Commissioners of the Borough of West Wildwood, County of Cape May, New Jersey, that Trick or Treat, be and the same shall be observed in the Borough of West Wildwood, on Sunday, October 31, 2021, between the hours of 5:00pm and 7:00pm.

	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 Frederick, 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 **October 1, 2021**.



Donna L. Frederick, RMC  
Municipal Clerk