

Nov. 15, 2021
9:00 AM

MEETING

SPECIAL

"Small town Charm on the Back Bay"

AGENDA

SPECIAL MEETING – NOVEMBER 15, 2021

9:00 am

CALL TO ORDER

PLEDGE OF ALLEGIANCE

OPEN PUBLIC MEETINGS ACT ANNOUNCEMENT

THIS SPECIAL MEETING WAS CALLED PURSUANT TO THE PROVISIONS OF THE OPEN PUBLIC MEETING LAW. NOTICE OF THIS MEETING WAS SENT TO THE ATLANTIC CITY PRESS AND THE CAPE MAY COUNTY HERALD ELECTRONICALLY AND POSTED ON THE OFFICIAL CLERKS BULLETIN BOARD.

ROLL CALL:

RESOLUTIONS:

2021-118 – AWARDING CONTRACT FOR FY2020 N.J.D.O.T. MUNICIPAL AID PROGRAM RECONSTRUCTION OF A AVENUE

2021-119 – AUTHORIZING A CLOSED (EXECUTIVE) SESSION MEETING PURSUANT TO N.J.S.A. 10:4-12(b8) TO DISCUSS PROSPECTIVE EMPLOYMENT

2021-120 - AUTHORIZING A CLOSED (EXECUTIVE) SESSION MEETING PURSUANT TO N.J.S.A. 10:4-12(b7) FOR PENDING AND/OR ANTICIPATED LITIGATION FOR CONTRACT ISSUES INVOLVING ATTORNEY-CLIENT PRIVILEGE

OPEN TO THE FLOOR FOR PUBLIC COMMENT

ADJOURNMENT

OFFICIAL ACTION MAY BE TAKEN

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

BOROUGH OF WEST WILDWOOD

BOARD OF COMMISSIONERS

SPECIAL MEETING MINUTES

November 15, 2021

9:00 AM

MINUTES:

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

ROLL CALL: Present

Comm. Banning

Comm. Segrest

Mayor Ksiazek

Solicitor Lyons

Deputy Clerk Carl O'Hala

Borough Engineer James Oris

Sr. Surveyor Charles Adamson

Construction Manager/RVE Tony Donofrio

Municipal Clerk Donna L. Frederick

RESOLUTIONS:

Clerk read out by title the following resolution:

2021-118 – AWARDING CONTRACT FOR FY2020 N.J.D.O.T. MUNICIPAL AID PROGRAM

RECONSTRUCTION OF AVENUE

Clerk asked for a motion to adopt resolution

Motion by Mayor Ksiazek; Second by Comm. Banning

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

Resolution Adopted.

With the recommendation from the borough solicitor, clerk read out resolution 2021-120 – prior to resolution 2021-119.

2021-120 - AUTHORIZING A CLOSED (EXECUTIVE) SESSION MEETING

PURSUANT TO N.J.S.A. 10:4-12(b7) FOR PENDING AND/OR ANTICIPATED LITIGATION

FOR CONTRACT ISSUES INVOLVING ATTORNEY-CLIENT PRIVILEGE

Clerk asked for a motion to adopt resolution.

Motion by Comm. Banning; Second by Comm. Segrest

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

Resolution Adopted.

After the closed session ended Clerk called for a motion to reconvene the meeting.

Motion by Mayor Ksiazek; Second by Comm. Segrest.

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

Motion Carried

Clerk read out by title the following resolution:

2021-119 – AUTHORIZING A CLOSED (EXECUTIVE) SESSION MEETING PURSUANT TO N.J.S.A. 10:4-12(b8) TO DISCUSS PROSPECTIVE EMPLOYMENT

Clerk asked for a motion to adopt resolution to go into closed session.
Motion by Comm. Banning; Second by Comm. Segrest

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

Clerk Donna L. Frederick, recused herself from the proceedings of the closed executive session meeting regarding the discussion on prospective employment. After the closed session ended Deputy Clerk Carl O'Hala called for a motion to reconvene the special meeting.

Hearing no public comment, Deputy Clerk Carl O'Hala called for a motion to adjourn the special meeting.


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

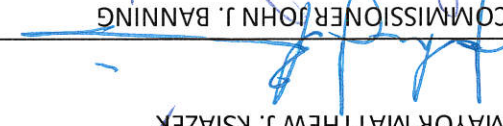
Roll Call Vote: Comm. Banning, yes; Comm. Segrest, yes; Mayor Ksiazek, yes.
Motion Carried

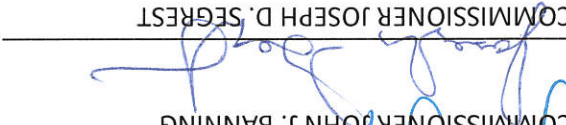
Respectfully submitted


Donna L. Frederick, RMC
Municipal Clerk

This is a generalization of the Special Meeting on November 15, 2021 and not a verbatim transcript.
THESE MINUTES WERE APPROVED AT THE DECEMBER 3, 2021 REGULAR COMMISSION MEETING


MAYOR MATTHEW J. KSIAZEK


COMMISSIONER JOHN J. BANNING


COMMISSIONER JOSEPH D. SEGREST

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

RESOLUTION 2021-118

**AWARDING CONTRACT TO LEXA CONCRETE FOR FY2020 N.J.D.O.T. MUNICIPAL
AID PROGRAM RECONSTRUCTION OF A AVENUE**

WHEREAS, bids were received by the Borough of West Wildwood on November 4, 2021 in connection with a contract for *FY2020 N.J.D.O.T. MUNICIPAL AID PROGRAM RECONSTRUCTION OF A AVENUE*; and

WHEREAS, Lexa Concrete, LLC, with offices located at 11 Commerce Way Drive, Hammonton, NJ 08037, was the lowest bidder; and

WHEREAS, the Borough Engineer and Borough Solicitor have reviewed the bid of Lexa Concrete, LLC and are satisfied that the bidder complies with the Instructions to Bidders and conditions of the award; and

WHEREAS, the Borough Engineer has recommended award of the subject contract to Lexa Concrete, LLC, and

WHEREAS, the total bid price is \$194,498.50

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

1. All of the statements of the preamble are incorporated herein by reference thereto as though the same were set forth at length.


2. A contract for *FY2020 N.J.D.O.T. MUNICIPAL AID PROGRAM RECONSTRUCTION OF A AVENUE* project to be performed by Lexa Concrete, 11 Commerce Way Drive, Hammonton, NJ 08037, for a cost not to exceed \$194,498.50.

3. On behalf of the Borough of West Wildwood, the Mayor and Borough Clerk be and they hereby are authorized to sign the contract that was included with the contract bidding materials and to deliver same to Lexa Contract, LLC, for execution and return.

4. This award of contract is contingent upon approval of the N.J.D.O.T.

5. This award of contract is contingent upon receipt of a certification of funds from the Borough's Chief Financial Officer.

The Borough Clerk shall return to all bidders whose bids have been rejected the bids and bid security that was posted.


 Donna L. Frederick, RMC
 Municipal Clerk

I, **Donna L. Frederick, RMC, Municipal Clerk** for the Borough of West Wildwood in the County of Cape May and State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a Resolution adopted by the Board of Commissioners of the Borough of West Wildwood, New Jersey at a **Special Meeting** held on November 15, 2021.

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

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

RESOLUTION 2021-119

**AUTHORIZING A CLOSED (EXECUTIVE) SESSION MEETING
PURSUANT TO N.J.S.A. 10:4-12(b8) TO DISCUSS PROSPECTIVE EMPLOYMENT**

WHEREAS, in accordance with the provisions of the Open Public Meetings Act, N.J.S.A. 10:4-12(b8), 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

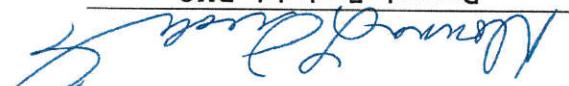
WHEREAS, the Borough anticipates Discussion of Prospective Employment matters which constitutes one of the permitted exemptions; and

WHEREAS, the minutes of this meeting shall remain confidential until after such time as Legal Council determines that the need for 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, Borough Clerk, for the Borough of West Wildwood in the County of Cape May and State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a Resolution adopted by the Board of Commissioners of the Borough of West Wildwood, New Jersey at a Special Meeting held on November 15, 2021


 Donna L. Frederick, RMC
 Municipal Clerk

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

RESOLUTION 2021-120

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

WHEREAS, in accordance with the provisions of the Open Public Meetings Act, N.J.S.A. 10:4-12(b7), it is permissible by resolution for the Governing Body to enter 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 Council determines that the need for 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, Borough Clerk, for the Borough of West Wildwood in the County of Cape May and State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a Resolution adopted by the Board of Commissioners of the Borough of West Wildwood, New Jersey at a Special Meeting held on November 15, 2021


 Donna L. Frederick, RMC
 Municipal Clerk