

# **WORKSHOP MEETING MINUTES**

SEPT 21, 2022

# *Borough of West Wildwood*

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*"Small town Charm on the Back Bay"*

## **AGENDA**

### **NOTICE OF TENTATIVE AGENDA - WORKSHOP MEETING**

**SEPTEMBER 21, 2022 - 9:00am**

**This is a proposed agenda which is subject to change by Commissioners without further notice.**

#### **CALL TO ORDER**

#### **OPEN PUBLIC MEETINGS ACT ANNOUNCEMENT**

**THIS WORKSHOP MEETING WAS CALLED PURSUANT TO THE PROVISIONS OF THE OPEN PUBLIC MEETING LAW. NOTICE OF THIS MEETING WAS RE-ESTABLISHED IN RESOLUTION 2021-126. NOTICE OF THIS MEETING WAS SENT TO THE ATLANTIC CITY PRESS AND THE CAPE MAY COUNTY HERALD ELECTRONICALLY AND POSTED CONTINUOUSLY ON THE OFFICIAL CLERKS BULLETIN BOARD AND BOROUGH WEBSITE**

#### **PLEDGE OF ALLEGIANCE**

#### **ROLL CALL:**

#### **DISCUSSION:**

**Possible agenda items for regular meeting.**

#### **ORDINANCES:**

**ORDINANCE 604(2022) – Second Reading – Public Hearing - ORDINANCE AMENDING SECTION 3 OF BOND ORDINANCE #592 OF THE BOROUGH OF WEST WILDWOOD, IN THE COUNTY OF CAPE MAY, NEW JERSEY, FINALLY ADOPTED JUNE 4, 2021, IN ORDER TO AMEND THE PROJECT DESCRIPTION IN SECTION 3(D), DECREASE THE APPROPRIATION AND AUTHORIZATION AMOUNTS FOR THE PROJECTS AND TO RE-APPROPRIATE AND RE-AUTHORIZE FUNDS TO PROVIDE FOR STORMWATER DRAINAGE IMPROVEMENTS**

#### **RESOLUTIONS:**

**2022-103 – AUTHORIZING REJECTION OF BIDS FOR MANHOLE REPAIRS – PHASE 2**

**2022-104 – AUTHORIZING A CLOSED (EXECUTIVE) SESSION MEETING PURSUANT TO N.J.S.A. 10:4-12(b6) FOR PUBLIC SAFETY**

# *Borough of West Wildwood*

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*"Small town Charm on the Back Bay"*

**Open to the Floor for Public Comment**

**ADJOURNMENT**

**OFFICAL ACTION MAY BE TAKEN**

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

BOROUGH OF WEST WILDWOOD  
BOARD OF COMMISSIONERS  
**WORKSHOP MEETING**  
**Official Action may be taken**  
WEDNESDAY – SEPTEMBER 21, 2022  
9:00 AM

**MINUTES:**

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

**THIS WORKSHOP MEETING WAS CALLED PURSUANT TO THE PROVISIONS OF THE OPEN PUBLIC MEETING LAW. NOTICE OF THIS MEETING WAS IN RESOLUTION 2021-126. NOTICE OF THIS MEETING WAS SENT TO THE ATLANTIC CITY PRESS AND THE CAPE MAY COUNTY HERALD ELECTRONICALLY AND POSTED CONTINUOUSLY ON THE OFFICIAL CLERKS BULLETIN BOARD AND BOROUGH WEBSITE**

Mayor led the Pledge of Allegiance

**ROLL CALL: Present**

Comm. Banning

Comm. Segrest

Mayor Ksiazek

Solicitor Lyons

Deputy Clerk Carl O'Hala

CFO Elaine Crowley

Engineer representatives, Stefanie Thonson, Tony Donofrio, Anthony Chadwell

Administrator/Clerk Donna L. Frederick

Clerk announced there are several action items on the agenda and asked the commissioners if they would like to proceed with these items first. The consensus was to proceed with the action items.

Clerk read the following Ordinance by title:

**ORDINANCE:**

**ORDINANCE 604(2022) – Second Reading – Public Hearing - ORDINANCE AMENDING SECTION 3 OF BOND ORDINANCE #592 OF THE BOROUGH OF WEST WILDWOOD, IN THE COUNTY OF CAPE MAY, NEW JERSEY, FINALLY ADOPTED JUNE 4, 2021, IN ORDER TO AMEND THE PROJECT DESCRIPTION IN SECTION 3(D), DECREASE THE APPROPRIATION AND AUTHORIZATION AMOUNTS FOR THE PROJECTS AND TO RE-APPROPRIATE AND RE-AUTHORIZE FUNDS TO PROVIDE FOR STORMWATER DRAINAGE IMPROVEMENTS**

Mayor opened the meeting for public comment on Ordinance 604(2022). Hearing none, Mayor closed the public hearing. Clerk called for a motion to adopt Ordinance 604(2022)

Motion by Comm. Banning; Second by Comm. Segrest

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

Ordinance Adopted.

**RESOLUTIONS: Clerk read the following resolutions by title:**

**2022-103 – AUTHORIZING REJECTION OF BIDS FOR MANHOLE REPAIRS – PHASE 2**

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

**2022-104 – AUTHORIZING A CLOSED (EXECUTIVE) SESSION MEETING PURSUANT TO N.J.S.A. 10:4-12(b6) FOR PUBLIC SAFETY**

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 (executive) session meeting ended the clerk called for a motion to reconvene the meeting.

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

Clerk then announced an additional resolution and read it out by title.

**Resolution 2022-105 – RESOLUTION AUTHORIZING THE MAYOR TO SIGN AN MOU BETWEEN THE CITY OF WILDWOOD AND THE BOROUGH OF WEST WILDWOOD TO PROVIDE EMERGENCY POLICE SERVICES FOR A FIXED TERM TO BE DETERMINED**

Prior to a call for a motion to adopt resolution 2022-105, Comm. Banning addressed the public. Comm. Banning stated there have been a lot of hiring in the last month, the PD has a full complement of officers with four currently in the academy. The recruits will be out in early December, so Wildwood will temporarily patrol until the end of the year. Comm. Banning stated he is trying to get a commitment from the new officers, so we don't lose them right away. Wildwood PD will be used in the evening hours.

The meeting was open to the public for comment.

BILL MARTIN, 737 W. Poplar, asked if the new recruits sign a contract. Comm. Banning stated they sign a two-year commitment.

KAREN KEIRSEY, 651 W. Poplar Avenue, questioned what started this, what precipitated this matter. Comm. Banning stated he will not talk numbers and stated there is enough for the day shift. Comm. Banning commented the PD lost people. Ms. KeirseY asked under the circumstances, can't the chief help. Comm. Banning stated she made her own decision. Ms. KeirseY commented on the cost of \$55.00 per hour for a twelve-hour shift times seven days a week for months, is that in the budget? Comm. Banning stated the budget will cover it. Ms. KeirseY questioned when did Wildwood start. Comm. Banning stated Monday night. Ms. KeirseY questioned the other commissioners as to when they knew. Mayor Ksiazek stated it was discussed today. Ms. KeirseY asked when did Wildwood talk about it. Mayor Ksiazek stated the 14th. Comm. Banning stated he found out two weeks ago. Ms. KeirseY asked if the chief could cover at least part of a shift like 7-12. Comm. Banning stated the chief has done a good job trying to manage things. Ms. KeirseY questioned if Officer Dodd is doing a shift. Comm. Banning stated officers have time off by contract and overtime is a temporary fix. Ms. KeirseY asked the total cost to the end of the year. Comm. Banning stated approximately \$68,000.00.



ED BAKER, 721.5 W. Poplar Avenue, questioned why we are losing officers to other departments and asked how to fix it. Comm. Banning stated in the past class II officers could be waived over to full-time, the process was not as long by taking a few classes to get fulltime certification. The Cape May County Prosecutor has a directive that officers can't be waived over to fulltime. Mr. Baker asked if the recruit's two-year commitment is legally binding. Comm. Banning stated we'll see as time goes on, don't know.

KAREN KEIRSEY, 651 W. Poplar Avenue, questioned if Comm. Banning was looking into getting rid of the police department. Comm. Banning stated he is looking at options but is committed to this department.

MAUREEN SMITH, 30 Venice Avenue, questioned if this agreement is open-ended, easy to slip back into it after, why not have a period end. Comm. Banning stated he had no control over Wildwood, had two-week period to make arrangements.

LORI PERLOFF, 211 Neptune Avenue, questioned if the PD is done, how would it happen and will it go on the ballot for town approval. Solicitor stated there is no legal requirement, public vote is not a mandatory requirement.

KAREN KEIRSEY, 651 W. Poplar Avenue, asked if the public has a say or is it just the three commissioners who decide, asked if the residents have a say at all. Solicitor stated there are different statutes, not sure what options.

ELAINE SZYMKOWIAK, 555 W. Magnolia Avenue, asked who made the decision for Wildwood Police Department to patrol at night. Comm. Banning stated he did in conference with the chief because day shift was not a problem, this was smoother and easier.

STACY MACKEL, 216 J Avenue, questioned Comm. Banning as to why he didn't hire a class II officer now. Solicitor stated there are statutory limitations on Class II officers.

LORI PERLOFF, 211 Neptune Avenue, commented that a local qualified person applied. Solicitor stated we can't discuss individual candidates.

STACY MACKEL, 216 J Avenue commented Class II officers were used before, why not now. Solicitor state we have to follow state law.

COLLEEN O'CONNELL, 512 W. Poplar Avenue, asked if the officers will patrol West Wildwood all the time. Solicitor stated yes, not doing it on a call basis they will be here from the beginning of the shift to the end of the shift. Ms. O'Connell questioned why the agreement is open ended.

SPENCER SMITH, Cape May County Fraternal Order of Police, questioned where the supervisor will be for the Class II officer be stationed. Comm. Banning stated Wildwood.

TRACY ANDERSON, 5 Mueller Avenue, asked how many are on duty now, and asked why we can't use our officers. Comm. Banning stated the officers have done an outstanding job, with over-time, but with a small department we can't cover full shifts to make this work for both day and night shifts.

SPENCER SMITH, Cape May County Fraternal Order of Police, commented that Sgt. Dodd is on FMLA contractual time off, and questioned who would supervise the officers when Sgt. Dodd is off. Solicitor stated your talking staffing, and it can't be discussed. Mr. Smith commented that they can talk staffing, but when questioned about it, it can't be answered.

BOB BACHICH, 612 W. Magnolia Avenue commented to the mayor what happened to being open and transparent.

DAVE CULLEN, 612 W. Maple Avenue, agrees with Wildwood backing up our officers if needed through mutual aid. Mayor stated this specific problem with hiring shortages is everywhere. The problem at hand is retention and coming up with a solution to retain officers. This will be worked on after the first of the year to retain officers, this agreement will go away.

MAUREEN POMYKACZ, 650 W, Poplar Avenue, commented there is a loss of manpower, people are in the academy and asked if there is a way to require a contract that someone can't leave until there is a replacement for them. Solicitor stated you can't prevent them from leaving through a contract but build on increasing retention. Comm. Banning stated the goal is to have full-time officers.

MICK BADER, 636 W. Glenwood Avenue, asked if the state could help. Comm. Banning stating they are not taking on any new areas and they can't assist us they have rural areas. Comm. Banning stated it is a manageable situation to keep the police department, just move forward get them through the academy.

TRACY ANDERSON, 5 Mueller Avenue, asked if the commissioners would reconsider the time of these meetings. Mayor stated the workshop meetings are the third Wednesday of the month and the regular meetings are the first Friday of the month. Mayor stated he appreciates the concern and input and stated there is an expense to this, we are limited financially, better officers, don't have the resources as a small municipality. Working on it.

MAUREEN POMYKACZ, 650 W, Poplar Avenue, commented this affects us much more.

Hearing no more public comment, mayor closed the meeting and clerk read out by title Resolution 2022-105

**Resolution 2022-105 – RESOLUTION AUTHORIZING THE MAYOR TO SIGN AN MOU BETWEEN THE CITY OF WILDWOOD AND THE BOROUGH OF WEST WILDWOOD TO PROVIDE EMERGENCY POLICE SERVICES FOR A FIXED TERM TO BE DETERMINED**

Prior to a call for a motion Comm. Segrest stated he wanted the fixed term set now, to December 31, 2022.

Clerk asked for a motion to change the resolution to reflect the term of services would end on December 31, 2022.

Clerk then called for a motion to amend the resolution.

Motion by Comm. Segrest; Second by Mayor Ksiazek

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

Motion Carried.

Clerk then read out by title the amended resolution:

**Resolution 2022-105 – RESOLUTION AUTHORIZING THE MAYOR TO SIGN AN MOU BETWEEN THE CITY OF WILDWOOD AND THE BOROUGH OF WEST WILDWOOD TO PROVIDE EMERGENCY POLICE SERVICES FOR A FIXED TERM TO END ON DECEMBER 31, 2022**

Clerk then called for a motion to adopt the amended resolution as read.

Motion by Comm. Segrest; Second by Mayor Ksiazek

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

Resolution Adopted.

Clerk reviewed possible regular meeting agenda items.

Including the appointment of a housing inspector, discussion ensued, it was determined to have the fire official Ronald Harwood offered the position, since he would be doing the inspections already.

Clerk reviewed the CMCMUA Shared Services annual renewal for Solid Waste and Recycling Services.

Clerk reviewed the Cyber Incident Response Plan required by MEL-JIF.

Clerk reviewed updating the storm water prevention plan which John Fearheller is working on for possible adoption at the next regular meeting if completed.

Clerk discussed on-line auction of vehicles past their useful life through gov-deals.

Clerk discussed two items the solicitor needs to possibly address regarding new laws implemented by the state, one lead paint ordinance, and the proof of liability insurance for business and multi-family dwellings.

Engineer representative Charles Adamson reported that Lexa Concrete will be in town Friday working on the punch list for A and Poplar Avenues. When the punch list is completed the D.O.T. project on A Avenue can be closed out.

Discussion about the Poplar Avenue project ensued, the engineers will be meeting with the contractor on Monday and will let the borough know the results but is hopeful this can be resolved. Comm. Segrest stressed the importance of getting these projects closed out as the borough is paying on the debt, the projects are tied to grant money that we need to pay down the bonding.

ADA ramp at the police department will not need a time extension, the contractor is working on obtaining their SAMS number.

Discussion on the replacement bulkhead at Venice and Lake Road, engineers would like approval to perform soil borings so they can bid the project with alternate materials. For example, if steel can be utilized there would not be the need for tieback as with vinyl which will be less disturbance.

In order to do the borings, there would need to be another \$5,000.00 allocated to the project.

Commissioners agreed and this will be approved at the regular meeting in October.

Mayor discussed the continuous flooding issue at the South end of J Avenue and will try to move the property owners into further addressing this matter. Solicitor said it could be discussed with the engineers, but it is private property. Engineers will see if the property owners would need any DEP input.

Mayor stated he is very aware of this situation and has video footage from the last full moon.

Pine Avenue D.O.T. project will go out to bid on October 14, with bid opening scheduled on October 25, at 10:00am.

Discussion regarding E Avenue flood valve and the possibility of replacing the tide flex valve. Have an outside contractor like Perna come in and give a price on it. Discussion about the possibility of doing a strip of paving along the gutter line when the contractors are mobilized on the Pine Avenue project.

Engineer will send out a survey crew to the intersection of E and Maple Avenues.

Comm. Segrest is hoping to minimize cancellations and believes we have enough and may only need to cancel around \$80,000.00. Comm. Segrest wants to make sure the DPW furnace is replaced from this year's budget. The gutters on the DPW-Firehouse need to be replaced.

Sewer manholes repairs were discussed. Comm. Segrest suggested that 26<sup>th</sup> St. manholes may need to be looked at, there are five.

Borough hall roof coating was discussed, engineer estimates the cost for a sealant type roof would cost around \$70,000.00. Comm. Segrest would like to try to put this in the operating budget next year.

Comm. Segrest mentioned several upcoming events; N.J. League of Municipalities is in November; October 27 is the Cape May County League of Municipalities dinner and West Wildwood is the host community; Clean Communities is Sat. October 27, and Shred day is Nov. 12.

Mayor discussed the UEZ sign project approval. CFO Elaine Crowley confirmed that the City of Wildwood is the lead agency. Mayor will reach out to Wildwood and get all the contact information.

Comm. Segrest stated the salary ordinance needs to be updated and asked the other commissioners to look at their departments and report any changes to the clerk. Comm. Segrest also stated any salary changes



should be implemented for the first pay in January, it is much simpler than having the CFO do retro payments and pension deductions.

Administrator/Clerk presented a matter from JIF regarding risk mitigations "the right to know" law. J.A. Montgomery submitted information regarding the cost to have an outside company do all the necessary paperwork and filing to keep the borough in compliance, the estimated cost would be \$4,700.00. Commissioners agreed to have this done in 2023, one fine will be greater than the cost incurred.

Mayor discussed the new bulkhead ordinance and recommended a letter along with a copy of the ordinance be distributed to all waterfront property owners, so they are aware of the deadlines to come into compliance within six years.

Mayor informed commissioners of a meeting regarding the D.O.T. dredge project. It looks like the areas in West Wildwood are not going to be utilized, most of the materials seem to be going to cap the Wildwood landfill area.

Mayor informed commissioners the Godwin pump compressor needs to be replaced, cost around \$3,500.00, but will get a estimate.

Mayor discussed lighting, benches or picnic tables and water sealing the pavilion.

Administrator/clerk suggested that picnic tables may cause more maintenance of trash for the DPW, however if that is the direction the commissioners wish to go, and it becomes a nuisance the picnic tables could always be moved to the playground area. Administrator/Clerk suggested ordering them from the company who donated all of the benches and trash/recycling receptacles, so everything matches.

Christmas decorations and lighting the pavilion was discussed, Comm. Segrest asked the mayor to get the lights/decorations ordered now.

There was a discussion on possibly re-dedicating the park and trimming the overhanging vegetation at King Neptune.

Having no further matters Mayor called for a motion to adjourn.

**Motion to Adjourn:**

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

Motion Carried

Respectfully submitted,


  
Donna L. Frederick, RMC, Municipal Clerk

***This is a generalization of the Workshop meeting on SEPTEMBER 21, 2022, and not a verbatim transcript.***

***THESE MINUTES WERE APPROVED AT THE OCTOBER 7, 2022, 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**

**ORDINANCE 604(2022)**

**ORDINANCE AMENDING SECTION 3 OF BOND  
ORDINANCE #592 OF THE BOROUGH OF WEST  
WILDWOOD, IN THE COUNTY OF CAPE MAY, NEW  
JERSEY, FINALLY ADOPTED JUNE 4, 2021, IN ORDER TO  
AMEND THE PROJECT DESCRIPTION IN SECTION 3(d),  
DECREASE THE APPROPRIATION AND  
AUTHORIZATION AMOUNTS FOR THE PROJECTS AND  
TO RE-APPROPRIATE AND RE-AUTHORIZE FUNDS TO  
PROVIDE FOR STORMWATER DRAINAGE  
IMPROVEMENTS**

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

Section One. Pursuant to N.J.S.A. 40A:2-39, it is hereby determined that \$372,105 of the appropriation amount originally made available pursuant to Bond Ordinance #592 of the Borough of West Wildwood, in the County of Cape May, New Jersey (the "Borough"), finally adopted June 4, 2021 ("Bond Ordinance #592") and \$360,000 of the authorization amount originally made available pursuant to Bond Ordinance #592 are no longer necessary for the various purposes for which the obligations were previously authorized.

Section Two: Section 3 of Bond Ordinance #592 of the Borough is hereby amended (i) to reduce the appropriation amounts and the authorization amounts in Sections 3(a), 3(c), 3(d) and 3(f) as follows, and (ii) to amend the project description in Section 3(d) as follows:

| <u>Purpose</u>  | <u>Appropriation &amp; Estimated Cost</u>   | <u>Estimated Maximum Amount of Bonds &amp; Notes</u> |
|---|---|--|
| a) The reconstruction of Avenue A, including all work and materials necessary therefor and incidental thereto.  | \$280,000<br>(includes the \$185,000 grant expected to be received from the State of New Jersey Department of Transportation)                   | \$280,000  |
| c) The installation of police ADA ramps, including all work and materials necessary therefor and incidental thereto.                                      | \$245,000<br>(includes the \$227,280 of a \$400,000 grant expected to be received from the State of New Jersey Department of Community Affairs) | \$245,000  |
| d) The installation of new bulkheads at Lake Road/Venice Avenue (street end), including all work and materials necessary therefor and incidental thereto. | \$260,000   | \$247,000  |
| f) The replacement of the tide flex valve, including all work and materials necessary therefor and incidental thereto.                                    | \$47,895  | \$45,500   |

Section Three. A portion of the reduced amount of the appropriation in the amount of \$360,000 and the aggregate reduced amount of the authorization in the amount of \$360,000, as described in Section One and Section Two herein, are hereby re-appropriated and re-authorized, and Section 3 amended, to provide for the following purpose, which is added as Section 3(h):

| <u>Purpose</u>  | <u>Appropriation &amp; Estimated Cost</u>  | <u>Estimated Maximum Amount of Bonds &amp; Notes</u> |
|---|--|--|
| h) Stormwater drainage improvements along Lake Road/Venice Avenue (street end), including outfall pipe replacement through the park and bulkhead, including all work and materials necessary therefor and incidental thereto. | \$360,000<br>(includes the \$160,000 grant received from the State of New Jersey | \$360,000  |

Department of  
Transportation)

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

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

COMMISSIONERS:

  
MAYOR MATTHEW J. KSIAZEK


  
COMMISSIONER JOHN J. BANNING

  
COMMISSIONER JOSEPH D. SEGREST

First Reading/Introduction: 2022 08-05  
Publication: 2021 08-11

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

I, Donna L. Frederick, RMC, Municipal Clerk of the Borough of West Wildwood, Cape May County, do hereby certify the forgoing to be a true and correct copy of an ordinance introduced and passed on the first reading at a Regular Meeting held on August 5, 2022 and will be considered for final passage after a public hearing to be held on August 5, 2022 at 7:00pm prevailing time.

  
Donna L. Frederick, RMC  
Municipal Clerk



COMMISSIONERS:

  
MAYOR MATTHEW J. KSIAZEK


  
COMMISSIONER JOHN J. BANNING

  
COMMISSIONER JOSEPH D. SEGREST

Second Reading/Public Hearing: 2022 09-21  
Publication: 2021 09-26

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

I, Donna L. Frederick, RMC, Municipal Clerk of the Borough of West Wildwood, Cape May County, do hereby certify the forgoing to be a true and correct copy of an ordinance introduced and passed on the first reading at a Regular Meeting held on August 5, 2022 and finally adopted after a public hearing held on September 2, 2022 at 7:00pm prevailing time.

  
Donna L. Frederick, RMC  
Municipal Clerk

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

**RESOLUTION 2022-103**

**AUTHORIZING REJECTION OF BIDS FOR  
MANHOLE REPAIRS - PHASE 2**

**WHEREAS**, the Board of Commissioner of the Borough of West Wildwood, County of Cape May, State of New Jersey received bids for the "Manhole Repairs – Phase 2"; and

**WHEREAS**, the apparent low-bidder was, Vortex Services, LLC, with a bid of Forty-Five Thousand, Three Hunderd Forty-Five Dollars and Zero Cents (**\$45,345.00**); and

**WHEREAS**, said bids have been tabulated and reviewed by the Borough Engioneer, and:


**WHEREAS**, after said review, the Borough Engineer recommended that the bids be rejected and:

**WHEREAS**, after said bids are rejected, the Borough authorizes the Borough Engineer to re-advertise for bids on this project;

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Commissioners of the Borough of West Wildwood, County of Cape May, New Jersey, hereby reject bids for "Manhole Repairs-Phase 2" and authorize the Borough Engineer to re-advertise for bids on this project.

|                                | 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 **September 21, 2022**.

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

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

**RESOLUTION 2022-104**

**AUTHORIZING A CLOSED (EXECUTIVE) SESSION MEETING PURSUANT TO  
N.J.S.A. 10:4-12(b6) FOR PUBLIC SAFETY**

**WHEREAS**, in accordance with the provisions of the Open Public Meetings Act, N.J.S.A. 10:4-12(b6), it is permissible by resolution for the Governing Body to enter a Closed (Executive) Session for public safety; and

**WHEREAS**, the Borough anticipates discussion of public safety 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 **Workshop Meeting** held on **September 21, 2022**.

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

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

**RESOLUTION 2022-105**

**RESOLUTION AUTHORIZING THE MAYOR TO SIGN AN MOU BETWEEN THE CITY OF  
WILDWOOD AND THE BOROUGH OF WEST WILDWOOD TO PROVIDE EMERGENCY POLICE  
SERVICES FOR A TERM EXPIRING ON DECEMBER 31, 2022**

**WHEREAS**, the Borough of West Wildwood is in need of temporary police services to provide routine patrol assignments in their Borough to accommodate a current police shortage while perspective officers are attending the police academy to receive certification; and

**WHEREAS**, the City of Wildwood Police Department is willing, appropriately positioned and is capable of providing the emergency, short-term police services to its neighboring community; and

**WHEREAS**, the City of Wildwood Police Department has agreed to provide the services of a Class II Officer for patrol assignments to the Borough of West Wildwood from 7pm to 7am beginning Monday, September 19, 2022, for a term to expire on December 31, 2022; and

**WHEREAS**, the Borough of West Wildwood has agreed to pay the City of Wildwood the Class II Officer special assignment rate of \$55.00 per hour; and

**WHEREAS**, said officers assigned to patrol the Borough of West Wildwood will be solely under the direct command and control of the Wildwood Police Department Command Staff and Supervisors; and

**WHEREAS**, due to its urgency, the complete details and terms and conditions of the agreement between the City of Wildwood and the Borough of West Wildwood will be codified with a forthcoming MOU to be approved by the City of Wildwood at its September 28, 2022, Regular Commission Meeting; and

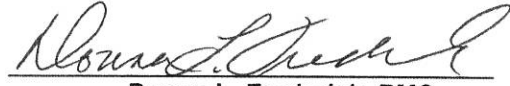
**WHEREAS**, the Borough of West Wildwood will additionally approve a corresponding Resolution as well and authorize an MOU at an upcoming Regular Borough Commission meeting.

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Commissioners of the Borough of West Wildwood, Cape May County, State of New Jersey, that the Mayor be and is hereby authorized to sign an MOU between the City of Wildwood and the Borough of West Wildwood to provide emergency police services for a term to expire on December 31, 2022.

**BE IT FURTHER RESOLVED**, it is understood that the terms and conditions of the approved MOU will be retroactively initiated to September 14, 2022.

|                                | 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 **Workshop Meeting** held on **September 21, 2022**.

A handwritten signature in cursive script, appearing to read "Donna L. Frederick", is written over a horizontal line.

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



**SHARED SERVICES AGREEMENT FOR TEMPORARY POLICE  
SERVICES BETWEEN THE BOROUGH OF WEST WILDWOOD AND THE  
CITY OF WILDWOOD**

**THIS AGREEMENT**, made this 7<sup>th</sup> day of October, 2022 by and between the Borough of West Wildwood, Cape May County, State of New Jersey having offices at 701 West Glenwood Avenues, West Wildwood, New Jersey 08260 ("Borough") and the City of Wildwood, Cape May County, State of New Jersey having offices at 4400 New Jersey Avenue, Wildwood, , New Jersey 08260 ("City") creates a Shared Service Agreement to provide Temporary Police Services for the Borough utilizing the City's Police Department's labor force and equipment.

**PREAMBLE**

**WHEREAS**, the Shared Services Act, N.J.S.A. 40A:65-1, et. seq., authorizes and encourages local units, including municipalities, police departments, authorities, and school districts, to enter into local contracts for services performed by local units in accordance with the law as a means of providing efficiencies in services; and

**WHEREAS**, the. Borough of West Wildwood is in need of temporary police services to provide routine patrol assignments in their Borough to accommodate a current police shortage while perspective officers are attending the police academy to receive certification; and

**WHEREAS**, the City of Wildwood Police Department is willing, appropriately positioned, and is capable of providing the emergency, short-term, police services to its neighboring community; and

**WHEREAS**, the City of Wildwood Police Department has agreed to provide the services of a Class II Officer for patrol assignments to the Borough of West Wildwood from 7pm to 7am beginning Monday, September 19, 2022, for a fixed term, and

**WHEREAS**, by Resolution # 2022-105 adopted by the Borough of West Wildwood Board of Commissioners, on September 21, 2022, and Resolution #361-9-22, adopted by the Board of Commissioners of the City of Wildwood on September 14, 2022, the Parties are authorized to enter into a Shared Services Agreement for the purpose of performing Police Services within the Borough of West Wildwood.

**NOW, THEREFORE**, in consideration of the promises and mutual obligations contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by each of the Parties, it is hereby agreed as follows:

1. Scope of Services: The City agrees to provide Police Services to the Borough as outlined below.
  - a. The City of Wildwood Police Department has agreed to provide the services of a Class II Officer for patrol assignments to the Borough of West Wildwood from 7pm to 7am seven (7) days a week beginning Monday, September 19, 2022, for a fixed term within the Borough's borders.
  - b. The officers assigned to patrol the Borough of West Wildwood will be solely under the direct command and control of the Wildwood Police Department Command Staff and Supervisors.
2. Term. This Agreement shall commence on September 19, 2022 and shall remain in effect through December 31, 2022. All duties and responsibilities of the City shall terminate at 11:59 p.m. on December 31, 2022, except in the unlikely instance that the City is presently involved in a Borough response at the moment of termination in which case this Agreement shall terminate at the safe and complete conclusion of that police service call.
3. Payments. As consideration for the Police Services contemplated herein, the Borough shall make payments to the City as follows:

a. The Borough shall pay the City \$55.00 per hour for the Class II assigned to the Borough.

b. Payments shall be made no later than the fifteenth day of each month. Payments shall be made as specified on the City's accounts receivable systems.

4. Supervision. The supervision of Class II herein considered will remain under the direct command, supervision and control of the City of Wildwood's Police Department Command Staff and Supervisors. The equipment used in connect with the Police Services shall be the responsibility of the City. The City is considered the lead agency primary employer pursuant to the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65A-1 et seq. Only the City shall have the right, power and authority to discipline its employees. No employment reconciliation plan is required as no additional or reduced employee levels are contemplated via this Agreement.

CHAIN OF COMMAND – The City of Wildwood Police Department's Chief, or designee, shall serve as the head of the chain of command under this Agreement.

5. Access to Records. The Parties agree to permit each other access to any and all records relevant to this Agreement and shall make the same available upon demand at a reasonable time and place for the purpose of auditing the records, reports, and documents relative to this Agreement.

6. Governing Law. This Agreement shall be governed by and construed by the laws of the State of New Jersey.

7. Waiver. No failure on the part of any Party to this Agreement to exercise any right or remedy hereunder shall operate as a waiver of any other right or remedy that any Party may have hereunder, nor does waiver of a breach or

default under this Agreement constitute a continuing waiver of a subsequent breach of the same or any other provision of this Agreement.

8. Termination. Either party may terminate this Agreement upon 30 days written notice to the other party. Monthly fees to the Borough shall be pro-rated to the effective date of termination.

9. Entire Agreement. This Agreement constitutes the complete and exclusive Statement of the Agreement between the Parties. No terms, conditions, understandings or agreements purporting to amend or modify or vary this Agreement, unless hereafter made in writing and signed by each Party to be bound, shall be binding on any of the Parties.

[REMAINDER OF PAGE LEFT INTENTIONALLY BLANK]

IN WITNESS WHEREOF, the Parties hereto have caused this Agreement to be properly executed and their corporate seals (where applicable) affixed and attested to as of the day and year first above written.

ATTEST:

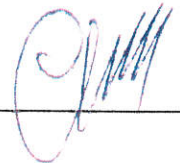
BOROUGH OF WEST WILDWOOD

By: 

By:   
Mayor Matthew J. Ksiazek

ATTEST:

CITY OF WILDWOOD

By: 

By:   
Mayor Peter Byron