

**REGULAR COMMISSION MINUTES OF THE WILDWOOD  
COMMISSIONERS IN THE COUNTY OF CAPE MAY, NEW JERSEY**

Wednesday, February 8, 2023  
Commissioner's Meeting Room  
Time: 5:01 p.m.

**MEETING CALLED**

Meeting called to order by the Mayor.

**PLEDGE OF ALLEGIANCE**

Commissioner Fitzsimons leads in the Pledge of Allegiance to the Flag.

**ROLL CALL**

Deputy City Clerk called the roll and the following Commissioners answered to their names:

Fitzsimons – here, Mikulski – here (Via Zoom), Byron - here

**OTHERS ATTENDING**

Steve O'Connor, Administrator  
Lou DeLollis, Solicitor (Via Zoom)  
Tony Chadwell, Remington & Vernick Engineers  
Karen M. Gallagher, Deputy City Clerk  
Lisa Brown, Aide to the City Clerk

**OPEN PUBLIC MEETING ANNOUNCEMENT**

As per N.J.S.A. 10:4-12, the Mayor read the Open Public Meetings Act Announcement.

**APPROVAL OF MINUTES:**

January 25, 2023 Regular Meeting  
January 25, 2023 Executive Session

MOTION: Fitzsimons           SECOND: Mikulski  
ROLL CALL: Fitzsimons – Yes, Mikulski – Yes, Byron – Yes

**ORDINANCES:** Deputy City Clerk stated Ordinances 1250-23 and 1251-23 have been stricken from the agenda pending additional information.

1247-23           Ordinance Amending Ordinance No.'s 611-04 and 769-09 re: Providing for the Employment for Off-Duty Police Officers and providing for Salaries (**INTRODUCTION/FIRST READING**)

MOTION: Byron               SECOND: Mikulski  
ROLL CALL: Fitzsimons – Yes, Mikulski – Yes, Byron – Yes  
The Mayor announced Ordinance No. 1247-23 has passed First Reading

1248-23           Ordinance Amending Ordinance No.'s 692-10, 792-10,874-11 and 1102-18, re: Providing for the Employment of Off-Duty Assignments of Firefighters and providing for Salaries (**INTRODUCTION/FIRST READING**)

MOTION: Byron               SECOND: Mikulski  
ROLL CALL: Fitzsimons – Yes, Mikulski – Yes, Byron – Yes  
The Mayor announced Ordinance No. 1248-23 has passed First Reading

1249-23           Ordinance Amending Ordinance No. 1226-22, Chapter 4 as to change existing fees for Special Events Applications/Permits and Establish new fees for the use of City Property for Special Events (**INTRODUCTION/FIRST READING**)

MOTION: Byron               SECOND: Mikulski  
ROLL CALL: Fitzsimons – Yes, Mikulski – Yes, Byron – Yes  
The Mayor announced Ordinance No. 1249-23 has passed First Reading

1252-23           Ordinance Establishing Rules and Regulations for Drones (**INTRODUCTION/FIRST**

**READING)**

MOTION: Byron                      SECOND: Mikulski  
ROLL CALL: Fitzsimons – Yes, Mikulski – Yes, Byron – Yes  
The Mayor announced Ordinance No. 1252-23 has passed First Reading

1253-23            Ordinance Establishing Rules, Regulations and Fees for Block Party Events  
**(INTRODUCTION/FIRST READING)**

MOTION: Byron                      SECOND: Mikulski  
ROLL CALL: Fitzsimons – Yes, Mikulski – Yes, Byron – Yes  
The Mayor announced Ordinance No. 1253-23 has passed First Reading

1254-23            Ordinance Adopting a Revised Zoning Map and Repealing and Restating certain sections of  
Chapter 17, Land Development **(INTRODUCTION/FIRST READING)**

MOTION: Byron                      SECOND: Mikulski  
ROLL CALL: Fitzsimons – Yes, Mikulski – Yes, Byron – Yes  
The Mayor announced Ordinance No. 1254-23 has passed First Reading

1255-23            Ordinance Rescinding and Restating Chapter 24, pertaining to the Urban Enterprise Zone  
Development Corporation of the Wildwoods **(INTRODUCTION/FIRST READING)**

MOTION: Byron                      SECOND: Mikulski  
ROLL CALL: Fitzsimons – Yes, Mikulski – Yes, Byron – Yes  
The Mayor announced Ordinance No. 1255-23 has passed First Reading

**EARLY PUBLIC COMMENT:**

Kathy McCullough – 415 W. Cresse Avenue: Ms. McCullough believed all UEZ monies was allocated for the Boardwalk. Mayor Byron said he was not aware whether that was correct. Deputy City Clerk said the money was to be used for properties in UEZ zones only.

**RESOLUTIONS:** Deputy City Clerk read the resolutions listed on the agenda.

- 60-2-23            Approving 2023 Amusement Game Licenses
- 61-2-23            Authorizing refund of Taxes for 2023 1<sup>st</sup> quarter due to overpayment (Shore Title, \$1,709.82)
- 62-2-23            Authorizing refund of Taxes for 2023 1<sup>st</sup> quarter due to Mother Lot being deleted (Central Refunds, 201-05 W. Roberts Avenue - \$1,843.64 and 326 E. Glenwood Avenue - \$1,574.85)
- 63-2-23            Authorizing return of Cash Performance Bond, Application #12-04, Chazray Builders (\$25,368.00)
- 64-2-23            Authorizing return of Cash Performance Bond, Application #01-20, Diamond Beach Properties (\$41,304.00)
- 65-2-23            Authorizing return of Cash Performance Bond, Application #1760, Street Opening Permit for 278 W. Lincoln Avenue, DKC Contractors, LLC (\$4,000.00)
- 66-2-23            Authorizing the 2023 Supplemental Sewer Rate
- 67-2-23            Amending Contract with Trinity Code for Plumbing, Electrical and Fire Protection Services (\$107,857.00 increase to a new total of \$237,857.00)
- 68-2-23            Amending Resolution No. 428-12-15 regarding the 2015 Purchase of a Harley Davidson Motorcycle (Exchanging the Title of said motorcycle with the Township of Middle)
- 69-2-23            Authorizing the purchase of a Peterbuilt Model 567 Tandem Axel Roll-Off Truck from Hunter Truck (\$255,817.46)
- 70-2-23            Authorizing refund of Taxes for 2023 1<sup>st</sup> quarter due to payment made in error on our online WIPP System by homeowner (Christine Dubiel, 3401 New Jersey Avenue - \$710.12)
- 71-2-23            Authorizing return of Escrow Balance Deposits (Various)
- 72-2-23            Authorizing a contract with Ben Shaffer for the Construction of the Basketball Courts, Playground and related activities for Phase II at the Byrne Community Center Recreational Facility (\$649,504.99)
- 73-2-23            Authorizing an Agreement with South Jersey Gas to install a CHP Meter for Gas Generator for heat and power
- 74-2-23            Authorizing an Agreement with Colliers Engineering & Design for Street End Improvements for 26<sup>th</sup> Avenue

- 75-2-23 Authorizing a Shared Services Agreement with the Borough of Wildwood Crest for the contract known as Beach Street End Public Access Improvements – Phase 2 (Orchid Road to Toledo Road)
- 76-2-23 Authorizing a Purchase Agreement with Kassbohrer All-Terrain Vehicles, Inc. for Cab Unit Beach Cleaner (\$1.00)
- 77-2-23 Authorizing Change Order No. 2 as submitted by Remington & Vernick Engineers on behalf of Think Pavers, LLC for FY2020 NJDOT Municipal Aid Program, Reconstruction of Taylor Avenue – Phase 1 (\$16,890.64 increase to a new total of \$320,780.64)
- 78-2-23 Authorizing Remington & Vernick Engineers to proceed with Professional Engineering Services re: City of Wildwood NJDEP CAFRA Individual Permit Beach and Dune Maintenance Activities (\$56,000.00)
- 79-2-23 Authorizing Emergency Temporary Appropriations
- 80-2-23 Approving a contract with Fieldturf USA, Inc. for Construction of the Basketball Courts, Playground and related activities for Phase II at the Byrne Community Center Recreation Facility (\$1,464,035.12)
- 81-2-23 Authorizing payment of bills in the amount of \$3,746,301.56 dated February 8, 2023
- 82-2-23 Authorizing payment of bill list report – Addition 1 in the amount of \$6,838.00 dated February 8, 2023
- 83-2-23 Authorizing filing of all reports and other data contained in this agenda

MOTION: Fitzsimons

SECOND: Mikulski

ROLL CALL: Fitzsimons – Yes, Mikulski – Yes, Byron – Yes

**REPORTS:**

•Engineers Report – On file in the City Clerk’s Office. Mayor Byron asked Mr. Chadwell if we were on schedule with all of the projects. He said we were, however there is an issue with the Pacific Avenue project and the school being in session. He said he is going to schedule a meeting with the school to work out a schedule that works for both. Commissioner Mikulski asked if the City was moving forward with the bump-outs on Hudson Avenue in the area of Bob’s Auto Body and the Sinclair gas station. Commissioner Fitzsimons said vehicles are forced to park on the new sidewalk, which impedes the pedestrian right-of-way. She feels there is not enough room for this street to be a two-way street and a decision should be made to either make it a one-way street or no parking. Mr. Chadwell said a design was done to include bump-outs and would send the rendering to the Commissioners.

**ANNOUNCEMENTS:** None.

**COMMUNICATIONS:** None.

**NEW BUSINESS:** None.

**OLD BUSINESS:** None.

**PUBLIC COMMENT:** During regularly scheduled Board of Commissioners Meeting. Remarks will limit to five (5) minutes per person. The City Clerk will be keeper of time and advise speaker when time has expired. Each member of the public will be permitted to speak only once per meeting. Criticism of public employees will be directed to the Human Resources Department during work hours only.

Dennis Bilinski, 123 E. Lincoln Avenue: Mr. Bilinski is unhappy about the lack of parking in the City and made suggestions such as offering a seasonal personal parking spot for residence, charging a fee for each permit, thus increasing parking revenue. He also suggested making Lincoln Avenue a one-way street and installing meters. Mayor Byron asked that he provide his phone number at the conclusion of the meeting to discuss matters further.

Al Brannen, 217 E. Bennett Avenue: Mr. Brannen asked if the beach balls at Byrne Plaza were going to be repainted prior to the season beginning. Commissioner Fitzsimons said it was on their agenda and budgeted. She was told it would be done before the season started but she does not have an exact date. Mr. Brannen said there was a 16 unit building proposed at the old Groff’s Restaurant during the last Planning Board meeting. Mr. Brannen is concerned with parking if that project is approved. Commissioner Fitzsimons said it was only proposed, not approved, however she is a strong advocate for year-round housing, which this building is proposed to be. The need of housing is critical for this County and the City of Wildwood. The workers do not have anywhere to live. She is fully aware of the lack of parking; however, a compromise has to be made. Mr. Brannen asked where people would park near the old St. Ann’s property that are now townhomes. Commissioner Mikulski said meters would be installed in that area. Mr. Brannen said it is not going to be

possible due to all the driveways. Mr. Brannen asked the Engineer why the newly installed sidewalks slope down towards the street now. Mr. Chadwell said it was probably done to angle the water towards the drainage. Mr. Brannen asked why some of the curbs measure 6 inches and others measure 4 inches. Mr. Chadwell said he would look into it.

Kathy McCullough, 415 W. Cresse Avenue: Mr. McCullough asked if the equipment approved for the Byrne Community Center was going inside or outside. Commissioner Fitzsimons told her it would be installed outside. Ms. McCullough asked if these projects went out to bid. Mr. O'Connor said the major projects went out to bid and the rest were co-ops. Ms. McCullough feels as though every other street has been repaved with the exception of Cresse Avenue. Commissioner Fitzsimons assured her that not every street is being repaved. What she may be seeing are streets being repaved due to the need of infrastructure improvements. Commissioner Fitzsimons said she would look at the original specs to see if Cresse Avenue was in the original scope of work. If it was not, the City would have to find additional funding to do it. Ms. McCullough is concerned about the constant pooling of water on her street and has asked numerous times for someone to look at it. Mr. Chadwell said the engineers have been down there and have video of water pouring through a bulkhead in Wildwood Crest. He asked for her cell phone number to discuss further.

**ADJOURNED:** There being no further business to discuss, this meeting was adjourned at 5:40 pm. Remarks as typed highlighted not verbatim as to subject matter.

MOTION: Fitzsimons           SECOND: Mikulski  
ROLL CALL: Fitzsimons – Yes, Mikulski – Yes, Byron – Yes

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Krista Fitzsimons, COMMISSIONER

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Steve Mikulski, COMMISSIONER

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Peter Byron, MAYOR

ATTEST: \_\_\_\_\_  
Karen M. Gallagher, Deputy City Clerk

DATE MINUTES APPROVED: February 22, 2023