

**BOROUGH OF WOODBINE  
REGULAR MEETING**

**FEBRUARY 4, 2021  
8:00 P.M.**

Mayor Pikolycky called the Regular Meeting to order and read the following statement, “Adequate notice of this meeting was provided in compliance with the Open Public Meetings Act by notifying the Press and The Herald on January 3, 2020 and posting a copy of said Notice on the Clerk’s bulletin board.”

Those present were: Mayor Pikolycky; Councilpersons Ortiz, Johnson, Bennett, Perez (via telephone), Benson and Cruz . Also present were: Richard Tonetta, Borough Solicitor; Bruce Graham, Borough Engineer (via telephone); Michael Zumpino, (via telephone) and Lisa Garrison, Borough Clerk.

Mayor Pikolycky called for approval of the minutes of January 21, 2021. On motion of Councilman Ortiz, seconded by Councilman Bennett to approve the minutes of January 21, 2021, carried with one (1) abstention Councilman Johnson.

Mayor Pikolycky called for the following resolutions:

**RESOLUTION NO. 2-24-2021**

**RESOLUTION AWARDING A CONTRACT TO HUTCHINSON PLUMBING,  
HEATING, COOLING ENERGY SERVICES, CHERRY HILL, NEW JERSEY  
FOR ACQUISITION AND INSTALLATION OF HVAC COMPONENTS FOR  
THE FOOD PANTRY PROJECT**

**WHEREAS**, the Borough of Woodbine has heretofore advertised for bids for HVAC components for the Food Pantry Project (Project) to be opened on July 29, 2020; and

**WHEREAS**, no bids were received by the Borough for the project and therefore the Borough sought quotes as the Project was under the bid threshold as the Borough is serviced by a Qualified Purchasing Agent in accordance with N.J.S.A. 40A:11-3 and N.J.S.A. 40A:11-9; and

**WHEREAS**, the only company that was willing to provide a quote is Hutchinson Plumbing, Heating, cooling Energy Services, Cherry Hill, New Jersey, which quote is in the amount of \$20,949.00 for the services as attached hereto and made a part hereof.

**WHEREAS**, the Chief Financial Officer for the Borough of Woodbine has certified the availability of funds for the award of contract.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Woodbine that the contract for acquisition and installation of HVAC components for the Food Pantry Project be awarded to Hutchinson Plumbing, Heating, Cooling Energy Services, Cherry

Hill, New Jersey on their proposal, as attached hereto, in the amount of \$20,949.00, said proposal being the only proposal received by the Borough and considered in the best interest of the Borough of Woodbine and the Purchasing Agent be and the same is hereby authorized and directed to issue a purchase order contract for the same on behalf of the Borough of Woodbine.

On motion of Councilman Johnson, seconded by Councilman Bennett to approve the foregoing resolution, unanimously carried.

On motion of Councilman Bennett, seconded by Councilman Johnson to approve the following resolution, unanimously carried.

### **RESOLUTION NO. 2-25-2021**

#### **APPROVING FOURTH AMENDMENT TO LETTER OF INTENT WITH NEXAMP, INC.**

**WHEREAS**, the Borough of Woodbine has entered into a Letter of Intent (LOI) with Nexamp, Inc., for a long-term lease of a portion of property located at Fidler Hill Road, Woodbine, New Jersey consisting of all or part of Block 117, Lot 1 on the Tax Map of the Borough of Woodbine and as generally depicted in Exhibit B of the LOI (“Property”), for the installation and operation of a ground-mounted, solar-powered electric generation facility, and the LOI included an option period of six (6) months, until October 19, 2019, for Landlord and Tenant to enter into a Lease Agreement; and

**WHEREAS**, Landlord and Tenant entered into an Amendment to the LOI, dated October 17, 2019, extending the LOI and the option period therein until April 19, 2020; and

**WHEREAS**, Landlord and Tenant entered into a second Amendment to the LOI, dated May 7, 2020, extending the LOI and the option period therein until October 19, 2020.

**WHEREAS**, Landlord and Tenant entered into a third Amendment to the LOI, dated December 3, 2020, extending the LOI and the option period therein until January 19, 2021.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of Woodbine that the LOI dated April 19, 2019 between the Borough of Woodbine and Nexamp, Inc.. amended on October 17, 2019 and further amended on December 3, 2020 is hereby further amended to extend the LOI and the option period therein until July 19, 2021.

**BE IT FURTHER RESOLVED** that the Mayor is hereby authorized to execute a second amendment to the agreement extending the term as stipulated above, which shall be retained by the Borough Clerk and included along with this Resolution.

## **RESOLUTION NO. 2-26-2021**

### **REFUND OVERPAYMENT ON PROPERTY TAXES**

**WHEREAS**, the Tax Collector of the Borough of Woodbine has collected from the below listed excess on their 2020 property taxes; and

**WHEREAS**, an overpayment has been created on the below listed due to the following; and

**WHEREAS**, the Tax Collector of the Borough of Woodbine has determined that said overpayment should be refunded accordingly to the below listed:

<u>BLOCK</u>	<u>LOT</u>	<u>NAME</u>	<u>AMOUNT</u>	<u>REASON</u>
7	13	Title Guarantee 6 Hunt St, Box 459 Rumson, NY 07760	\$716.01	Double Payment

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Woodbine, County of Cape May, State of New Jersey that the Chief Financial Officer is hereby authorized to execute said refund and that the Tax Collector should mark her records accordingly.

On motion of Councilman Benson, seconded by Councilman Johnson to approve the foregoing resolution, unanimously carried.

On motion of Councilman Johnson, seconded by Councilman Bennett to approve table the following resolution, unanimously carried.

## **RESOLUTION NO. 2-27-2021**

### **RESOLUTION AWARDING A CONTRACT TO DSC CONSTRUCTION, INC. BAYVILLE, NEW JERSEY FOR WATER MAIN EXTENSION CONTRACT NO. 2**

**WHEREAS**, the Borough of Woodbine has heretofore advertised for bids for Water Main Extension Contract No. 2 in accordance with specifications on file in the office of the Borough Clerk; and

**WHEREAS**, on January 22, 2021, bids were received and duly opened and read aloud, being referred to the Borough Engineer and Borough Solicitor for tabulation, evaluation, report and recommendation; and

**WHEREAS**, the Borough Engineer and Solicitor have under date of January 22, 2021 and respectively submitted written reports and tabulations of the bids received, including reports on the responsiveness of the bids received; and

**WHEREAS**, the following bidder has been disqualified as non-responsive:

VENDOR	REASON
RTW Construction, Inc. Southampton, N.J.	Incorrect bid bond amount and not on forms required. Failure to identify persons with 10% or greater ownership. Failure to submit all required documents.

**WHEREAS**, the Borough Engineer and Solicitor have determined that DSC Construction, Inc. Bayville, New Jersey is the lowest responsive responsible bidder and have recommended that a contract for Water Main Extension Contract No. 2 be awarded to DSC Construction, Inc. in the Base Bid amount of \$830,729.00 said bid being the lowest responsive responsible bid received and considered in the best interest of the Borough of Woodbine; and

**WHEREAS**, the Chief Financial Officer for the Borough of Woodbine has certified the availability of funds for the award of contract.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Woodbine that the contract for Water Main Extension Contract No. 2 be awarded to DSC Construction, Inc. Bayville, New Jersey on their Base Bid of \$830,729.00 said bid being the lowest responsive responsible bidder and considered in the best interest of the Borough of Woodbine and the Purchasing Agent be and the same is hereby authorized and directed to issue a purchase order contract for the same on behalf of the Borough of Woodbine.

**BE IT FURTHER RESOLVED** that the award of contract is conditioned and contingent upon the approval by the United States Department of Agriculture and New Jersey Department of Environmental Protection Water Bank/Infrastructure Bank.

Unfinished Business

None

New Business

None

Engineer's Report – None

Solicitor's Report – Mr. Tonetta indicated at the last meeting he had indicated absence at a meeting requires an vote of abstention regarding the minutes. However, after review he further

indicated per Roberts Rules of Order failure to attend a meeting does not require a vote abstention.

Payment of Bills: On motion of Councilman Johnson, seconded by Councilman Bennett to approve the bills for payment, unanimously carried.

Public Comment - None

Mayor Pikolycky at this time made mention that Horace Youmans recently passed away. He reminded everyone to stay safe.

Adjournment: On motion of Councilman Ortiz, seconded by Councilman Johnson to adjourn, unanimously carried.

Respectfully submitted,

Lisa Garrison  
Borough Clerk

