

**BOROUGH OF WOODBINE
REGULAR MEETING**

**FEBRUARY 15, 2018
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 23, 2018 and posting a copy of said notice on the Clerk's bulletin board."

Those present were: Mayor Pikolycky; Councilpersons Ortiz, Johnson, Bennett, Benson, and Cruz. Also present were: Richard Tonetta, Borough Solicitor; Bruce Graham, Borough Engineer; and Lisa Garrison, Borough Clerk. Absent: Councilwoman Perez

The Pledge of Allegiance was led by Mayor Pikolycky.

Presentation - Mayor Pikolcky indicated both Troup and Pack #77 were present this evening to reactivate their charter and it was fitting to do this during the month of March as this is Scout Month. Mayor Pikolcky stated Troup and Pack #77 have a long history in the Borough as he was also a member. He welcomed them back and thanked the leaders and parents for making this possible. At this time William Wasekanes, Sr. District Executive Boy Scouts of America presented them with their charters. Senator Van Drew also presented the leaders with citations.

Mayor Pikolycky called for approval of the minutes of February 1, 2018 (regular & workshop). On motion of Councilman Ortiz, seconded by Councilman Johnson to approve the minutes of February 1, 2018 (regular & workshop), unanimously carried.

Mayor Pikolycky called for a public hearing for the following ordinance:

ORDINANCE NO. 572-2018

**AN ORDINANCE AMENDING ORDINANCE NO. 543-2013,
CHAPTER XI, SECTION 11-1.1 OF THE CODE OF THE
BOROUGH OF WOODBINE, AS AMENDED ENTITLED
"PROPERTY MAINTENANCE CODE"**

WHEREAS, the Borough of Woodbine finds it necessary to regulate and govern the conditions and maintenance of all property, buildings and structures within the Borough by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use and further to provide for the condemnation and demolition of buildings and structures unfit for human occupancy and use as well as providing for the issuance of permits and collection of fees therefore;

WHEREAS, the Borough has adopted Ordinance 543-2013 as amended, adopting the International Property Maintenance Code, 2012 Edition which has been updated in 2018.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough

of Woodbine that Ordinance 543-2013 Chapter XI of the Code of the Borough of Woodbine be repealed in its entirety and replaced as follows:

11-1.1 Adoption of Property Maintenance Code

That a certain document, three copies of which are on file in the office of the Clerk of the Borough of Woodbine, being marked and designated as the INTERNATIONAL PROPERTY MAINTENANCE CODE, 2018 Edition, as published by the INTERNATIONAL CODE COUNCIL, be and is hereby adopted as the PROPERTY MAINTENANCE CODE of the Borough of Woodbine in the State of New Jersey for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said PROPERTY MAINTENANCE CODE on file in the Office of the Clerk of the Borough of Woodbine are hereby referred to, adopted, and made a part hereof, as if fully set out in this Ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 11-1.2.

11-1.2 Additions, Insertions and Changes

The following sections of the INTERNATIONAL PROPERTY MAINTENANCE CODE, 2018 Edition, are hereby amended and revised in the following respects:

Section 101.1 Insert: Borough of Woodbine

Section 103.5 Insert: \$50.00 (Fifty) Dollars to \$1,000.00 (One Thousand) Dollars or as outlined in all Borough Ordinances and Regulations.

Section 112.4 Insert: Less than \$250.00 (Two Hundred and Fifty) Dollars or more than \$1,000.00 (One Thousand) Dollars.

Section 302.3 Add the following: No person shall obstruct the free unlawful passage of pedestrians and vehicles on public sidewalks, and upon public rights of way in the Borough by placing thereon any structures, posts, poles, goods, wares, merchandise or other articles of trade or sale, nor shall any person obstruct such public sidewalks or rights-of-way in any other manner whatsoever. The owner, occupant or tenant of premises abutting on any street in the Borough shall at all times keep the public sidewalk and the area between the public sidewalk and curb or paved roadway that directly affronts on such premises, free from all weeds, limbs, and branches of trees or shrubs, holes, pits, loose stones, rubbish, paper, debris and other objects, and shall otherwise keep the area described in this section, free from obstructions of all sorts. All trees or shrubs planted on private property that stand along public sidewalks and public streets, the branches of which extend over any part of a public sidewalk or a public street, shall be trimmed by the owner, occupant or tenant of the premises that directly affronts upon that part of the sidewalk or street along which the trees or shrubs stand. Such owner, occupant or tenant shall keep the branches and limbs of such trees or shrubs trimmed and cut so that no limb or branch

shall overhang the public sidewalk or a public street at a height less than 8 feet above ground level.

This section shall not apply to the following:

A. where such obstruction is caused by the loading or unloading of goods, wares, furniture, or merchandise to and from vehicles in such a manner as to cause a minimum of obstruction which is necessary and unavoidable.

B. to receptacles for solid waste and/or recyclables, and any other material lawfully placed for collection pursuant to the regulations regarding the collection of the same.

C. to posts, stanchions or other support upon which mailboxes are placed in accordance with United States Post Office regulations, and provided that the post, stanchions or support does not exceed 4 feet in height above ground level and 12 inches in width.

Any owner, occupant or tenant, building superintendent, rental agent, or person in charge of premises abutting or bordering upon any public street in the Borough shall remove all snow, slush and ice from the abutting sidewalks of such streets, or in the case of ice which may be so frozen as to make removal impractical, shall cause the same to be thoroughly covered with sand or salt, within twenty-four hours of daylight after the same shall fall or be formed thereon. Removal of any snow, slush or ice should be conducted along the full paved width of the sidewalk and in a manner that ensures the orderly flow and safety of pedestrian traffic on such sidewalk. Removal of any slush, snow or ice shall be conducted in a manner that clears a full paved sidewalk or a minimum of 42 inches wide, including removal of snow, slush and ice from all curb cuts, intersections, crosswalks, handicap ramps and sidewalk locations.

Section 302.4 Insert: Eight inches

Section 304.14 Insert: From May 1st to October 1st

Section 602.3 Insert: From October 1st to May 1st

Section 602.4 Insert: From October 1st to May 1st

Section 11-1.3 Repealer. Ordinance No. 543-2013, Chapter XI as amended of the Borough of Woodbine entitled "PROPERTY MAINTENANCE" and all other Ordinances or parts of Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 11-1.4 Saving Clause. That if any section, sub-section, sentence, clause or phrase of this Ordinance is for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The Borough Council of the Borough of Woodbine hereby declares that it would have passed this law, and each section, sub-section, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, sub-sections, sentences, clauses and phrases be declared unconstitutional. Further, nothing in this Ordinance or in the PROPERTY MAINTENANCE CODE, hereby adopted shall be construed to affect any suit or proceeding pending in any Court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing under any act or Ordinance hereby repealed as cited in Section 11-1.3 of this Ordinance nor shall any just or legal right or remedy of any character be lost, impaired or affected by this legislation.

BE IT FURTHER ORDAINED that the Clerk of Borough of Woodbine is hereby Ordered and Directed to cause this Ordinance to be published in accordance with the laws of the State of New Jersey.

BET IT FURTHER ORDAINED that this Ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect on and after the date of its final passage and adoption according to law.

Mayor Pikolycky opened the public hearing. With no comment forthcoming the public hearing was then closed. On motion of Councilman Benson, seconded by Councilman Cruz to approve the adoption of the foregoing ordinance, unanimously carried upon roll call vote. Ayes: Ortiz, Johnson, Bennett, Benson, Cruz Nays: None Abstain: None Absent: Perez

Mayor Pikolycky called for the following resolutions:

RESOLUTION NO. 2-24-2018

**AUTHORIZING PROFESSIONAL SERVICES AGREEMENT
WITH ENVIRONMENTAL & TECHNICAL SERVICES, LLC
FOR PROFESSIONAL AND CONSULTING SERVICES**

WHEREAS, the Borough of Woodbine pursuant to applicable Statutory Law, the Borough requires the services of a licensed operator to monitor the Borough of Woodbine's Wastewater System and industrial Water Treatment Discharge; and

WHEREAS, the Borough is desirous of appointing Environmental & Technical Services, LLC to provide said services; and

WHEREAS, the total fee shall not exceed \$7,000.00 per year payable monthly at \$583.33; and

WHEREAS, said appointment is being awarded pursuant to the New Jersey Pay to Play, New Jersey Campaign Contributions and Expenditures Reporting Act; and

WHEREAS, funds are available for the purposes set forth above; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award of contracts for professional services without competitive bids , and the contract itself, must be available for public inspection.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and council of the borough of Woodbine as follows:

1. The Mayor and Borough Clerk are hereby authorized and directed to execute an agreement with Environmental & Technical Services, LLC.

2. This contract is awarded pursuant to the New Jersey Pay to Play, New Jersey Campaign Contributions and Expenditures Reporting Act.
3. A notice of this action shall be printed in The Herald.

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

On motion of Councilman Cruz, seconded by Councilman Benson to approve and adopt the following resolution, unanimously carried.

RESOLUTION NO. 2-25-2018

APPOINTMENT OF DANIEL LOVE JR TO THE RECREATION COMMISSION

WHEREAS, there are vacancies existing on the Recreation Commission; and

WHEREAS, the following nomination has been made by the Mayor for appointment to the Recreation Commission subject to the advice and consent of Borough Council, **DANIEL LOVE, JR.** to serve as an Alternate I member to the Recreation Commission for an unexpired term to expire on August 31, 2019; and

WHEREAS, Borough Council has duly considered the matter and wishes to express its advice and consent.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Woodbine, in the County of Cape May and State of New Jersey as follows

1. The allegations of the preamble are incorporated herein by this reference.
2. Daniel Love, Jr. is hereby appointed to serve as an Alternate I member to the Recreation Commission for an unexpired term to expire on August 31, 2019.

RESOLUTION NO. 2-26-2018

APPOINTMENT OF CHRISTEN SORENSON TO THE RECREATION COMMISSION

WHEREAS, there are vacancies existing on the Recreation Commission; and

WHEREAS, the following nomination has been made by the Mayor for appointment to the Recreation Commission subject to the advice and consent of Borough Council, **CHRISTEN SORENSON** to serve as an Alternate II member to the Recreation Commission for an unexpired term to expire on August 31, 2020; and

WHEREAS, Borough Council has duly considered the matter and wishes to express its advice and consent.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Woodbine, in the County of Cape May and State of New Jersey as follows

1. The allegations of the preamble are incorporated herein by this reference.
2. Christen Sorenson is hereby appointed to serve as an Alternate II member to the Recreation Commission for an unexpired term to expire on August 31, 2020.

On motion of Councilman Ortiz, seconded by Councilman Cruz to approve and adopt the foregoing resolution, unanimously carried.

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

RESOLUTION NO. 2-27-2018

AUTHORIZING REDEMPTION IN INSTALLMENTS

WHEREAS, N.J.S.A. 54:5-65 provides authority for the governing body to authorize redemption of a municipally held lien by installment payments to include principal and interest; and

WHEREAS, the following owners of record are desirous of satisfying their tax liens by an installment payment plans:

<u>Owner</u>	<u>Block/Lot</u>	<u>Property Location</u>	<u>Tax Title Lien #</u>
Sandra Murphy	90/12.01 CC006	6 C St	18-00023
Robert Benner	112/3 C-235	235 Maple St	15-00086
Kim Gray	112/3 C-230	239 Maple St	18-00032

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Woodbine, County of Cape May, State of New Jersey, hereby authorize the installment plans as set forth on the attached schedules and that in addition to said installments being promptly paid on the first of each month, for up to 36 months, all current year's taxes, subsequent taxes, assessments or other municipal liens imposed shall be promptly paid when due.

BE IF FURTHER RESOLVED, that the final payment shall be sufficient to include all amounts due the municipality and secured by the tax sale lien, except for current year's taxes, and shall include interest properly chargeable on the respective unpaid balances.

BE IT FURTHER RESOLVED, that if installment payments are regularly and promptly made in accordance with the attached schedule, then the municipality will suspend any

action to cut off or foreclose the right of redemption, and will agree not to assign, transfer or otherwise alienate the tax title lien it holds.

BE IT FURTHER RESOLVED, if any unpaid installment remains unpaid after 30 days of due date, then the municipality may proceed to enforce or foreclose the tax sale lien, or sell, assign, transfer or alienate it and shall proceed only for the unpaid balance after proper credit of such installment payments as were made.

RESOLUTION NO. 2-28-2018

RESOLUTION APPROVING PARTICIPATION IN THE CAPE MAY COUNTY FUEL COMMODITY RESALE PROGRAM

WHEREAS, the County of Cape May owns and operates and maintains fuel storage and dispensing facilities for its own needs; and

WHEREAS, as approved by the State of New Jersey, the County of Cape May is Lead Agency for a Commodity Resale Program for gasoline and diesel fuel; and

WHEREAS, the Borough of Woodbine wishes to participate in the Cape May County Fuel Commodity Resale Program; and

WHEREAS, the Borough of Woodbine ensures sufficient funds will be appropriated in its annual budget for the duration of its participation in the program.

NOW, THEREFORE, BE IT RESOLVED that the Borough of Woodbine hereby approves participation in the Cape May County Fuel Commodity Program.

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

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

RESOLUTION NO. 2-29-2018

AWARD OF CONTRACT FOR CONSTRUCTION OF PEDESTRIAN BIKEWAY AND SAFETY IMPROVEMENTS

WHEREAS, sealed bids were received on February 14, 2018 by the Borough for the construction of the project known as the "Pedestrian Bikeway and Safety Improvements"; and

WHEREAS, Charles Marandino LLC submitted the lowest overall total bid of nine (9) bids received which are summarized as follows:

Bidder	Base Bid	Add Alt. 1	Add Alt 2	Add Alt. 3
Charles Marandino LLC	\$142,603.00	\$36,125.00	\$18,000.00	\$18,000.00
Ricky Slade Construction Inc.	\$149,889.50	\$39,578.50	\$16,150.00	\$16,150.00

Command Co. Inc.	\$151,322.00	\$39,885.00	\$15,000.00	\$15,000.00
Kline Construction Co. Inc.	\$154,164.00	\$40,467.50	\$17,500.00	\$17,500.00
H4 Enterprises LLC	\$161,845.00	\$37,975.00	\$20,000.00	\$20,000.00
Jerry & Son Excavating Inc.	\$188,600.00	\$41,075.00	\$23,000.00	\$23,000.00
GWP Enterprises Inc.	\$211,795.00	\$71,520.00	\$17,600.00	\$17,600.00
Think Pavers Hardscaping Inc.	\$211,797.00	\$55,788.50	\$17,600.00	\$17,600.00
West Bay Construction Inc.	\$281,346.00	\$67,985.00	\$24,000.00	\$24,000.00

WHEREAS, the bid of Charles Marandino LLC has been submitted in proper form and the Contractor appears qualified to perform the work anticipated under this contract;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Woodbine, that the award of said contract is hereby made to Charles Marandino LLC in the amount of \$196,728.00 comprising the Base Bid and Add Alternates #1, and #3, subject to concurrence with this award by the NJDOT, the agency funding this project; and

BE IT FURTHER RESOLVED that the Municipal Clerk is hereby authorized and directed to return the certified checks or bid bonds for the following unsuccessful bidders:

Command Co. Inc.
Kline Construction Co. Inc.
H4 Enterprises LLC
Jerry & Son Excavating Inc.
GWP Enterprises Inc.
Think Pavers Hardscaping Inc.
West Bay Construction Inc.

and that the certified checks or bid bonds of the successful bidder (Charles Marandino LLC) and the next lowest bidder (Ricky Slade Construction, Inc.) are to be returned upon receipt of a fully executed Contract and other required documents.

BE IT FURTHER RESOLVED that upon approval by the above noted agency concurrence, the Mayor and Clerk are hereby authorized to execute all documents necessary to effectuate a contract with Charles Marandino LLC for this project.

Unfinished Business:

Pedestrian & Bikeway Safety Improvements Status - Mr. Graham indicated nine (9) bids had been received and Council had adopted a resolution awarding the project to the same contractor who was working on the Open Space project. Construction will begin shortly.

County Road Projects – 550/638 Update - Mr. Graham indicated he had met with the County Engineer to discuss an update on the projects. The phase II plans are complete. The Freeholder Board has authorized the submission of the application to Pinelands which is a 5-6 month process. Webster Avenue is scheduled for construction in the summer.

Open Space Eco-Park update - A pre-construction meeting was held with the work scheduled to begin next week.

DEP Issues – Asset Management Plan Status - needed to be uploaded.

USDA Projects – Status - The DHS agreement is still needed. A meeting had been held with USDA. The County is still a remaining piece of the puzzle.

Rabies Clinic - March 3, 2018 – 10:00 a.m. – 12:00 p.m.

Woodbine Volunteer Fire Department Installation Dinner was held.

New Business:

CMC League of Municipalities Meeting - February 22, 2018 – Alfie's Wildwood – 6:00 p.m.

Committee Reports:

Public Works/Buildings & Grounds: Chairman Bennett has nothing to report at this time.

Health, Education & Human Services: Chairman Benson reported the professional development project was still waiting on input.

Public Safety & Courts: Chairman Cruz reported there was a meeting held with the fire company and an LEPC meeting is scheduled to be held.

Community Affairs & Grants: Chairman Ortiz had nothing to report at this time.

Property & Small Business: Chairman Johnson had nothing to report at this time.

Revenue & Finance: Chairwoman Perez was absent.

Engineer's Report – None

Airport Utility Engineer's Report –

Helicopter Parking Apron Feasibility Study - Updated invoice summary report submitted anticipating closeout shortly.

Obstruction Removal & Taxiway A Crack Repair - Updated invoice summary report submitted anticipating closeout shortly.

Taxiway A Rehabilitation Stage I Construction - Project completed and closeout documents have been submitted.

Taxiway A Mill and Overlay Stage II Design - Closeout documents to be submitted to FAA end of February.

Ceilometer and REIL Unit Replacement - Upon processing of invoices DY will work on close out.

20:1 TERP Surface Obstruction Removal - Total project cost is \$74,593.89. The bid package is being prepared for advertisement the 3rd week of February. Construction is anticipated to start by the end of March. Mr. Graham indicated two areas were identified.

Taxiway A Rehabilitation State II Construction - Closeout of project is anticipated mid-February.

Helicopter Apron Design and Construction - A CIP meeting was held with the FAA on January 29, 2018. FAA agreed upon the project. The bid process is to be completed before July 30th. Once bids have been received the grant will be applied for. DY is currently working on the design and the survey of conditions has been completed. Bidding is anticipated in mid-June.

Solicitor's Report: Mr. Tonetta reported the COAH hearing date has been changed to April.

Public Comment: None

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

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

Respectfully submitted,

Lisa Garrison
Borough Clerk

