

**BOROUGH OF WOODBINE
REGULAR MEETING**

**FEBRUARY 16, 2017
7:30 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 18, 2017 and posting a copy of said notice on the Clerk’s bulletin board.”

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

The flag salute was led by Mayor Pikolycky.

Mayor Pikolycky called for approval of the minutes of February 2, 2017. On motion of Councilwoman Perez, seconded by Councilman Cruz to approve the minutes of February 2, 2017 as received, carried with one (1) abstention by Councilman Johnson.

Mayor Pikolycky called for the Public Hearings on the following ordinances:

ORDINANCE NO. 558-2016

**AN ORDINANCE DISSOLVING THE WOODBINE PORT
AUTHORITY AND MOVING ITS OPERATIONS INTO
THE MUNICIPAL AIRPORT UTILITY DEPARTMENT**

WHEREAS, N.J.S.A. 40:68A-1 et seq., known as the “Port Authority Law of New Jersey” authorizes municipalities to create a municipal port authority and through agency of the municipal Authority, to acquire, construct, maintain, operate, or provide works for the proper establishment of port facilities to foster and promote the welfare of the citizens therein; and

WHEREAS, the Woodbine Port Authority (WPA) was created pursuant to the powers stated herein by way of Ordinance Number 192 Section 1; and

WHEREAS, pursuant to N.J.S.A. 40A:5A-20, et seq. (Local Fiscal Control Law), the Borough has the power to dissolve the WPA by ordinance, so long as it guarantees its bond obligations, debts, and undertakes its governmental operations; and

WHEREAS, in an effort to create more efficient and economic governmental practices, all agreements, contracts, or employees deemed to be unnecessary or superfluous can be re-evaluated, and if necessary, voided by the Borough; and

WHEREAS, all assets, real property, and leases, shall be assigned and/or deeded to the

Borough; and

WHEREAS, all governmental operations currently supervised by the WPA shall be transferred to the Department of Airport Utility (DAU); and

WHEREAS, all monies, rents, and/or other assets collected by the WPA shall be transferred to the Department of Finance of the Borough for inclusion in the general revenue funds.

NOW, THEREFORE BE IT ORDAINED by the Mayor and Council as follows:

SECTION I CHAPTER II, ARTICLE V, SECTION 2 – 29, ENTITLED WOODBINE
PORT AUTHORITY SHALL BE DELETED IN ITS ENTIRETY

SECTION II WOODBINE PORT AUTHORITY IS HEREBY
DISSOLVED PURSUANT TO THE LOCAL FISCAL
CONTROL LAW

Pursuant to N.J.S.A. 40 A: 5A- 20, et seq. (Local Fiscal Control Law), the Borough is dissolving the Woodbine Port Authority by ordinance and guaranteeing its bond and debt obligations, if any. As of the date of the adoption of this Ordinance, all assets and liabilities including any debt obligations of the WPA shall be transferred to the Borough of Woodbine. Adequate provisions shall be made for the assumption of the payment of all creditors or obligees of the WPA. A copy of this Ordinance, upon passage, shall be filed immediately with the New Jersey Secretary of State and with the Local finance Board.

SECTION III DEPARTMENT OF AIRPORT UTILITY

All of the powers, functions and/or responsibilities of the WPA shall be undertaken by the Department of Airport Utility. The position of Airport Maintenance Manager of the Department of Airport Utility is hereby created and the salary of said Manager shall be set forth in the Salary Ordinance of the Borough of Woodbine. The Director is authorized to take the following actions, consistent with the conditions stated herein:

A. Inventory the assets of the WPA and undertake the necessary administrative actions for said assets to be maintained by the Department of Airport Utility.

B. Evaluate all employees of the WPA and maintenance of the assets under the control of the WPA, and determine if it is necessary for said employees to continue and, if necessary, incorporate into the DAU's operations the functions previously handled by the WPA.

SECTION IV DEPARTMENT OF LAW

The Borough Solicitor is hereby authorized to take the following actions, consistent with the conditions stated herein;

A. Draft and execute deeds and/or other necessary legal documents to transfer title of the property owned by the WPA to the Borough of Woodbine.

B. Draft and execute leases, assignments, and/or other necessary legal documents

required to transfer lease obligations, if any, from the WPA to the Borough of Woodbine.

C. Evaluate all employment contracts, agreements, and any other binding documents signed by the WPA and determine whether, in an effort to create more efficient and effective government practices and consistent with the Local Fiscal Control Law, any employment contracts, agreements, and any other binding documents can be terminated.

D. Draft, execute and/or take any other necessary legal action as required to carry out the conditions set forth herein so as to dissolve the WPA and transfer its operations and assets to the Borough of Woodbine.

SECTION V SEVERABILITY

If any part of this Ordinance shall be declared to be invalid or inoperative, such part shall be deemed severable, and the invalidity thereof shall not affect the remaining parts of this Ordinance.

SECTION VI BOROUGH CODE

The Borough Clerk shall have this Ordinance codified and incorporated in the official copies of the Code of the Borough of Woodbine.

SECTION VII AMENDING THE CODE OF THE BOROUGH OF WOODBINE

The Borough Clerk and Borough Solicitor may change chapter numbers, article numbers and section numbers, if codification of this Ordinance creates a conflict between those numbers and the existing Code so as to avoid confusion and possible repealing of existing provisions unintentionally.

SECTION VII CLERICAL ERRORS.

The Borough Clerk and the Borough Solicitor may correct any clerical errors in the printing, publication, and codification of this Ordinance, provided both concur with the correction being made, and both certify in writing to the Mayor as to the specifics of the clerical correction no later than 7 days before the correction is made, or, where a legal deadline for publication applies, no later than the date of the next regular meeting. The said certification shall also be prominently posted no later than the date of the next regular meeting, and thereafter shall be annexed to the corrected original Ordinance and retained by the Borough Clerk.

SECTION VII LIBERAL INTERPRETATION.

The Borough Council intends that all general provisions, terms, phrases, and expressions contained in this Ordinance be liberally construed in order to assure that the true intent and meaning of the Borough Council may be fully implemented.

SECTION VIII EFFECTIVE DATE

This Ordinance shall take effect upon passage, approval, and publication, as required by

law.

BE IT FURTHER ORDAINED, that the Mayor, Borough Solicitor and Borough Clerk are authorized to execute all documents necessary to dissolve the MUA and redistribute and/or reassign its assets agreements and/or leases to the Borough, subject to the above conditions and terms being a part thereof

Mayor Pikolycky opened the public hearing. There being no comment forthcoming on the foregoing ordinance, Mayor Pikolycky advised there will be a continuation on the public hearing until the next Council meeting to be held on March 2, 2017.

Mayor Pikolycky opened the public hearing. There being no comment forthcoming on the following ordinance, Mayor Pikolycky advised there will be a continuation on the public hearing until the next Council meeting to be held on March 2, 2017.

ORDINANCE NO. 559-2016

AN ORDINANCE DISSOLVING THE WOODBINE MUNICIPAL UTILITIES AUTHORITY AND MOVING ITS OPERATIONS INTO THE MUNICIPAL UTILITIES DEPARTMENT

WHEREAS, N.J.S.A. 40:14B-1 et seq., known as the “Municipal and County Utilities Authority Law” authorizes counties or municipalities, either separately or in combination with other municipalities, by means and through agency of the municipal Authority, to acquire, construct, maintain, operate, or provide works for the supply or distribution of water, works for the collection, treatment, recycling and disposal of solid waste, works for the collection, treatment, purification, or disposal of sewage or other wastes, and works for the generation and distribution of electric power; and

WHEREAS, the Woodbine Municipal Utilities Authority (MUA) was created pursuant to the powers stated herein by way of Ordinance Numbers 153, Section 1, 161, Section 1, and 206; and

WHEREAS, pursuant to N.J.S.A. 40A:5A-20, et seq. (Local Fiscal Control Law), the Borough has the power to dissolve the MUA by ordinance, so long as it guarantees its bond obligations, debts, and undertakes its governmental operations; and

WHEREAS, in an effort to create more efficient and economic governmental practices, all agreements, contracts, or employees deemed to be unnecessary or superfluous can be re-evaluated, and if necessary, voided by the Borough; and

WHEREAS, all assets, real property, and leases, shall be assigned and/or deeded to the Borough; and

WHEREAS, all governmental operations currently supervised by the MUA shall be

transferred to the Department of Municipal Utilities (DMU); and

WHEREAS, all monies, rents, and/or other assets collected by the MUA shall be transferred to the Department of Finance of the Borough for inclusion in the general revenue funds.

NOW, THEREFORE, Be It Ordained by the Mayor and Council as follows:

SECTION I CHAPTER II, ARTICLE V, SECTION 2 – 30, ENTITLED WOODBINE UTILITIES AUTHORITY SHALL BE DELETED IN ITS ENTIRETY

SECTION II WOODBINE MUNICIPAL UTILITIES AUTHORITY IS HEREBY
CONTROL LAW DISSOLVED PURSUANT TO THE LOCAL FISCAL

Pursuant to N.J.S.A. 40 A: 5A- 20, et seq. (Local Fiscal Control Law), the Borough is dissolving the Woodbine Municipal Utilities Authority by ordinance and guaranteeing its bond and debt obligations, if any. As of the date of the adoption of this Ordinance all assets and liabilities, including any debt obligations of the MUA shall be transferred to the borough of Woodbine. Adequate provisions shall be made for the assumption of the payment of all creditors or obligees of the MUA. A copy of this Ordinance, upon passage, shall be filed immediately with the New Jersey Secretary of State and with the Local finance Board.

SECTION III DEPARTMENT OF MUNICIPAL UTILITIES

All of the powers, functions and/or responsibilities of the MUA shall be undertaken by the Department of Municipal Utilities. The Public Works Manager or Director of the Department of Municipal Utilities, as to case may be, is authorized to take the following actions, consistent with the conditions stated herein:

A. Inventory the assets of the MUA and undertake the necessary administrative actions for said assets to be maintained by the Department of Municipal Utilities.

B. Evaluate all employees of the MUA and maintenance of the assets under the control of the MUA, and determine if it is necessary for said employee to continue, and if necessary, incorporate into the DMU's operations the functions previously handled by the MUA.

SECTION IV DEPARTMENT OF LAW

The Borough Solicitor is hereby authorized to take the following actions, consistent with the conditions stated herein;

A. Draft and execute deeds and/or other necessary legal documents to transfer title of the property owned by the MUA to the Borough of Woodbine.

B. Draft and execute leases, assignments, and/or other necessary legal documents required to transfer lease obligations, if any, from the MUA to the Borough of Woodbine.

C. Evaluate all employment contracts, agreements, and any other binding documents signed by the MUA and determine whether, in an effort to create more efficient and effective government practices and consistent with the Local Fiscal Control Law, any employment

contracts, agreements, and any other binding documents can be terminated.

D. Draft, execute and/or take any other necessary legal action as required to carry out the conditions set forth herein so as to dissolve the MUA and transfer its operations and assets to the Borough of Woodbine.

SECTION V SEVERABILITY

If any part of this Ordinance shall be declared to be invalid or inoperative, such part shall be deemed severable, and the invalidity thereof shall not affect the remaining parts of this Ordinance.

SECTION VI BOROUGH CODE

The Borough Clerk shall have this Ordinance codified and incorporated in the official copies of the Code of the Borough of Woodbine.

SECTION VII AMENDING THE CODE OF THE BOROUGH OF WOODBINE

The Borough Clerk and Borough Solicitor may change chapter numbers, article numbers and section numbers, if codification of this Ordinance creates a conflict between those numbers and the existing Code so as to avoid confusion and possible repealing of existing provisions unintentionally.

SECTION VII CLERICAL ERRORS.

The Borough Clerk and the Borough Solicitor may correct any clerical errors in the printing, publication, and codification of this Ordinance, provided both concur with the correction being made, and both certify in writing to the Mayor as to the specifics of the clerical correction no later than 7 days before the correction is made, or, where a legal deadline for publication applies, no later than the date of the next regular meeting. The said certification shall also be prominently posted no later than the date of the next regular meeting, and thereafter shall be annexed to the corrected original Ordinance and retained by the Borough Clerk.

SECTION VII LIBERAL INTERPRETATION.

The Borough Council intends that all general provisions, terms, phrases, and expressions contained in this Ordinance be liberally construed in order to assure that the true intent and meaning of the Borough Council may be fully implemented.

SECTION VIII EFFECTIVE DATE

This Ordinance shall take effect upon passage, approval, and publication, as required by law.

BE IT FURTHER ORDAINED, that the Mayor, Borough Solicitor and Borough Clerk are authorized to execute all documents necessary to dissolve the MUA and redistribute and/or

reassign its assets agreements and/or leases to the Borough, subject to the above conditions and terms being a part thereof

ORDINANCE NO. 561-2017

BOND ORDINANCE APPROPRIATING THREE MILLION NINETY THOUSAND SEVEN HUNDRED THIRTY DOLLARS (\$3,090,730) AND AUTHORIZING THE ISSUANCE OF UP TO THREE MILLION NINETY THOUSAND SEVEN HUNDRED THIRTY DOLLARS (\$3,090,730) AGGREGATE PRINCIPAL AMOUNT GENERAL OBLIGATION BONDS OR NOTES OF THE BOROUGH OF WOODBINE, COUNTY OF CAPE MAY, NEW JERSEY FOR THE CONSTRUCTION OF VARIOUS CAPITAL IMPROVEMENTS TO THE WATER SYSTEM OF THE BOROUGH

BE IT ORDAINED BY THE COUNCIL OF THE BOROUGH OF WOODBINE, IN THE COUNTY OF CAPE MAY AND STATE OF NEW JERSEY, (with the affirmative concurrence of not less than twothirds of all the members thereof) **AS FOLLOWS:**

Section 1. Description of Projects

The Borough of Woodbine (the “**Borough**”) hereby authorizes the following projects to maintain and support compliance by the Borough with the drinking water regulations of the State of New Jersey and thereby improve and protect the Borough’s water system (collectively, the “**Water System Improvement Projects**”):

IMPROVEMENT OR
PURPOSE

APPROPRIATION AND
ESTIMATED COST

Improvements to the Borough’s Water Treatment Plant, extension of the Fidler Hill Road Water Main, and creation of a Water Main Loop at Woodbine Airport, which includes critical upgrades to and extensions of the existing water treatment and distribution system of the Borough in accordance with the Preliminary Engineering Report of Van Note-Harvey Associates, PC, the Authority’s engineer, dated April 29, 2016, Revised July 25, 2016, and entitled “Woodbine Municipal Utilities Authority Water System Improvements Preliminary Engineering Report”, and including all costs of surveying, construction, planning, design, engineering, preparation of plans and specifications, permits, bid documents, construction

inspection, administration, accounting, architectural,
financial and legal.

\$3,090,730

Section 2. Permanent Funding of Appropriation

(a) To provide funds to permanently fund the costs of the Water System Improvement Projects (the “**Water Project Costs**”), the issuance by the Borough of bonds in the aggregate principal amount of up to \$3,090,730 is hereby authorized, approved, ratified and confirmed. The Water Project Costs are intended to be permanently financed through a combination of (i) the issuance of bonds by the Borough to the United States Department of Agriculture (“**USDA**”) in return for a permanent loan under the United States Department of Agriculture Rural Development Water and Waste Disposal Loan and Grant Program for 2016 (the “**USDA Program**”), which program is administered by the USDA, in the aggregate principal amount of One Million One Hundred Seven Thousand Seven Hundred Thirty Dollars (\$1,107,730) (the “**USDA Bonds**”), and a grant to be funded from the USDA Program in the amount of Nine Hundred Eighty-Three Thousand Dollars (\$983,000) (the “**Grant Amount**”); and (ii) the issuance of general obligation bonds of the Borough (the “**GO Bonds**”; and collectively with the USDA Bonds being hereinafter referred to as the “**Bonds**”) to be issued to the New Jersey Environmental Infrastructure Trust (the “**Trust**”) and the State of New Jersey, acting by and through the New Jersey Department of Environmental Protection (the “**State**”), pursuant to the New Jersey Environmental Infrastructure Financing Program (the “**Program**”) in the maximum principal amount of One Million Dollars (\$1,000,000) under the NJEIT Nano Loan Program (“**NJEIT NANO Loan Program**”). The Borough also anticipates receiving principal forgiveness from the State and Trust under the NJEIT Nano Loan Program in the amount of Five Hundred Thousand Dollars (\$500,000).

(b) In accordance with N.J.S.A. 40A:2-11(c), no down payment shall be required in connection with the issuance of the bonds for the clean water project as this bond ordinance authorizes an obligation referred to in N.J.S.A. 40A:2-7(h) for purposes that are self-liquidating as described in N.J.S.A. 40A:2-45.

Section 3. Temporary Construction Financing From NJEIT Prior to Issuance of Bonds

In anticipation of the issuance of the Bonds, the Borough hereby authorizes, if necessary or desirable, the issuance, sale and award of construction project notes (the “**Construction Project Notes**”) pursuant to the Trust’s construction financing program (the “**Trust Construction Financing Program**”). The Construction Project Notes shall be substantially in the form provided by the Trust in the Trust Construction Financing Program’s loan agreement. The execution and delivery of the Construction Project Notes and all additional documents and instruments related thereto by the Mayor, Deputy Mayor, Chief Financial Officer and Municipal Clerk (collectively, the “**Authorized Officials**”) is hereby authorized. The Authorized Officials are each hereby authorized to determine, pursuant to the terms and conditions established by the Trust and the State under the Trust Construction Financing Program’s loan agreement and the terms and conditions of this Ordinance and any subsequent resolution of the Borough Council, the following items with respect to the Construction Project Notes: (a) the aggregate principal amount of the Construction Project Notes to be issued, which amount shall not exceed \$3,090,730; (b) the maturity of the Construction Project Notes, which shall be no later than two years after the date of issuance thereof; (c) the date of the Construction Project Notes; (d) the interest rate of the Construction Project Notes, which shall not exceed 2% per annum; (e) the purchase price for the Construction Project Notes; and (f) such other matters with respect to the Construction Project Notes as may be necessary, desirable or convenient in connection with the sale, issuance and delivery thereof. The Authorized Officials are hereby further authorized to manually execute and deliver and the Municipal Clerk is hereby further authorized to attest by manual signature to such execution and to affix, imprint, engrave or reproduce the corporate seal of the Borough to any document, instrument or closing certificate deemed necessary, desirable or convenient by the Authorized Officials in their respective sole discretion, after consultation with the Consultants, to be executed in connection with the execution and delivery of the Construction Project Notes and the consummation of the transactions contemplated thereby, which determination shall be conclusively evidenced by the execution of each such document, instrument or closing certificate by the party authorized under this resolution to execute such document, instrument or closing certificate.

Section 4. Authorization of Bond Anticipation Notes In Lieu of NJEIT Construction Financing

If the Borough shall elect to forego the Trust Construction Financing Program, then prior to the issuance of permanent bonds and to temporarily finance the Water System Improvement Projects stated in Section 1, above, negotiable notes of the Borough in a principal amount not exceeding THREE MILLION NINETY THOUSAND SEVEN HUNDRED THIRTY DOLLARS (\$3,090,730) are hereby authorized to be issued pursuant to the limitations prescribed by the Local Bond Law. All such note(s) shall mature at such time as may be determined by the Chief Financial Officer or such other Financial Officer designated by Resolution for these purposes (both being hereinafter referred to in this Section as Chief Financial Officer); provided that no note shall mature later than one (1) year from its issue date. Such note(s) shall bear interest at a rate or rates and shall be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with any note(s) issued pursuant to this Ordinance, and the signature of the Chief Financial Officer upon such note(s) shall be conclusive evidence as to all such determinations. The Chief Financial Officer is hereby authorized to sell the note(s) from time to time at public or

private sale in such amounts as the Chief Financial Officer may determine and not less than par, and to deliver the same from time to time to the purchasers thereof upon receipt of the purchase price plus accrued interest from their dates to the date of delivery thereof as payment thereof. Such Chief Financial Officer is authorized and directed to report in writing to the Mayor and the Council of the Borough at the meeting next succeeding the date when any sale or delivery of the note(s) pursuant to this Ordinance is made. Such report shall include the amount, the description, the interest rate, the maturity schedule of the note(s) sold, price obtained and the name of the purchaser. All note(s) issued hereunder may be renewed from time to time for periods not exceeding one (1) year for the time period specified in and in accordance with the provisions and limitations of N.J.S.A. 40A:2-8(a) of the Local Bond Law. The Chief Financial Officer is further directed to determine all matters in connection with said note or notes and not determined by this Ordinance. The Chief Financial Officer's signature upon said note(s) shall be conclusive evidence of such determination.

Section 5. Additional Matters

The following additional matters are hereby determined, declared and recited and stated:

(a) The said purposes described in Section 1 of this Bond Ordinance are not current expenses and are improvements which the Borough may lawfully require or make and no part of the costs thereof has been or shall be specifically assessed on property specifically benefited thereby.

(b) The average period of usefulness of said purposes authorized herein, taking into consideration the respective amounts of said obligations authorized for such purposes, computed in accordance with N.J.S.A. 40A:2-22 is **40 years**.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the office of the Borough Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided for in this Bond Ordinance by a maximum amount of THREE MILLION NINETY THOUSAND SEVEN HUNDRED THIRTY DOLLARS (\$3,090,730), and the said Bonds authorized by this Bond Ordinance will be within all debt limitations prescribed by the Local Bond Law.

(d) Amounts not exceeding Five Hundred Seventy-Five Thousand Dollars (\$575,000) in the aggregate for interest on said Bonds, costs of issuing said Bonds, engineering and inspection costs, legal expenses, a reasonable proportion of the compensation and expenses of employees of the Borough in connection with the improvements as authorized herein, and other items of expense listed in and permitted under N.J.S.A. 40A:2-20 of the Local Bond Law have been included as part of the costs of said improvement and are included in the foregoing estimate thereof.

Section 6. Maturity of Bonds

The Bonds shall mature at such time or times not exceeding twenty (20) years from the date thereof as may be approved by the Local Finance Board of the Division of Local Government Services of the Department of Community Affairs of the State of New Jersey (“**Local Finance Board**”) pursuant to N.J.S.A. 58:11B-9(a) and 40A:2-26 of the Local Bond Law. All other terms of the Bonds, including, without limitation, the dates thereof, the rate or rates of interest to be paid thereon, the provisions for redemption prior to maturity thereof, and the place or places for payment thereof, shall be as determined by subsequent resolution or resolutions of the Borough Council as permitted by N.J.S.A. 40A:2-16 of the Local Bond Law.

Section 7. Execution of Bonds

The Bonds shall be executed in the name of the Borough by the manual or facsimile signatures of the Mayor or Deputy Mayor, Borough Administrator, and Chief Financial Officer under the affixed, imprinted, engraved or reproduced seal of the Borough attested by the manual or facsimile signature of the Borough Clerk.

Section 8. Authorization to Contract

The Borough is hereby authorized and directed to enter into any and all contracts or agreements necessary, desirable or convenient to effectuate the financing program with the Trust and State authorized by this Bond Ordinance.

Section 9. Execution of Documents

The Mayor, Deputy Mayor, Chief Financial Officer, Borough Administrator and Clerk of the Borough are hereby jointly and severally authorized and directed to take all actions and execute all documents and instruments necessary or appropriate to carry out the purposes of this Bond Ordinance, including, without limitation, the furnishing of such documentation and information as may be required by the Director of the Local Finance Board. All prior actions taken by such officials in connection with the financing program authorized by this Bond Ordinance are hereby ratified and confirmed.

Section 10. Covenants

The Borough hereby covenants to take any action necessary or refrain from taking such action in order to preserve the tax-exempt status of the bonds and notes authorized hereunder as is or may be required under the Internal Revenue Code of 1986, as amended, and the regulations promulgated thereunder (the “Code”), including compliance with the Code with regard to the use, expenditure, investment, timely reporting and rebate of investment earnings as may be required thereunder.

Section 11. Ratification of Prior Actions

Any action taken by any officials of the Borough in connection with the improvements described in Section 1 hereof are hereby ratified and confirmed notwithstanding that such actions may have been taken prior to the effective date of this Bond Ordinance and shall be deemed to have been taken pursuant to this Bond Ordinance.

Section 12. Application of Grants

Any grant moneys received for the purposes described in Section 1 hereof, including without limitation the Grant Amount, shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this Bond Ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 13. Full Faith and Credit

The full faith and credit of the Borough are hereby pledged to punctual payment of the principal and interest on the said obligations authorized by this Bond Ordinance. Said obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all of the taxable property within the Borough for the payment of said obligations and interest thereon without limitation of rate or amount.

Section 14. Official Intent to Reimburse Expenditures

The Borough reasonably expects to reimburse any expenditures towards the cost of the improvements or purposes described in Section 1 of this Bond Ordinance and paid prior to the issuance of any bonds or notes authorized by this Bond Ordinance with the proceeds of such bonds or notes. No funds from sources other than the bonds or notes authorized herein has been or is reasonably expected to be reserved, allocated on a long-term basis or otherwise set aside by the Borough, or any member of the same “control group” as the Borough, within the meaning of Treasury Regulations Section 1.150-1(f), pursuant to their budget or financial policies with respect to any expenditures to be reimbursed. This Section is intended to be and hereby is a declaration of the Borough’s official intent to reimburse any expenditures towards the costs of the improvements or purposes described in Section 1 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations Section 1.103-18, and no action (or inaction) will be an artifice or device in accordance with Treasury Regulation Section yield restrictions or arbitrage rebate requirements.

Section 15. Effective Date

Neither this Bond Ordinance nor any resolution of the Borough Council performing, determining or authorizing matters or acts in connection with the issuance of the Bonds shall take effect until there is endorsed upon a certified copy hereof the consent of the Local Finance Board; in no event shall this Bond Ordinance be effective earlier than twenty (20) days after the first publication hereof after final passage.

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

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

ORDINANCE NO. 562-2017

AN ORDINANCE AUTHORIZING THE ACQUISITION OF CERTAIN REAL ESTATE AND IMPROVEMENTS THEREON FROM THE WOODBINE MUNICIPAL UTILITIES AUTHORITY AND AUTHORIZING THE MAYOR AND CLERK TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY THEREFOR

WHEREAS, on March 2, 2017 the Borough Council of the Borough of Woodbine shall consider the adoption of Ordinance 558 – 2016, an Ordinance authorizing the dissolution of the Woodbine Municipal Utilities Authority; and

WHEREAS, it is the intent of Borough Council to accept the transfer of all assets of the Woodbine Municipal Utilities Authority upon its dissolution, including all land and improvements in the name of the Woodbine Municipal Utilities Authority; and

WHEREAS, the Woodbine Municipal Utilities Authority has adopted a Resolution authorizing the transfer of certain land and improvements owned by the said authority, including Block 65 Lots 2 and 3, unto the Borough of Woodbine for consideration of the benefit of the public good.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Borough of Woodbine that the Mayor and Clerk are hereby authorized to execute any and all documents necessary to transfer Block 65 Lots 2 and 3, as well as any other real estate and improvements thereon, presently owned by the Woodbine Municipal Utilities Authority, unto the Borough of Woodbine, and that the Borough of Woodbine hereby accepts the transfer of said property for consideration of the benefit of the public good.

BE IT FURTHER ORDAINED that all Ordinances or parts of Ordinances inconsistent with this Ordinance, to the extent of such inconsistencies only, be and the same are hereby repealed.

BE IT FURTHER ORDAINED that this Ordinance shall take effect immediately upon final passage and publication as provided by law.

ORDINANCE NO. 563-2017

AN ORDINANCE AUTHORIZING THE ACQUISITION OF

**CERTAIN REAL ESTATE AND IMPROVEMENTS
THEREON FROM THE WOODBINE MUNICIPAL
AIRPORT AUTHORITY AND AUTHORIZING THE
MAYOR AND CLERK TO EXECUTE ANY AND ALL
DOCUMENTS NECESSARY THEREFOR**

WHEREAS, on March 2, 2017. The Borough Council of the Borough of Woodbine shall consider the adoption of Ordinance 559 – 2016, an Ordinance authorizing the dissolution of the Woodbine Municipal Airport Authority; and

WHEREAS, it is the intent of Borough Council to accept the transfer of all assets of the Woodbine Municipal Airport Authority upon its dissolution, including all land and improvements in the name of the Woodbine Municipal Airport Authority; and

WHEREAS, the Woodbine Municipal Airport Authority has adopted a Resolution authorizing the transfer of certain land and improvements owned by the said authority, including Block 125 Lots 1, 1.01, 1.02, 1.03, and 1.07, unto the Borough of Woodbine for consideration of the benefit of the public good.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Borough of Woodbine that the Mayor and Clerk are hereby authorized to execute any and all documents necessary to transfer Block 125 Lots 1, 1.01, 1.02, 1.03, and 1.07 as well as any other real estate and improvements thereon, presently owned by the Woodbine Municipal Airport Authority, unto the Borough of Woodbine, and that the Borough of Woodbine hereby accepts the transfer of said property for consideration of the benefit of the public good.

BE IT FURTHER ORDAINED that all Ordinances or parts of Ordinances inconsistent with this Ordinance, to the extent of such inconsistencies only, be and the same are hereby repealed.

BE IT FURTHER ORDAINED that this Ordinance shall take effect immediately upon final passage and publication as provided by law.

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

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

ORDINANCE NO. 564-2017

**AN ORDINANCE CREATING THE MUNICIPAL AIRPORT
UTILITIES DEPARTMENT OF THE BOROUGH OF
WOODBINE**

WHEREAS, the Borough of Woodbine has determined that it is in the best interests of its residents and tenants and customers of the Woodbine Port Authority (Authority) to dissolve the Authority and merge the duties and responsibilities thereof into a newly formulated Department of the Borough of Woodbine, subject to approval of the Local Finance Board of the State of New Jersey; and

WHEREAS, Borough Council intends upon outlining aspects of the operation of the Department herein.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council as follows:

I CREATION OF THE MUNICIPAL AIRPORT UTILITIES DEPARTMENT

There shall be created within the Borough of Woodbine the Municipal Airport Utilities Department which shall, subject to approval of the Local Finance Board of the State of New Jersey and State Aviation Commissioner. It is found to be in the public interest and to be the policy of the State to foster and promote the welfare of the citizens thereof by the proper establishment and development of airport facilities of the State. The Airport Utility shall be operated as a self-liquidating utility and charges for such services shall be imposed upon users thereof. The revenues derived therefrom shall be dedicated to the purpose of the service as a self-liquidating utility.

II OPERATION OF THE AIRPORT UTILITY

A. Airport Manager. The operation of the Airport shall be managed by the Airport Manager. The Airport Manager shall be an employee of the Borough from the schedule of the classified positions and applicable salary ordinances in the Civil Service of the Borough.

B. Duties of Airport Manager. The duties and responsibilities of the Airport Manager shall include but not be limited to physical maintenance of the land, buildings and other improvements of the Airport, security and safety of the tenants, passengers and the general public and to interpret regulations of the Federal Aviation Administration. The Airport Manager shall also assist in the negotiation of any and all contracts, leases and other agreements for the proper operation of the Airport. The Airport Manager shall report directly to the Mayor and Council Member assigned to that Department.

C. Staff. There shall be assigned to the Department staff necessary to carry out the functions of the Airport.

D. Annual Report. The Airport Manager shall file an annual report with the Mayor and the Borough Clerk, which contains the following information: The status of all leases with the Airport, including date of termination, any and all accidents which may have occurred at

the Airport, any other information which shall be requested by the Mayor and /or governing body

BE IT FURTHER ORDAINED that all Ordinances or parts of Ordinances inconsistent with this Ordinance, to the extent of such inconsistencies only, are and the same are hereby repealed.

This Ordinance shall take effect immediately upon final passage and publication as provided by law.

ORDINANCE NO. 565-2017

AN ORDINANCE CREATING THE MUNICIPAL UTILITIES DEPARTMENT OF THE BOROUGH OF WOODBINE

WHEREAS, the Borough of Woodbine has determined that it is in the best interests of its residents and rate payers of the Woodbine Municipal Utilities Authority (Authority) to dissolve the Authority and merge the duties and responsibilities thereof into a newly formulated Department of the Borough of Woodbine, subject to approval of the Local Finance Board of the State of New Jersey; and

WHEREAS, Borough Council intends upon outlining aspects of the operation of the Department herein.

NOW, THEREFORE, Be It Ordained by the Mayor and Council as follows:

I CREATION OF THE MUNICIPAL UTILITIES DEPARTMENT

There shall be created within the Borough of Woodbine the Municipal Utilities Department within which shall be the Water Utility Division and such other Divisions that may be created by Ordinance.

II Creation of the Water Utility Division.

That water service of the Borough is hereby established and shall be operated as a self liquidating utility and charges for such service shall be imposed upon users thereof. The revenues derived therefrom shall be dedicated to the purpose of the service as a self liquidating utility. It is the policy of the Borough to protect the public health, safety and welfare. These regulations reflect the realization of the benefits of connecting existing properties to the municipal water system to protect the public health, safety and welfare.

A. The water utility shall be managed by the Water Plant Operator (Operator), who shall report directly to the Mayor and Council Member assigned to the Department.

B. There shall be assigned to the Division those employees necessary to carry out the

duties and responsibilities of the operation of the Division.

III **Definitions.**

Senior Citizen shall be defined as any person who has attained the age of 65 years on or after the effective date of this Ordinance or the spouse of that person or surviving spouse of that person, if the surviving spouse is 60 years of age or older. Senior Citizens must register with the Operator on a yearly basis.

Disabled Person shall be defined as a person who has the total and permanent inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment, and shall include, but not be limited to, any resident of this State who is disabled, pursuant to the Federal Social Security act (42 U.S.C. s. 416), or the Federal Railroad Retirement Act of 1974 (45 U.S.C. s. 231 et seq.), or is rated as having a 60 percent disability or higher pursuant to any Federal law administered by the United States Veterans Act. Disabled Persons or their spouse must register with the Superintendent.

IV **Requirement for Connection to the Borough Water Main**

A. Connection. Where there has been an extension of water mains, the owners of property located within 200 feet of the water main, measured from their property line shall be required to connect their premises to the municipal water system within 180 days after notification from the Borough to make the connection.

1. Exception. Unless otherwise required by State law, a residential property owner may delay connection to the municipal water system if the property owner already has an existing private well servicing the premises that is operating properly.

2. In the event the Cape May County Health Department determines that the private well which services the premises cannot operate within their parameters, the Operator shall notify the property owner that connection to the municipal water system must be made within 180 days. If the private well represents an immediate health risk as determined by the Cape May County Health Department, that connection shall be made forth with.

B. Annual Report. The Operator of the Water Utility shall file an annual report with the Mayor and the Borough Clerk, which contains the following information: the location of each property (block and lot number and street address) excepted from the connection to the municipal water system pursuant to these regulations and the name and address of the property owner.

C. Notice to Property Owners. When there has been completion of construction of water mains and no exception is applicable, the Operator shall give written notice to the adjacent property owners within 30 days after the completion of construction that the property owners must connect their homes or other buildings to the system. Said notice shall be in writing and sent by regular and certified mail, return receipt requested, to the property owner's last known address.

D. Prohibited Connection. No person, firm, corporation or other entity shall make any direct connection with the public water system, or alter or repair any connection with the public

water system without having first obtained all appropriate written permits from the Borough of Woodbine.

E. Individual Water Service. Each building shall have an individual water lateral and individual customer service line when connected to the public water system unless an exception to this requirement is approved by the Borough Engineer. Existing connections found to be in violation of this subsection shall be required to connect properly to the public water system within 180 days after notice to make the correction unless an exception to this requirement is approved by the Borough Engineer for good cause. It is the general policy of the Borough that cross connections involving separate buildings owned by separate customers shall not be permitted.

F. Compliance With Existing Regulations. Each permit to connect to the public water system shall require that the applicant for the permit to agree that it or he/she shall carefully make the connection with the public water system in the manner prescribed by the rules and regulations in existence. Further, it or he/she shall indemnify and save harmless the Borough from all accidents or damages caused by any negligence in protecting the work or any imperfect or inadequate work done, and shall faithfully comply with the regulations of the Borough and shall replace and restore the sidewalk, pavement or street surface over any opening that is made. All work performed shall be subject to inspection and approval of the Borough Engineer.

G. Qualified Contractor Required. Connections with the public water system shall be made only by a plumber licensed by the State of New Jersey or by some other person duly authorized by the Borough Engineer. Connections shall be made with suitable material approved by the Borough Engineer. All work included in the construction of connections with the public water system shall be done to the satisfaction of the Borough Engineer and the person or persons performing the work shall accept as final all decisions of the Borough Engineer as to the fitness of materials furnished or work performed, and shall immediately replace all materials or work rejected.

H. Inspections. No connections shall be covered until inspected by a duly authorized representative of the Borough.

I. Size of Service. The size of the customer service line and the size of the water lateral shall be adequate for the structure connecting to the system and the intended average daily flow of water. The size of each shall be subject to the approval of the Borough Engineer. With respect to single family residential dwellings, the size of the customer service line and the size of the water lateral shall not be less than 1 inch. With respect to residential duplexes which cannot be subdivided, the size of the customer service line and the size of the water lateral shall not be less than one and one half inches, with at least a 1 inch, meter. This article applies to all new and replacement water connections.

J. Occupancy Permit. No occupancy permit shall be issued for any new or renovated structure connecting to the public water system until a water meter has been installed to accurately measure the flow of water.

V Application for Extension of Service and Allocation of Costs for Extensions.

A. Application for Extension of Service. Applications for extension of service shall be made to the office of the Borough Clerk, who shall report the same to the Operator of the Water Utility and to the Borough Engineer. The Operator of the Water Utility, together with the Borough Engineer, shall estimate the cost of the extension and shall estimate the annual revenue to be derived from the consumption of water by means of the extended service. All water mains laid within the Borough shall be at least 8 inches or more in diameter, or as may be prescribed by the Borough Engineer.

B. Allocation of Costs for Extensions. When an application for the extension of water services is filed with the Borough, the following requirements shall apply and the costs of the projected extension shall be paid in the following manner at the option of the Borough:

1. All construction shall be completed by the applicant in accordance with the design standards and approved by the Borough Engineer and in conformity with the Borough's land use and development regulations.

2. All construction shall become property of the Borough upon connection with the water system of the Borough, the approval of the construction by the Borough Engineer and the adoption of an ordinance accepting the dedication of the improvement.

3. The applicant shall be required to pay the entire cost for the installation of water mains, water laterals, and related improvements.

4. The Borough may proceed to extend and install service connections, including the construction and installation of water mains and water laterals and other appurtenances as may be necessary and assess the cost thereof as a local improvement. While the Borough reserves the right to exercise this power at its option in the discretion of the Borough Council, it will be the policy of the Borough to do so upon the written consent of two thirds of the owners of property to be benefited. This percentage will be determined by calculating the estimated cost of such extension and the costs and benefits attributable to each owner affected thereby.

VI Water Rate Schedule.

A. Charge for Water Used (Metered Per Quarter)

Volume of Water – Gallons	Rate Per Gallons.
0 – 6000	\$35.00 (Minimum).
6001 – 20,000	\$2.25
20,001 – 100,000	\$2.50.
100,001 and over	\$3.00.

B. Service Connection Charge. A minimum service connection fee of \$250 shall be payable by each customer who wishes to connect to the public water system of the Borough. The minimum fee will generally be paid by private residential users and small businesses not needing more than 1 inch service connection. Larger users and larger service connection shall be charged actual inspection costs and administrative costs incurred by the Borough. The fee is for inspection and clerical expenses only. The charge shall include the cost of the Borough Engineer. All costs of actual connection and the costs of meter and meter pit/box shall be borne by the customer. Only approved meters and meter pits/boxes shall be permitted to the specifications of

the Borough Engineer.

C. Fire Protection Rates.

1. Private Hydrants.

Water Main Connection Size	Charge.
4 inch to and including 6 inch	\$60.00 per month.
Water mains greater than 6 inch	\$120.00 per month.

D. The cost to turn on or shut off a water service shall be \$25.00. All turn on or turn off of water service shall be made during the regular business hours of the Borough.

E. The cost for meter certification and testing shall be \$25.00. All meter certifications and tests shall be carried out during the regular business hours of the Borough.

F. Sprinkler Systems and/or Readiness to Serve Charges.

Meter Size	Charges per Month.
1 inch to and including 3 inches	\$60.00.
Greater than 3 inches	\$120.00.

G. Commercial and Industrial Economic Development, Water Rate Schedule

Volume of Water – Gallons Metered per Quarter	Rate per 1000 Gallons
0 – 6000	\$35.00 (Minimum).
6001 – 20,000	\$2.25
2001 – 100,000	\$2.50
100,001 and over	\$1.75

H. Large Water Meter Calibration Policy. All water meters of the size greater than 1 inch are hereby declared to be solely owned by the property owners serviced by the meters. The Borough shall have no responsibility for the calibration, repair or maintenance of any water meter of the size of 1 inch or greater. The owner of the property serviced by this connection shall have the meter calibrated/tested for accuracy every 6 years with the first test of each meter to be completed and certified within 6 years of the last reported certification provided to the Woodbine Municipal Utilities Authority and every 6 years thereafter. All water meter tests/calibrations and repairs, if necessary, shall be performed by a duly trained and licensed meter testing/repair service approved by the Borough. All equipment used for testing and calibration of water meters shall be certified as accurate by either the state or county Department of Weights and Measures.

If the water meter is operating more than 3 percent slow at the time it is tested for accuracy, then the meter, at the owner's expense, must be recalibrated and/or repaired within 30 days of the accuracy test to reflect the true water usage of the customer. The repairs/recalibration must be certified to the Borough as soon as the recalibration/repairs are made. During the testing/certification/repair time the meter must not be off-line more than 4 hours or a temporary replacement meter as approved by the Borough Operator of the Water Utility must be installed until the repairs/recalibration/testing is completed. Failure to comply with this policy shall require the Borough, at its option, to test, calibrate and repair the said water meter and charge the customer for the cost of same with an additional \$200 as an administrative service fee

in addition to the actual cost incurred by the Borough and/or the Borough may impose a 15 percent water surcharge fee/penalty on the water usage bill of the customer until the customer/water meter owner comes into compliance with this policy, which fee is calculated to offset the unrecorded water usage of the customer/water meter owner because of an improperly calibrated water meter. The Borough reserves the right to have any meter tested at the Borough's expense at any time the Operator has good cause to believe that the meter may be under recording the amount of water usage. In that event, the Operator shall provide the meter owner 2 days written notice prior to any test being performed by the Borough. If the meter is found to be operating 3 percent or more slow at the time of the test, the Borough will notify the owner and provide the owner with a copy of the test results. The meter owner shall then have 30 days to recalibrate and/or repair the meter and certify the said recalibration and/or repairs to the Borough.

I. **Reduced Utility Use Rates For Senior Citizens and Disabled Persons.** All Senior Citizens and Disabled Persons, as defined herein, shall receive an initial rate reduction credit of \$5 per quarter commencing upon the adoption of this Ordinance unless one has been provided by the Municipal Utilities Authority. The rate reduction credit shall be reflected as a credit on each quarterly bill for water usage for Senior Citizens and Disabled Persons. In order for a Senior Citizen, their spouse, or Disabled Person to receive this benefit a registration must be submitted to the Operator on a form prepared by the Borough on a yearly basis and must reflect that the Borough is their permanent residence and that the combined household income is not more than \$10,000.00.

All Ordinances or parts of Ordinances inconsistent with this Ordinance, to the extent of such inconsistencies only, are and the same are hereby repealed.

This Ordinance shall take effect immediately upon final passage and publication as provided by law.

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

Mayor Pikolycky called for the following resolutions:

RESOLUTION NO. 2-35-2017

RESOLUTION AUTHORIZING AND APPROVING THE ISSUANCE OF NOTES OR BONDS, IN ONE OR MORE SERIES, OF THE BOROUGH OF WOODBINE, COUNTY OF CAPE MAY, NEW JERSEY, TO THE UNITED STATES DEPARTMENT OF AGRICULTURE PURSUANT TO THE RURAL DEVELOPMENT WATER AND WASTE DISPOSAL LOAN AND GRANT PROGRAM IN THE AGGREGATE PRINCIPAL AMOUNT

OF \$2,090,730 FOR THE FINANCING OF SEVERAL DRINKING WATER SYSTEM IMPROVEMENT PROJECTS; AND DETERMINING CERTAIN OTHER MATTERS IN CONNECTION THEREWITH FOR THE FINANCING OF SEVERAL WATER SYSTEM IMPROVEMENT PROJECTS WITHIN THE BOROUGH OF WOODBINE, CAPE MAY COUNTY, NEW JERSEY

WHEREAS, in accordance with the terms of the Utilities Authorities Law of the State of New Jersey, and the acts amendatory thereof and supplemental thereto, constituting Chapter 14B of Title 40 of the Revised Statutes of the State, and that certain bond resolution adopted on October 24, 2016, entitled “BOND RESOLUTION AUTHORIZING AND APPROVING THE ISSUANCE OF UP TO \$3,090,730 GENERAL OBLIGATION OR REVENUE BONDS AND NOTES, IN ONE OR MORE SERIES, OF THE WOODBINE MUNICIPAL UTILITIES AUTHORITY, IN THE COUNTY OF CAPE MAY, STATE OF NEW JERSEY, AND PROVIDING FOR THEIR SALE TO THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST AND THE STATE OF NEW JERSEY, ACTING BY AND THROUGH THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION IN THE AGGREGATE PRINCIPAL AMOUNT OF \$1,000,000 AND TO THE UNITED STATES DEPARTMENT OF AGRICULTURE PURSUANT TO THE RURAL DEVELOPMENT WATER AND WASTE DISPOSAL LOAN AND GRANT PROGRAM FOR 2016 IN THE AGGREGATE PRINCIPAL AMOUNT OF \$2,090,730; AUTHORIZING THE EXECUTION AND DELIVERY OF CERTAIN AGREEMENTS IN CONNECTION THEREWITH; AND DETERMINING CERTAIN OTHER MATTERS IN CONNECTION THEREWITH”, as thereafter amended or supplemented from time to time (the “**Bond Resolution**”), the Woodbine Municipal Utilities Authority, a public body corporate and politic of the State of New Jersey (the “**Authority**”), determined that there exists a need to finance various capital improvements to the Authority’s municipal drinking water system, including water plant improvements, extension of the Fidler Hill Road Water Main, and creation of a Water Main Loop at the Woodbine Airport (collectively, the “**Water System Improvements Projects**”); and

WHEREAS, the Authority intended to obtain financing for such Water System Improvements Projects through a combination of loans in the aggregate principal amount of Three Million Ninety Thousand Seven Hundred Thirty Dollars (\$3,090,730) from (i) the NANO Loan Program of the New Jersey Environmental Infrastructure Trust Financing Program (the “**NJEIT Nano Loan Program**”) of the New Jersey Environmental Infrastructure Trust (the “**Trust**”) and the State of New Jersey, acting by and through the New Jersey Department of Environmental Protection (the “**State**”), with principal forgiveness, and (ii) a grant and permanent loan funding from the United States Department of Agriculture (“**USDA**”); and

WHEREAS, the Authority had filed applications with the Trust, State and USDA for the financing of the Water System Improvements Projects in a maximum aggregate principal amount of Three Million Ninety Thousand Seven Hundred Thirty Dollars (\$3,090,730), which amount shall be sufficient to pay the costs of the Water System Improvements Projects, including engineering, legal and the other soft costs associated with such financing; and

WHEREAS, the Authority has been lawfully dissolved by action of the Borough Council (the “**Borough Council**”) of the Borough of Woodbine, in the County of Cape May, State of New Jersey (the “**Borough**”) and the Borough desires to (i) continue with the construction of the Water System Improvements Projects for the betterment of the drinking water supply of the Borough; and (ii) obtain the required financing for the Water System Improvements Projects from the NJEIT Nano Loan Program and USDA; and

WHEREAS, the costs of construction of the Water System Improvements Projects will be permanently financed through a combination of: (i) a permanent loan from USDA to the Borough in a maximum principal amount of \$1,107,730 (the “**USDA Loan**”), to be evidenced by the issuance of bonds or notes of the Borough to USDA; (ii) grant funding from USDA in the amount of \$983,000 (“**USDA Grant**”); and (iii) the NJEIT Nano Loan from NJEIT in the principal amount of \$1,000,000, with expected principal forgiveness in the amount of \$500,000; and

WHEREAS, the Borough Council believes that it is in the best interests of the Borough and the inhabitants thereof to amend the pending application with the USDA such that the Borough shall become the proposed borrower on the USDA Loan and USDA Grant under the proposed financing from the USDA for construction of the Water System Improvements Projects.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Woodbine, Cape May County, New Jersey, as follows:

Section 1. That William Pikolycky, Mayor, John Miller, Chief Financial Officer of the Borough, and Lisa Garrison, Borough Clerk (collectively, the “**Authorized Representatives**”), are each hereby authorized to act as the authorized representatives to represent the Borough of Woodbine in all matters relating to the Water System Improvements Projects and the above referenced USDA Loan.

Section 2. The Borough hereby authorizes the Authorized Representatives to file all applications as may be required in connection with the USDA Loan and USDA Grant and to execute and deliver all applications, documents, bonds, instruments, or closing certificates as may be required in connection with such loan program.

Section 3. This Resolution shall take effect immediately upon adoption on the 16th of February, 2017.

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

On motion of Councilwoman Perez, seconded by Councilman Ortiz to approve and adopt the following resolution, unanimously carried.

RESOLUTION NO. 2-36-2017

A RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR FINANCING UNDER THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST FINANCING PROGRAM FOR SEVERAL DRINKING WATER SYSTEM IMPROVEMENT PROJECTS WITHIN THE BOROUGH OF WOODBINE, CAPE MAY COUNTY, NEW JERSEY

WHEREAS, in accordance with the terms of the Utilities Authorities Law of the State of New Jersey, and the acts amendatory thereof and supplemental thereto, constituting Chapter 14B of Title 40 of the Revised Statutes of the State, and that certain bond resolution adopted on October 24, 2016, entitled “BOND RESOLUTION AUTHORIZING AND APPROVING THE ISSUANCE OF UP TO \$3,090,730 GENERAL OBLIGATION OR REVENUE BONDS AND NOTES, IN ONE OR MORE SERIES, OF THE WOODBINE MUNICIPAL UTILITIES AUTHORITY, IN THE COUNTY OF CAPE MAY, STATE OF NEW JERSEY, AND PROVIDING FOR THEIR SALE TO THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST AND THE STATE OF NEW JERSEY, ACTING BY AND THROUGH THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION IN THE AGGREGATE PRINCIPAL AMOUNT OF \$1,000,000 AND TO THE UNITED STATES DEPARTMENT OF AGRICULTURE PURSUANT TO THE RURAL DEVELOPMENT WATER AND WASTE DISPOSAL LOAN AND GRANT PROGRAM FOR 2016 IN THE AGGREGATE PRINCIPAL AMOUNT OF \$2,090,730; AUTHORIZING THE EXECUTION AND DELIVERY OF CERTAIN AGREEMENTS IN CONNECTION THEREWITH; AND DETERMINING CERTAIN OTHER MATTERS IN CONNECTION THEREWITH”, as thereafter amended or supplemented from time to time (the “**Bond Resolution**”), the Woodbine Municipal Utilities Authority, a public body corporate and politic of the State of New Jersey (the “**Authority**”), determined that there exists a need to finance various capital improvements to the Authority’s municipal drinking water system, including water plant improvements, extension of the Fidler Hill Road Water Main, and creation of a Water Main Loop at the Woodbine Airport (collectively, the “**Water System Improvements Projects**”); and

WHEREAS, pursuant to the Bond Resolution, the Authority intended to obtain financing for such Water System Improvements Projects through a combination of loans in the aggregate principal amount of Three Million Ninety Thousand Seven Hundred Thirty Dollars (\$3,090,730) from (i) the NANO Loan Program of the New Jersey Environmental Infrastructure Trust Financing Program (the “**NJEIT Nano Loan Program**”) of the New Jersey Environmental Infrastructure Trust (the “**Trust**”) and the State of New Jersey, acting by and through the New Jersey Department of Environmental Protection (“**NJDEP**”), such financing expected to include principal forgiveness, and (ii) a grant and permanent loan from the United States Department of Agriculture (“**USDA**”); and

WHEREAS, the Authority had previously filed applications with the Trust and USDA for the financing of the Water System Improvements Projects in a maximum aggregate principal

amount of Three Million Ninety Thousand Seven Hundred Thirty Dollars (\$3,090,730), which amount shall be sufficient to pay the costs of the Water System Improvements Projects, including engineering, legal and the other soft costs associated with such financing; and

WHEREAS, Borough Council (the “**Borough Council**”) of the Borough of Woodbine, in the County of Cape May, State of New Jersey (the “**Borough**”) is in the process of taking such actions as are required to effectuate the lawful dissolution of the Authority and desires to (i) continue with the construction of the Water System Improvements Projects for the betterment of the drinking water supply of the Borough; and (ii) obtain the required financing for the Water System Improvements Projects from the NJEIT Nano Loan Program and USDA; and

WHEREAS, the Borough Council believes that it is in the best interest of the Borough and the inhabitants thereof to amend the Authority’s pending application with the Trust such that the Borough shall become the borrower under the proposed financing from the Trust and NJDEP for construction of the Water System Improvements Projects.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Woodbine, Cape May County, New Jersey, as follows:

Section 1. That William Pikolycky, Mayor, John Miller, Chief Financial Officer of the Borough, and Lisa Garrison, Borough Clerk, are each hereby authorized to act as the Authorized Representative to represent the Borough of Woodbine in all matters relating to the Water System Improvements Projects undertaken pursuant to the above referenced NJEIT Nano Loan Program to be executed with the New Jersey Department of Environmental Protection and the New Jersey Environmental Infrastructure Trust. The Authorized Representatives may be contacted at the Borough of Woodbine, 501 Washington Avenue, Woodbine, New Jersey 08270, Phone No. 609-861-2153.

Section 2. The Borough hereby authorizes the Authorized Representatives to file all applications as may be required for loans under the NJEIT Nano Loan Program and to execute and deliver all applications, documents, bonds, instruments, or closing certificates as may be required in connection with such loan program.

Section 3. This Resolution shall take effect immediately upon adoption this 16th day of February, 2017.

RESOLUTION NO. 2-37-2017

A RESOLUTION OF THE BOROUGH OF WOODBINE IMPLEMENTING A FAIR AND OPEN PROCESS FOR THE SELECTION OF AN ARCHITECT FOR THE 2017 SMALL CITIES HEAD START BUILDING RENOVATIONS PROJECTS

WHEREAS, the Borough Council of the Borough of Woodbine acknowledges the need for Professional Services to be provided to the Borough; and

WHEREAS, the Borough Council recognizes the need to implement the requirements of N.J.S.A. 19:44A-20.5 so as to have a fair and open procedure for awarding professional service agreements which would otherwise be exempt from public bidding in accordance with N.J.S.A. 40A:11-5; and

WHEREAS, the Borough Council believes it is in the best interest of the Borough to select professionals to provide services to the Borough primarily on the basis of their qualifications, including qualifications uniquely suited to the needs of the Borough of Woodbine; and

WHEREAS, to receive statements of qualifications in a manner that fosters a fair and open process, it is necessary and advisable to establish advance general criteria and specific minimum requirements; and

WHEREAS, the Borough Council has determined that a fair and open process requires public advertisement of professional services required in a manner and with sufficient time to provide notice in advance of the contemplation of retaining services of a professional and the criteria to be considered in determining the best professional for the position; and

WHEREAS, a fair and open process requires that all responses be publicly opened and announced and thereafter that all appointments be made at a public meeting of the Borough of Woodbine as follows:

1. All appointments for Professional Services contained on Schedule "A" attached to and made a part hereof shall be subject to a fair and open process as set forth below.
2. The Borough Clerk shall cause all legal notices stating that a full listing of the professional service appointments subject to a fair and open process together with the criteria established for the consideration of qualifications, will be published in The Herald newspaper on February 22, 2017.
3. The criteria for each position contained on Schedule "A" follows immediately subsequent to the Listing on Schedule "A".
4. The newspaper publication shall inform potential applicants that all submissions must be made to the Clerk of the Borough of Woodbine and received no later than 3:00 p.m. March 8, 2017.
5. Commencing 3:01 p.m. on March 8, 2017, or as soon thereafter as may be available, the Clerk of the Borough of Woodbine or her designee shall publicly open and announce all submissions in the Borough Council chambers, 501 Washington Avenue, Woodbine, New Jersey.
6. Appointments shall thereafter be made at a public meeting of the Borough Council of the Borough of Woodbine.

7. Subsequent to appointments, appropriate notices shall be published in accordance with the requirements of N.J.S.A. 40A:11-5.

BE IT FURTHER RESOLVED, that the Borough Council of the Borough of Woodbine has determined that the terms of this Resolution constitute a fair and open process in accordance with N.J.S.A. 19:44A-20, et seq., and that the decision by the Borough of Woodbine as to what constitutes a fair and open process shall be final.

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

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

RESOLUTION NO. 2-38-2017

OPENING SPECIFIC BANK ACCOUNTS

WHEREAS, it has now become necessary for certain bank accounts for the Borough of Woodbine to be established; and

WHEREAS, it is in the best interest of the Borough of Woodbine to open these bank accounts;

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

1. The allegations of the preamble are incorporated herein by this reference.
2. The official bank account to be opened in the Borough of Woodbine shall be:

<u>Bank</u>	<u>Title of Account</u>
Crest Savings	Woodbine Utilities General Account
Crest Savings	Woodbine Airport Utility General Account
Crest Savings	Woodbine Airport Utility Grant Account
Crest Savings	Woodbine Airport Utility Fuel Account
Crest Savings	Woodbine Airport Utility FAA Escrow Account

3. All appropriate officers and employees of the Borough of Woodbine are empowered to take any action necessary to give effect to this Resolution.
4. The official signatories on the bank accounts shall be any two (2) of the following:

William Pikolycky, Mayor
John Miller, Chief Financial Officer
Lisa Garrison, Borough Clerk

RESOLUTION NO. 2-39-2017

APPOINTMENT OF MELISSA MCGRAW 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 the appointment to the Recreation Commission subject to the advice and consent of Borough Council, **MELISSA MCGRAW** to serve as a member to the Recreation Commission for a five term to expire on August 31, 2021; 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. Melissa McGraw is hereby appointed to serve as a member to the Recreation Commission for a five year term to expire on August 31, 2021.

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

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

RESOLUTION NO. 2-40-2017

APPOINTMENT OF MONSERRATE GALLARDO 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 the appointment to the Recreation Commission subject to the advice and consent of Borough Council, **MONSERRATE GALLARDO** 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. Monserrate Gallardo 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. 2-41-2017
AWARD OF CONTRACT FOR
RECONSTRUCTION OF DEHIRSCH AVENUE

WHEREAS, sealed bids were received on December 14, 2016 by the Borough for the construction of the project known as the “Reconstruction of DeHirsch Avenue”; and

WHEREAS, South State, Inc. submitted the lowest overall total bid of three (3) bids received for the Base Bid and Add Alternate No. 1 through Add Alternate No. 5 which are summarized as follows:

Bidder	Base Bid	Add Alt. 1	Add Alt. 2	Add Alt. 3	Add Alt. 4	Add Alt. 5
South State, Inc.	\$242,479.50	\$27,645.00	\$14,070.00	\$18,332.50	\$30,205.00	\$12,792.50
Arawak Paving	\$259,000.00	\$37,300.00	\$14,000.00	\$19,400.00	\$28,760.00	\$13,800.00
A.E. Stone, Inc.	\$272,000.00	\$24,865.00	\$16,000.00	\$28,000.00	\$42,135.00	\$8,000.00

WHEREAS, the bid of South State, Inc. has been submitted in proper form and the Contractor appears qualified to perform the work anticipated under this contract;

WHEREAS, an application for supplemental funding has been made and is pending with the New Jersey Department of Transportation (NJDOT) which if approved will allow the Chief Financial Officer to certify that funds are available for the Base Bid and all Add Alternates of this Contract in accordance with N.J.A.C. 5:30-5.4;

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 South State, Inc. in the amount of \$345,524.50 comprising the Base Bid and Add Alternates #1 through #5, subject to approval of the above noted supplemental funding and 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:

A.E. Stone, Inc.

and that the certified checks or bid bonds of the successful bidder (South State, Inc.) and the next lowest bidder (Arawak Paving Co., 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 supplemental funding and agency concurrence, the Mayor and Clerk are hereby authorized to execute all documents necessary to effectuate a contract with South State, Inc. for this project.

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

On motion of Councilwoman Perez, seconded by Councilman Ortiz to approve and adopt the following resolution, unanimously carried.

RESOLUTION NO. 2-42-2017

RESOLUTION OF SUPPORT FROM THE COUNCIL OF THE BOROUGH OF WOODBINE AUTHORIZING THE SUSTAINABLE JERSEY GRANT APPLICATION

WHEREAS, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and

WHEREAS, the Borough of Woodbine strives to save tax dollars, assure clean land, air and water, improve working and living environments; and

WHEREAS, the Borough of Woodbine is participating in the Sustainable Jersey Program; and

WHEREAS, one of the purposes of the Sustainable Jersey Program is to provide resources to municipalities to make progress on sustainability issues, and they have created a grant program called the Sustainable Jersey Small Grants Program.

NOW THEREFORE, BE IT RESOLVED that the Council of the Borough of Woodbine has determined that the Borough should apply for the aforementioned Grant and authorizes the submission of the aforementioned Sustainable Jersey Grant.

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

RESOLUTION NO. 2-43-2017

**APPOINTMENT OF JUAN RODRIGUEZ 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, **JUAN RODRIGUEZ** to serve as a member to the Recreation Commission for an unexpired term to expire on August 31, 2017; 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. Juan Rodriguez is hereby appointed to serve as a member to the Recreation Commission for an unexpired term to expire on August 31, 2017.

Unfinished Business:

COAH Report – Mr. Tonetta, Borough Solicitor, indicated correspondence had been received from Judge Johnson in regards to the court’s expert the recalculation will not be completed in order to meet the court deadline and an extension was approved.

CMC/Borough of Woodbine Joint Project Rte 550/638 Road Reconstruction Project Status - Mr. Graham indicated the County had awarded Phase I which is to start mid-late March. The Council via Resolution No. 2-41-2017 conditionally awarded to South State for the Reconstruction of DeHirsch Avenue as we are currently awaiting on additional DOT funding. Phase II is currently working on preliminary design and Pinelands permits will be required. The engineer is currently looking for more funds. The project is anticipated for fall to late fall to begin. Mayor Pikolycky indicated there will be three (3) phases to the overall project.

Bio Solid Stakeholder Meeting – CMCMUA – February 23, 2017 – 10:00 a.m.

CMC League of Municipalities Meeting – February 23, 2017 – Establishment at 100, North Wildwood – 7:00 p.m.

Rabies Clinic – March 4, 2017 – 10:00 a.m. – 12:00 p.m.

New Business: None

Committee Reports:

Public Works/Buildings & Grounds: Chairman Bennett reported the Public Works Department is continuing with brush cleanup.

Health, Education & Human Services: Chairman Benson reported the school was currently in teacher negotiations.

Public Safety & Courts: Chairman Cruz had nothing to report at this time.

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 had nothing to report at this time.

Engineer's Report: Mr. Graham reported on the following:

Sewer Project - The USDA environmental report information has been provided to Triad to put in final form. User cost information is being evaluated prior to responding again to DHS.

Water Renovation Project - There is no change in status.

Open Space/NJDOT Bikeway Project- A meeting was held with Pinelands to discuss the Red Headed Woodpecker issue. Pinelands has indicated a need for a study. Currently options are being evaluated. The anticipated timeline is for a study in May and June, public comment early April with anticipated conditional approval by early May.

Generator Project - The system is fully operation on automatic mode. Currently working on obtaining closeout documents so final payment can be mad. FEMA reimbursement will be requested after closeout.

Hat Company Site/Airport Remediations - A meeting has been set up with TWT for March 16, 2017 prior to the Council meeting.

Solicitor's Report: Mr. Tonetta reported the status of the dissolution of the authorities. Mr. Tonetta also reported correspondence had been received from Mr. Kizner in regards to a new calculation on the terms of settlement and it is substantially higher.

Mayor Pikolycky reported on the following:

DEP Forestry Program - 250-300 trees are anticipated to be distributed this year.

CMC Museum WWI Exhibit - The museum is collecting information on the municipalities roles. The Borough of Woodbine had a factory.

FEMA meeting on the flood insurance study will be held on March 1, 2017 in Sea Isle City between the hours of 10:00 a.m. – 11:30 a.m.

Workforce55+ - Meeting was held for the program. The program mirrors the Experience Works program and the current PathStone program.

Complete Care meetings have been ongoing in which discussion have been held to have a presence in Woodbine at the old PRAC building.

At this time on motion of Councilman Bennett, seconded by Councilman Cruz to approve and adopt the following resolution, unanimously carried.

RESOLUTION NO. 2-44-2017

A RESOLUTION OF THE BOROUGH OF WOODBINE AUTHORIZING THE EXCLUSION OF THE PUBLIC FROM A MEETING BETWEEN THE BOROUGH COUNCIL, THE MAYOR, THE BOROUGH CLERK, BOROUGH SOLICITOR AND BOROUGH ENGINEER CONCERNING EMPLOYMENT OF PROSPECTIVE PUBLIC EMPLOYEE

WHEREAS, N.J.S.A. 10:4-12 Open Public Meetings Act, permits the exclusion of the public from the meeting of the public body when the subject matter of that meeting involves employees positions in regard to the upcoming authority dissolutions; and

WHEREAS, the Mayor and Council intend upon meeting in closed session with the Clerk, Solicitor and Engineer on that subject;

WHEREAS, the length of the closed session is estimated to be 25 minutes after which the public meeting of the Mayor and Borough Council shall reconvene and immediately adjourn;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Woodbine, together with the Clerk, Solicitor and Engineer shall go into a closed session for only the above stated reasons.

BE IT FURTHER RESOLVED that the Mayor and Council of the Borough of Woodbine hereby declare that its discussion of the aforementioned subject will be made public at the time when the public's interest and disclosure is greater than any privacy or governmental interest being protected from disclosure. The estimated date by which such disclosure can be made is (20) days.

BE IT FURTHER RESOLVED that the Clerk at the present public meeting shall read the title of said resolution aloud so that members of the public in attendance can understand at precisely the nature of the matters that will privately be discussed.

BE IT FURTHER RESOLVED that the Clerk on the next business day following this meeting shall furnish a copy of this Resolution to any member of the public who requests on at

the fees allowed by N.J.S.A. 47:1A-1 et seq.

Upon return to open session, Mr. Tonetta indicated the record should reflect the close meeting was approximately twenty-five (25) minutes in length and was for the purpose of discussing employee positions with the upcoming dissolution of the authorities.

Mayor Pikolycky called for the following proposed ordinance.

PROPOSED ORDINANCE NO. 566-2017

**AN ORDINANCE ESTABLISHING SALARIES FOR THE
BOROUGH OF WOODBINE FOR THE CALENDAR YEAR 2017**

BE IT ORDAINED by the Mayor and Council of the Borough of Woodbine in the County of Cape May as follows:

SECTION 1: This Ordinance shall be known as the salary Ordinance of the year 2017.

SECTION 2: Salaries for the various officials of the Borough of Woodbine for the Calendar year 2017 shall be as follows:

ADMINISTRATIVE:

Mayor	\$40,000.00
President of Council	11,000.00
Members of Council (5)	10,000.00
Borough Clerk	27,500.00
Deputy Borough Clerk	2,200.00
Chief Financial Officer	55,000.00
Confidential Assistant (Mayor's Office)	39,400.00
Confidential Assistant (Tax & Finance Office)	27,500.00

AIRPORT UTILITIES DEPARTMENT:

Airport Maintenance Manager	14.00 – 18.00 hrly
Airport Laborers	14.00 – 18.00 hrly

COLLECTION OF TAXES:

Tax Assessor	19,700.00
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Tax Collector 27,500.00

Tax Search Officer 5,500.00

PLANNING & ZONING BOARD:

Secretary to the Planning/Zoning Board/Commission 10,000.00

PUBLIC SAFETY:

Crossing Guards 9.50 hrly

Code Enforcement Officer 3,500.00

Zoning Officer 3,500.00

Deputy Zoning Officer 5,300.00

Emergency Management Coordinator 4,400.00

Sr. Deputy Emergency Management Coordinator 4,000.00

STREET & ROADS:

Foreman 8,100.00

Laborers 20,500.00 - 33,000.00

Laborers 7.25 - 18.00 hrly

Seasonal Workers 7.25 – 15.00 hrly

Recycling Coordinator 2,500.00

RECREATION & EDUCATION:

Recreation Director 3,700.00

UTILITIES DEPARTMENT:

Water Plant Operator 49,000.00

Utilities Laborer 12.00 – 14.00 hrly

SECTION 3: Half of the salary increases payable pursuant to this Ordinance shall be retroactive to January 1, 2016 and the remainder will be retroactive to January 1, 2017 for all employees who were employed by the Borough of Woodbine on the effective date of this Ordinance. The salaries established hereunder shall continue to be paid until adoption of a subsequent salary ordinance.

SECTION 4: Whenever any of the aforesaid officials or employees shall commence work subsequent to the adoption of this Ordinance, the starting salary shall be fixed by Resolution of the Mayor and Council of the Borough of Woodbine.

BE IT FURTHER ORDAINED as follows:

The Salary of the Mayor shall remain at \$40,000.00 . However, in the event the Borough of Woodbine retains the services of an Administrator to assume all or a portion of the executive responsibilities of the Borough as provided in accordance with N.J.S.A. 40A:60-7 and N.J.S.A. 40A:90-136, then the salary of the Mayor shall be adjusted to take into account such payment being then made to the Administrator.

On motion of Councilman Ortiz, seconded by Councilman Cruz to approve the introduction of the foregoing proposed ordinance, unanimously carried upon roll call vote.
Ayes: Ortiz, Johnson, Bennett, Perez, Benson, Cruz Nays: None Abstain: None Absent: None

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

Public Comment: Mayor Pikolykcky opened public comment. There being none comment forthcoming public comment was closed.

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

Respectfully submitted,

Lisa Garrison
Borough Clerk

