

**BOROUGH OF WOODBINE  
REGULAR MEETING**

**FEBRUARY 19, 2015  
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 Herald on January 20, 2015 and posting a copy of said notice on the Clerk's bulletin board."

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

Mayor Pikolycky called for approval of the minutes of February 5, 2015. On motion of Councilman Benson, seconded by Councilman Ortiz to approve the minutes of February 5, 2015 as presented, unanimously carried.

Mayor Pikolycky called for a Public Hearing for Ordinance No. 552-2015, "Calendar Year 2015 – Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank (N.J.S.A. 40A:4-45.14). Mayor Pikolycky opened the public hearing. There being no comment forthcoming the public hearing was then closed. On motion of Councilwoman Perez, seconded by Councilman Cruz to approve and adopt the following ordinance, unanimously carried upon roll call vote. Ayes: Ortiz, Murray, Bennett, Perez, Benson, Cruz Nays: None Abstain: None Absent: None

**ORDINANCE NO. 552-2015**

**CALENDAR YEAR 2015  
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS  
AND TO ESTABLISH A CAP BANK  
(N.J.S.A. 40A: 4-45.14)**

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 1.0% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

**WHEREAS**, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

**WHEREAS**, the Council of the City of Woodbine in the County of Cape May finds it advisable and necessary to increase its CY 2015 budget by up to 3.5% over the previous year's

final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

**WHEREAS**, the Council hereby determines that a 2.5% increase in the budget for said year, amounting to \$33,634 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

**WHEREAS**, the Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW THEREFORE BE IT ORDAINED**, by the Council of the Borough of Woodbine, in the County of Cape May, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2015 budget year, the final appropriations of the Borough of Woodbine shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$47,088, and that the CY 2015 municipal budget for the Borough of Woodbine be approved and adopted in accordance with this ordinance; and,

**BE IT FURTHER ORDAINED**, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Mayor Pikolycky called for the following resolutions:

#### **RESOLUTION NO. 2-23-2015**

#### **APPROVING THE PERSON-TO-PERSON AND PLACE-TO-PLACE TRANSFER OF PLENARY RETAIL CONSUMPTION LICENSE NO. 0516-33-002-005 FROM GARRISONS PUB & EATERY LLC TO DF DIESEL, LLC**

**WHEREAS**, DF Diesel, LLC has made application to the Mayor and Council, the issuing authority of the Borough of Woodbine for a person-to-person of Plenary Retail Consumption License No. 0516-33-002-005 heretofore issued to Garrisons Pub & Eatery, LLC for premises situated on 2101 Dennisville-Petersburg Rd; and

**WHEREAS**, DF Diesel, LLC has also made application for a place-to-place transfer of Plenary Retail Consumption License No. 0516-33-002-005 to expand to include outdoor area

adjacent to the existing premises as designated by the attached map which is hereby attached and made part of this resolution; and

**WHEREAS**, the licensed premises are known and described as Block 139 Lot 1 on the current Official Tax Map of the Borough of Woodbine; and

**WHEREAS**, notice of this person-to-person and place-to-place transfer was duly advertised as required by law, said advertisements having occurred in The Press of Atlantic City, a newspaper of general circulation within the Borough of Woodbine, on May 23, 2014 and May 30, 2014 as appears from the Proof of Publication duly filed with the Municipal Clerk of the Borough of Woodbine; and

**WHEREAS**, there have been no objections to this transfer filed with the Municipal Clerk of the Borough of Woodbine;

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

1. The Mayor and Council makes the following findings of fact:
  1. The application for the person-to-person and place-to-place transfer is complete in all respects. All required fees have been paid to the Borough of Woodbine and the State of New Jersey. Notice of the transfer application has been duly advertised as required by law and by the rules and regulations of the New Jersey Division of Alcoholic Beverage Control. No objections, written or otherwise, have been filed with the Municipal Clerk of the Borough of Woodbine.
  2. The applicant, DF Diesel, LLC and its officers, directors and stockholders, Robert Breunig and Douglas Fagerstrom, have previously submitted fingerprint cards to the New Jersey Division of Alcoholic Beverage Control for a criminal records check. Said investigation did not disclose any reason that would disqualify the applicant, its officers, directors or stockholders from holding a Plenary Retail Consumption License under the laws of the State of New Jersey.
  3. All conditions precedent to the transfer of said license appear to have been complied with.

**BE IT FURTHER 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 statements of the preamble are incorporated herein by this reference.
2. The Borough Council does hereby approve the person-to-person and place-to-place transfer to DF Diesel, LLC of said Plenary Retail Consumption License and the Municipal

Clerk be and she is hereby authorized to endorse the license certificate to the new ownership as follows: "This license, subject to all its terms and conditions, is hereby transferred to transferred to DF Diesel, LLC, effective February 19, 2015".

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

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

## **RESOLUTION NO. 2-24-2015**

### **RESOLUTION AUTHORIZING ASSIGNMENT**

**WHEREAS**, N.J.S.A. 54:5-113 authorizes assignment by a municipality of tax sale certificates for the full amount of the certificate including all subsequent municipal taxes and other municipal charges; and

**WHEREAS**, Robert and Barbara Prettyman have presented an offer to purchase, by assignment, Certificate of Sale #15-00033 which was issued to the Borough of Woodbine at a tax sale held January 2, 2015, on Block 86 Lot 1.02, known as 1016 Bryant Street, Woodbine, NJ, and assessed to Phillip J. Schenker and Susan A. Orr, in the amount of \$1,115.61, being the full amount of the certificate, including all subsequent municipal taxes and other municipal charges.

**NOW, THEREFORE, BE IT RESOLVED**, that the Borough of Woodbine hereby authorizes the Mayor and Municipal Clerk to execute the necessary assignment document to effect assignment of the above-referenced Certificate of Sale.

**BE IT FURTHER RESOLVED**, that a copy of this resolution be forwarded to the Tax Collector.

## **RESOLUTION NO. 2-25--2015**

### **OPENING SPECIFIC BANK ACCOUNTS**

**WHEREAS**, it has now become necessary to open the following bank account with Crest Savings Bank:

Title of Account

Municipal Court Credit Card Fee Account

and;

**WHEREAS**, the official signatories on the above referenced bank accounts shall be any two (2) of the following:

John H. Miller  
Lisa Garrison  
William Pikolycky

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the borough of Woodbine, County of Cape May and State of New Jersey that all appropriate officers and employees of the Borough of Woodbine are empowered to take any action necessary to give effect to this Resolution.

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

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

#### **RESOLUTION NO. 2-26-2015**

##### **AMENDING 2015 TEMPORARY BUDGET**

**WHEREAS**, N.J.S.A. 40A:1-19 provides that where any contract, commitment or payments are to be made to the final adoption of the 2015 budget, temporary appropriations should be made for the purpose and amounts in the manner and time therein provided; and

**WHEREAS**, the governing body by Resolution No. 1-01-2015, dated January 7, 2015, adopted the 2015 Temporary Budget; and

**WHEREAS**, it has become necessary to amend the 2015 Temporary Budget;

**NOW, THEREFORE, BE IT RESOLVED**, that the 2015 Temporary Budget be amended to include and/or revise the following budget appropriations:

Municipal Court Other Expenses	\$ 2,500.00
Small Cities Public Facilities Cash Match – Fire Station Rehab	\$ 20,330.00

#### **RESOLUTION NO. 2-27-2015**

##### **APPOINTING LAWRENCE LEVY AS BOROUGH HISTORIAN**

**WHEREAS**, N.J.S.A. 40:10A-4 provides, in part, as follows: “The governing body of any county or municipality may, by ordinance or resolution, as appropriate, establish the position of local historian;” and

**WHEREAS**, N.J.S.A. 40:10A-4 provides, in part, as follows: “The local historian shall be appointed in the manner generally provided by law for appointments of the local unit, and shall serve at the pleasure of the appointing authority;” and

**WHEREAS**, the Mayor of the Borough has nominated Lawrence Levy to be appointed as the Borough Historian of the Borough of Woodbine; and

**WHEREAS**, based on Lawrence Levy's background and experience in research and documentation of the history of this Borough, Council is satisfied that it is in the best interests of the Borough of Woodbine that the Mayor's nomination of Lawrence Levy as the Borough Historian be approved.

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

1. All of the statements of the preamble are incorporated herein by this reference thereto as though the same were set forth at length.
2. The Mayor's nomination of Lawrence Levy as Borough Historian of the Borough of Woodbine be and it hereby is approved.
3. The Borough Historian shall have, and carry out, the powers and responsibilities outlined in N.J.S.A. 40:10A-7.
4. This resolution shall take effect immediately.
5. The Borough Clerk shall forward copies of this Resolution to the appropriate historical departments of the County of Cape May and State of New Jersey.

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

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

#### **RESOLUTION NO. 2-28-2015**

#### **RESOLUTION REAPPOINTING THE 2015 SUSTAINABLE BOROUGH OF WOODBINE TEAM TO LEAD COMMUNITY PARTICIPATION IN THE SUSTAINABLE JERSEY MUNICIPAL CERTIFICATION PROGRAM**

**WHEREAS**, the Mayor and Council of the Borough of Woodbine strives to save tax dollars, assure clean air and water, improving working and living environments to build a community that is sustainable economically, environmentally and socially; a community which would thrive well into the new century; and

**WHEREAS**, the Mayor and Council of the Borough of Woodbine wishes to continue building a model of government which benefits our residents now and far into the future with green community initiatives that are easy to replicate and affordable to implement; and

**WHEREAS**, in an attempt to focus attention on issues and actions to support a healthy, sustainable future, the Mayor and Council wishes to reappoint a 2015 Sustainable Woodbine Team Advisory Committee to work toward recertification in the Sustainable Jersey Certification Program of the NJ State League of Municipalities and other statewide partners; and

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Woodbine that the mission, goals and objectives for the Sustainable Woodbine Team through December 31, 2015 are established as follows:

**Mission:** The Sustainable Woodbine Team Advisory Committee will work to identify, research and select “Actions” outlined by the Sustainable Jersey program and work with municipal and community members to organize logical steps to achieve actions which are economically and environmentally sound for the Borough.

**Goals:** The goal of Sustainable Greenwich Team Advisory Committee will be to accomplish actions leading to recertification.

### **Municipal and Community Objectives**

1. To collaborative with elected and appointed township officials, residents, services providers and other governmental agencies to share resource information and ideas consistent with the Sustainable Woodbine mission;
2. To encourage participation of all residents to solicit ideas on green initiatives.
3. To research and analyze green initiatives that make practical environmental and financial sense and bring to the attention of other appropriate Borough entities.
4. To develop strategies for ongoing sustainable planning and initiatives in municipal operations and the community; and
5. To prepare a summary of Sustainable Woodbine activities for 2015, that will be submitted to the Mayor and Council no later than December 31, 2015.

**BE IT FURTHER RESOLVED** by the Mayor and Council of the Borough of Woodbine that the following persons are hereby appointed to the volunteer Sustainable Woodbine Team Advisory Committee for 2015.

#### **NAME**

Mayor William Pikolycky  
Councilman David Bennett  
Lisa Fisher  
William Fitzgerald

Carol Saduk  
JoBeth Sherby  
Diana Marra  
Lisa Garrison  
Melissa Rodriguez

#### **POSITION REPRESENTATIVE**

Governing Body Representative  
Governing Body Representative  
Planning/Zoning Representative  
Planning/Zoning Board Representative/Shade Tree  
Committee Representative  
Chamber of Commerce Representative  
Citizen Representative  
Citizen Representative  
Borough Employee Representative  
School Board Representative

**RESOLUTION NO. 2-29-2015**

**RESOLUTION REFUNDING ABANDONED PROPERTIES FEES IN THE AMOUNT OF \$500.00 TO BRON, INC.**

**WHEREAS**, the Borough Council adopted Ordinance No. 548-2014 requiring the owner or lienholder of abandoned properties within the Borough of Woodbine to register the same so as to provide the Borough with information regarding the maintenance of the abandoned properties; and

**WHEREAS**, in accordance with Ordinance No. 548-2014 the said fee was paid regarding Block 86 Lot 1.02 by Bron, Inc.; and

**WHEREAS**, the Borough was notified that, at the time of the adoption of Ordinance the Lienholder no longer had any interest, either equitable or legal, in Block 86 Lot 1.02 and that their payment was made in error; and

**WHEREAS**, the Council of the Borough of Woodbine finds it to be fair and equitable to return the fee paid in error.

**NOW THEREFORE BE IT RESOLVED** by the Council of the Borough of Woodbine that the Clerk is hereby authorized and directed to return the abandoned properties registration fee paid in error by Bron, Inc. in the amount of \$500.00.

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

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

**RESOLUTION NO. 2-30-2015**

**A RESOLUTION OF THE BOROUGH OF WOODBINE AUTHORIZING THE EXECUTION OF A STATE-LOCAL SUB-GRANT AGREEMENT FOR DISASTER RELIEF FUNDS IN ACCORDANCE WITH THE HAZARD MITIGATION GRANT PROGRAM**

**WHEREAS**, the Robert T. Stafford Disaster Relief and Emergency Assistance Act ("Stafford Act") identifies the use of disaster relief funds under the Hazard Mitigation Grant Program ("HMGP"); and

**WHEREAS**, the New Jersey Office of Emergency management ("NJOEM") has been designated Grantee to receive, administer and disburse FEMA funds for mitigation activities in



New Jersey including monitoring and evaluating the implementation of mitigation activities as well as the control and disbursement of HMGP funds from FEMA; and

**WHEREAS,** the Borough of Woodbine as Sub-grantee has submitted an approved application for certain mitigation activities and agrees to provide the financial and managerial resources to carry out the terms and conditions of the Grant including the requirements of 44CFR Part 14 and utilize the mitigation funds solely for the approved mitigation activities. Said mitigation activities are as follows:

Purchase and install one (1) new permanent natural gas-powered generator for the Municipal Building, located at 501 Washington Avenue. The generator will be installed and maintained according to all applicable state and local building codes and standards.

And;

**WHEREAS,** the total estimated cost of the mitigation activities is \$91,000.00 and the HMGP grant is \$75,000.00 leaving a non-Federal share in the amount of \$16,000.00 which is subject to the Certification of said funds for the non-Federal contribution.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Woodbine, as follows:

1. The Mayor and Clerk are authorized to execute all documents necessary for the acquisition of HMGP funds from FEMA through the NJOEM as Grantee and the Borough of Woodbine as Sub-Grantee.

2. The Borough of Woodbine shall be granted the legal authority to accept mitigation funds and provide all necessary financial and managerial resources to meet the terms and conditions as set forth in 44CFR Part 13 and 14, and OMB Circular A-87.

Unfinished Business:

CMC League of Municipalities Meeting – February 23, 2015 – 6:00 p.m. – The Reeds, Stone Harbor

ACMJIF Elected Officials Liability Seminar – February 24, 2015 – 5:30 p.m. – Merighi's Savoy Inn, Vineland

Rabies Clinic – March 7, 2015

School Board Tax Levy Correspondence - Council reviewed the Board's response to their request to attend to tonight's meeting. The Board requested a meeting with the Mayor and members of the Finance Committee. Mr. Tonetta suggested a list of questions be prepared in advance of said meeting.

#### New Business:

CMC Coast Guard Designation Celebration – May 8-10, 2015- Mayor Pikolycky indicated the County has received the coast guard designation and activities are being developed at the Coast Guard Base and the park. All of the municipalities will be inviting the Coast Guard to a meeting. Mayor Pikolycky will provide further updates in the future.

JIF Incentive Award - Mayor Pikolycky announced the Borough received an award from the JIF for Excellence in Service which provided the Borough with \$750 in funds to be used for safety and upgrade of equipment.

Stockton University - Mayor Pikolycky indicated it was an honor for Woodbine to be involved in the Stockton status celebration as it was nice to have a branch of the university in Woodbine.

PRAC Healthcare Schedule - Mayor Pikolycky announced that PRAC would be hosting on March 5, 2015 and for an appointment anyone could call 609-463-2599.

#### Committee Reports:

Public Works/Buildings & Grounds: Chairman Bennett reported on the activities of the public works department and commended them for the fine job of snow plowing.

Health, Education & Human Services: Chairman Benson reported the school is in the midst of the PARCC assessment and contract negotiations. He reported the fiscal monitor is on vacation. Chairman Benson indicated the school budget is 70% state funded and he reported on the number of highschool students remaining in Millville High School at this time. Also the school is celebrating Black History month.

Public Safety & Courts: Chairman Cruz reported that State Police had an increase of 18% in services calls.

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

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

Revenue & Finance: Chairwoman Perez reported work is proceeding on the budget and the Finance Committee will be meeting soon.

#### Engineer's Report:

Mr. Graham updated Council on the following:

FEMA Drainage - A change order will be presented at the next meeting to use up the grant monies. It will increase the paving items.

FEMA Generator Grant - The resolution passed this evening and a kickoff meeting will be held on Monday.

CMC Leachate Waste Water Study- A meeting was held with the County MUA regarding an alternate cost sharing proposal. USDA representatives will be expecting an application for a sewer system feasibility study for the Borough.

Hat Company Site - the draft report submitted by TWT needs to be reviewed.

Fire House Renovations - the Borough received a \$400,000 grant from DCA for renovations. The architect is gearing up for a forensic investigation. Bids are anticipated late spring.

Route 550 - County held a kickoff meeting but unaware of any real activity at this time.

At this time, Mayor Pikolycky on behalf of the Borough extended condolences to Mr. Tonetta on the passing of this father.

Solicitor's Report: None

Payment of Bills: On motion of Councilwoman Perez, seconded by Councilman Cruz to approve the bills for payment, unanimously carried.

Public Comment: There being no comment forthcoming Mayor Pikolycky recognized Nicholas Schalek on his Eagle Scout project and congratulated him on his Eagle Scout Award. Mr. Schalek has been inducted into the Jr. Naval Academy in Annapolis, Maryland. Mayor Pikolycky issued forth an invitation to Mr. Schalek to attend the Coast Guard Celebration.

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

Respectfully submitted,

Lisa Garrison  
Borough Clerk

