

**BOROUGH OF WOODBINE
REGULAR MEETING**

**MARCH 2, 2017
8:00 P.M.**

Mayor Pikolycky called the Regular Meeting to order and read the following statement, "Adequate notice of this meeting was provided in compliance with the Open Public Meetings Act by notifying the Press and The Herald on January 18, 2017 and posting a copy of said notice on the Clerk's bulletin board."

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

Mayor Pikolycky called for approval of the minutes of February 16, 2017 (regular and closed). On motion of Councilman Bennett, seconded by Councilman Jonson to approve the minutes of February 16, 2017 as received, unanimously carried.

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 16, 2017.

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

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 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 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.

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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 following ordinance, Mayor Pikolycky closed the public hearing. On motion of Councilman Johnson, seconded by Councilman Bennett to approve and adopt the following ordinance upon roll call vote, unanimously carried. Ayes: Ortiz, Johnson, Bennett, Benson Nays: None Abstain: None Absent: Perez, Cruz

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

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.

Mayor Pikolycky called for the following resolutions:

RESOLUTION NO. 3-45-2017

**A RESOLUTION OF THE BOROUGH OF WOODBINE,
COUNTY OF CAPE MAY, STATE OF NEW JERSEY,
AUTHORIZING THE FILING OF AN APPLICATION FOR A
SHORT TERM CONSTRUCTION LOAN FROM THE NEW
JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST
UNDER THE CONSTRUCTION FINANCING PROGRAM AND
AUTHORIZING THE ISSUANCE OF A CONSTRUCTION
LOAN NOTE IN CONNECTION THEREWITH FOR THE
WATER SYSTEM IMPROVEMENTS PROJECT**

Applicant: **BOROUGH OF WOODBINE, CAPE MAY**

Loan Number: **0516001-001**

WHEREAS, in accordance with the provisions of **Bond Ordinance No. 561-2017**, adopted on February 16, 2017 (“**Ordinance 561**”), the Borough of Woodbine, in the County of Cape May, State of New Jersey (the “**Borough**”) filed an application with the New Jersey Department of Environmental Protection (“**DEP**”) and the New Jersey Environmental Infrastructure Trust (the “**Trust**”) for the financing of various drinking water improvement projects involving the Borough’s water system (the “**Water System Projects**”) under the New Jersey Environmental Infrastructure Trust Financing Program (the “**NJEIF Program**”); and

WHEREAS, the Borough desires to temporarily finance the construction of the Water System Projects prior to closing on (i) a permanent loan under the NJEIF Program and (ii) a combination of grant

and permanent loan funding from the United States Department of Agriculture (“USDA”), through a construction loan up to a maximum principal amount of Three Million Ninety Thousand Seven Hundred Thirty Dollars (\$3,090,730) (the “**Construction Loan**”) from the Trust pursuant to the New Jersey Environmental Infrastructure Trust Construction Financing Program (the “**Construction Financing Program**”); and

WHEREAS, the Authority intends to issue to the Trust, the State and USDA its general obligation bonds or notes up to 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 Projects, including engineering, legal and the other soft costs associated with the issuance of such bonds or notes.

NOW, THEREFORE, BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF WOODBINE AS FOLLOWS:

Section 1. That the Borough, by and through its Authorized Representatives (as hereinafter specified), is hereby authorized to file an application for the Construction Loan and to execute and deliver all additional certifications, instruments, notes and other documents as may be required in connection with the Construction Financing Program for the Water System Projects, including without limitation a negotiable note of the Authority to be issued to the Trust in an aggregate principal amount of up to Three Million Ninety Thousand Seven Hundred Thirty Dollars (\$3,090,730). The terms of the Note shall be as set forth in a subsequent resolution or resolutions of the Borough.

Section 2. That the Mayor, Chief Financial Officer and Borough Clerk are each hereby authorized to act as the Authorized Representatives to represent the Borough in all matters relating to the Construction Loan for the Water System Projects. The Authorized Representatives may be contacted at the Woodbine Municipal Building, 501 Washington Avenue, Woodbine, New Jersey 0827, Phone No. (609) 861-2153.

Section 3. This Resolution shall take effect immediately.

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

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

RESOLUTION NO. 3-46-2017

RESOLUTION OF THE BOROUGH OF WOODBINE, IN THE COUNTY OF CAPE MAY, NEW JERSEY, DETERMINING THE FORM AND OTHER DETAILS OF ITS “NOTE RELATING TO THE CONSTRUCTION FINANCING PROGRAM OF THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST”, TO BE ISSUED IN THE PRINCIPAL AMOUNT OF UP TO \$3,090,730, AND PROVIDING FOR THE ISSUANCE AND SALE OF SUCH NOTE TO THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST, AND AUTHORIZING THE EXECUTION AND DELIVERY OF SUCH NOTE BY THE BOROUGH OF WOODBINE IN FAVOR OF THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST, ALL PURSUANT TO THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST

CONSTRUCTION FINANCING LOAN PROGRAM FOR VARIOUS DRINKING WATER SYSTEM IMPROVEMENT PROJECTS

WHEREAS, in accordance with the provisions of Resolution No. 2-36-2017, adopted on February 16, 2017, and Bond Ordinance No. 561-2017, adopted on February 16, 2017, the Borough of Woodbine, in the County of Cape May, State of New Jersey (the “**Borough**”) authorized the filing of an application with the New Jersey Department of Environmental Protection (“**DEP**”) and the New Jersey Environmental Infrastructure Trust (the “**Trust**”) for the financing of certain drinking water improvement projects involving the Borough’s water system, including 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 (the “**Water System Improvement Projects**”) under the New Jersey Environmental Infrastructure Trust Financing Program; and

WHEREAS, the Township desires to temporarily finance the Water System Improvement Projects with the proceeds of a short-term construction loan in an aggregate principal amount of up to \$3,090,730 to be made by the Trust (the “**Construction Loan**”) to the Borough pursuant to the New Jersey Environmental Infrastructure Trust Construction Financing Program (the “**Construction Financing Program**”); and

WHEREAS, in order to (i) evidence and secure the repayment obligation of the Borough to the Trust with respect to the Construction Loan and (ii) satisfy the requirements of the Construction Financing Program, it is the desire of the Borough to issue and sell to the Trust the “Note Relating to the Construction Financing Program of the New Jersey Environmental Infrastructure Trust” in an aggregate principal amount of up to \$3,090,730 (the “**Note**”); and

WHEREAS, it is the desire of the Borough to authorize, execute, attest and deliver the Note to the Trust pursuant to the terms of the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the Revised Statutes of the State of New Jersey (the “**Local Bond Law**”), and other applicable law; and

WHEREAS, Section 28 of the Local Bond Law allows for the sale of the Note to the Trust, without any public offering, and N.J.S.A. 58:11B-9 allows for the sale of the Note to the Trust without any public offering, all under the terms and conditions set forth herein.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough as follows:

Section 1. In accordance with Section 28 of the Local Bond Law and N.J.S.A. 58:11B-9, the Borough hereby authorizes the issuance, sale and award of the Note in accordance with the provisions hereof. The obligation represented by the Note has been appropriated and authorized by the following Bond Ordinance and Resolutions: **Bond Ordinance No. 561-2017** of the Borrower finally adopted on February 16, 2017, entitled “**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**”; **Resolution No. 2-36-2017** adopted by Borrower on February 16, 2017, entitled “**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"; and a resolution to be adopted by Borrower on March 2, 2017, entitled **"A RESOLUTION OF THE BOROUGH OF WOODBINE, COUNTY OF CAPE MAY, STATE OF NEW JERSEY, AUTHORIZING THE FILING OF AN APPLICATION FOR A SHORT TERM CONSTRUCTION LOAN FROM THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST UNDER THE CONSTRUCTION FINANCING PROGRAM AND AUTHORIZING THE ISSUANCE OF A CONSTRUCTION LOAN NOTE IN CONNECTION THEREWITH FOR THE WATER SYSTEM IMPROVEMENTS PROJECT"**, at which meetings a quorum was present and acted throughout, all pursuant to the terms of the Local Bond Law and other applicable law.

Section 2. The Mayor, Borough Clerk or Chief Financial Officer of the Borough (the **"Authorized Officers"**) are hereby authorized to determine, in accordance with the Local Bond Law and pursuant to the terms and conditions hereof, (i) the final principal amount of the Note (subject to the maximum limitation set forth in Section 4(a) hereof), and (ii) the dated date of the Note.

Section 3. Any determination made by the Authorized Officers pursuant to the terms hereof shall be conclusively evidenced by the execution and attestation of the Note by the parties authorized pursuant to Section 4(h) hereof.

Section 4. The Borough hereby determines that certain terms of the Note shall be as follows:

- (a) the principal amount of the Note to be issued shall be an amount up to \$3,090,730;
- (b) the maturity of the Note shall be determined by the Trust;
- (c) the interest rate of the Note shall be determined by the Trust;
- (d) the purchase price for the Note shall be par;
- (e) the Note shall be subject to prepayment prior to its stated maturity in accordance with the terms and conditions of the Note;
- (f) the Note shall be issued in a single denomination and shall be numbered "CFP-__-__";
- (g) the Note shall be issued in fully registered form and shall be payable to the registered owner thereof as to both principal and interest in lawful money of the United States of America; and
- (h) the Note shall be executed by the manual or facsimile signatures of the Mayor and the Chief Financial Officer under official seal or facsimile thereof affixed, printed, engraved or reproduced thereon and attested by the manual signature of the Borough Clerk.

Section 5. The Note shall be substantially in the form attached hereto as Exhibit A and shall be subject to such revisions as may be approved by the Authorized Officers.

Section 6. The law firm of Fleishman Daniels Law Offices, LLC, is hereby authorized to arrange for the printing of the Note, which law firm may authorize McCarter & English, LLP, bond counsel to the Trust for the Construction Financing Program, to arrange for same.

Section 7. The Authorized Officers of the Borough are hereby further severally authorized to (i) execute and deliver, and the Borough Clerk is hereby further authorized to attest to such execution and to affix the corporate seal of the Borough to, any document, instrument or closing certificate deemed necessary, desirable or convenient by the Authorized Officers of the Borough after consultation with counsel and any advisors to the Borough and after further consultation with the Trust and its representatives, agents, counsel and advisors, to be executed in connection the issuance and sale of the Note and the participation of the Borough in the Construction Financing Program, which determination

shall be conclusively evidenced by the execution of each such certificate or other document by the party authorized hereunder to execute such certificate or other document, and (ii) perform such other actions as the Authorized Officers deem necessary, desirable or convenient in relation to the execution and delivery of the Note and the participation of the Borough in the Construction Financing Program.

Section 8. Upon the adoption hereof, the Borough Clerk shall forward certified copies of this resolution to Fleishman Daniels Law Offices, LLC, bond counsel to the Borough, David Zimmer, Executive Director of the Trust, and Richard T. Nolan, Esq., McCarter & English, LLP, bond counsel to the Trust.

Section 9. This Resolution shall take effect immediately upon adoption this 2nd day of March, 2017.

RESOLUTION NO. 3-47-2017

AUTHORIZING THE APPOINTMENT OF VARIOUS EMPLOYEES

WHEREAS, it is the desire of the Mayor and Council to appoint the employees of both Authorities upon the dissolution of the Authority with which they are employed; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council to appoint the following individuals to the respective titles subject to and conditioned upon the exceptions and stipulations contained herein:

James Gurdgiel - Water Plant Operation
James Gurdgiel - Foreman
James Gurdgiel - Recycling Coordinator
Jose Gomez - Laborer (Public Works)
Louis Ciabatonni - Laborer (Public Works)
Wayne Rumble - Part-time Laborer (Airport Department)
Ron Boomhower - Part-time Laborer (Airport Department)
Monserrate Gallardo - Confidential Assistant (Tax & Finance Departments)

For purposes of calculating vacation, sick and personal time entitlements, James Gurdgiel shall receive credit for 15 years of service with the Borough of Woodbine and be entitled to such vacation, sick and personal time as other Borough of Woodbine employees who have accumulated 15 years of continued service as of January 1, 2017 with the Borough of Woodbine, in accordance with the Borough of Woodbine Policy and Procedures Manual and the Employee Handbook effective January 1, 2017. Further, for purposes of calculating health benefit entitlements, James Gurdgiel shall receive credit for 25 years of continued service with the Borough of Woodbine and be entitled to such health benefits, including benefits post retirement, as other Borough of Woodbine employees who have accumulated 25 years of continued service as of January 1, 2017 with the Borough of Woodbine, in accordance with the Borough of Woodbine Policy and Procedures Manual and Employee Handbook effective January 1, 2017.

For purposes of calculating vacation, sick and personal time entitlements, Jose Gomez and Louis Ciabatonni shall be considered new employees with the Borough of Woodbine and be entitled to such vacation, sick and personal time as other employees newly hired as of the date of hire in accordance herewith and the Borough of Woodbine Policy and Procedures Manual and Borough of Woodbine Employee Handbook effective as of the date of hire. Further, for purposes of calculating health benefit entitlements, Jose Gomez and Louis Ciabatonni shall be entitled to such health benefits existing as other employees as of the date of hire in accordance herewith and the Borough of Woodbine Policy and

Procedures Manual and Borough of Woodbine Employee Handbook effective as of the date of hire. Health Benefits coverage shall be effective immediately as of the date of hire.

Wayne Rumble and Ron Boomhower shall not be entitled to any benefits including vacation, sick and personal time and further, shall not be entitled to any health benefits as both Wayne Rumble and Ron Boomhower shall be part-time employees of the Borough of Woodbine.

BE IT FURTHER RESOLVED that the appointment as hereinabove set forth shall be effective as of the date of dissolution of the Authority with which they are employed in accordance with the statute made and provided.

BE IT FURTHER RESOLVED the above appointed will be compensated pursuant to the 2017 Salary Ordinance.

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

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

RESOLUTION NO. 3-48-2017

AUTHORIZING CHANGE FUNDS FOR TAX/UTILITIES COLLECTOR

BE IT RESOLVED by the Mayor and Council of the Borough of Woodbine that the Tax Utilities Collector shall have two (2) additional change funds of \$100.00 each commencing March 3, 2017.

Unfinished Business: Mr. Zumpino, Triad Associates, reported to Council there was a USDA 2016 Progress Report articulate which references the Borough of Woodbine.

New Business: Mayor Pikolycky announced the 114th birthday of the Borough of Woodbine. He also recognized the new school board member, Patrick Keenan, who was sitting in the audience.

Engineer's Report: None

Solicitor's Report: None

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

Public Comment: None

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

Respectfully submitted,

Lisa Garrison
Borough Clerk

