

**BOROUGH OF WOODBINE
REGULAR MEETING**

**APRIL 2, 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 March 19, 2015. On motion of Councilman Benson, seconded by Councilman Bennett to approve the minutes of March 19, 2015 as presented, motion carried with one (1) abstention by Councilwoman Perez.

Mayor Pikolycky called for the Introduction of Proposed Ordinance No. 553-2015, "An Ordinance Directing the Suspension of Any Person Appointed to a Borough Board or Commission Failing to File a Financial Disclosure Form as Required by N.J.S.A. 40A:9-22.6 and Directives of the Local Finance Board". Mr. Tonetta reviewed the intent of the ordinance with Council. On motion of Councilman Benson, seconded by Councilman Cruz to approve the introduction of the following proposed ordinance upon first reading, unanimously carried upon roll call vote. Ayes: Ortiz, Murray, Bennett, Perez, Benson, Cruz Nays: None Abstain: None Absent: None

PROPOSED ORDINANCE NO. 553-2015

**AN ORDINANCE DIRECTING THE SUSPENSION OF ANY PERSON
APPOINTED TO A BOROUGH BOARD OR COMMISSION FAILING TO
FILE A FINANCIAL DISCLOSURE STATEMENT AS REQUIRED BY
N.J.S.A 40A:9-22.6 AND DIRECTIVES OF THE LOCAL FINANCE
BOARD.**

WHEREAS, the requirement to file a Financial Disclosure Statement (FDS) is a statutory obligation that is integral to our system of local government and public access to this information promotes transparency and is an important aspect of citizen participation in government; and

WHEREAS, failure to comply with NJSA 40A:9-22.6 requiring an FDS be filed interferes with the fundamental system of checks and balance and is further a violation of the law; and

WHEREAS, individuals required to file a FDS and fail to do so may further be in

violation of the Local Government Ethic Laws which are administered by the Local Finance Board of the State of New Jersey; and

WHEREAS, the Borough Council of the Borough of Woodbine finds that individuals who fail to comply with the law after notices and reminders to do so severely impacts the trust of the residents upon their public officials.

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

1. Any appointed member to a Board or Commission of the Borough of Woodbine shall, upon notice by the Borough Clerk, immediately complete and file the required Financial Disclosure Statement when due or within any grace periods provided.

2. In the event any appointed member of a Board or Commission who fails to file a Financial Disclosure Statement and has received a Notice of Violation from the State of New Jersey, Local Finance Board, shall be immediately suspended from their appointed position without further notice until they have provided proof of compliance with all of the requirements of NJSA 40A:9-22.6 and any directive contained in any Notice of Violation including the payment of any fines levied against said member.

3. In the event the appointed official shall be suspended and remains suspended as provided herein, for a period in excess of forty-five (45) days, that appointed official shall be immediately terminated from that position after the expiration of forty-five (45) days which shall create a vacancy subject to appointment in accordance with the laws of the State of New Jersey and Borough of Woodbine.

4. During the period of any suspension as provided herein or in accordance with any Notice of Violation or directive from the Local Finance Board, any remuneration, salary or stipend payable to said member shall be forfeited and no payment shall be made to said member.

Mayor Pikolycky called for the following resolutions:

RESOLUTION NO. 4-34-2015

TONNAGE GRANT APPLICATION FOR 2014

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, c. 102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue to expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection is promulgating recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the Recycling regulation impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for such tonnage grants will memorialize the commitment of this municipality to recycling and to indicate the assent of the Borough of Woodbine to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly complete and timely filed.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Woodbine hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates James Gurdgiel, Recycling Coordinator, to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

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

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

RESOLUTION NO. 4-35-2015
APPROVAL OF CHANGE ORDER NO. 3
EMS BUILDING UPGRADES

WHEREAS, Turtle Associates of Swedesboro, New Jersey was previously awarded a contract in the amount of \$16,619.09 for the project known as EMS Building Upgrades which was subsequently amended by Change Orders No. 1 through 2 making the total contract amount \$17,419.09; and

WHEREAS, during the course of the work it was determined the back door was rotted and it would be necessary to replace; and

WHEREAS, the necessary replacement of the back door is to be incorporated into Turtle Associates' contract for the EMS Building Upgrades as additional work all as shown on the attached Change Order No. 3 in the additional amount of \$931.24; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Woodbine that Change Order No. 3 in the amount of \$931.24 is hereby approved making the new contract amount \$18,350.33.

RESOLUTION NO. 4-36-2015

**ACCEPTANCE OF PROJECT
WATER TANK RENOVATIONS**

WHEREAS, Allied Painting, Inc. of Cherry Hill, New Jersey was previously awarded a contract for the project known as Water Tank Renovations; and

WHEREAS, the Borough Engineer, Bruce S. Graham of Van Note-Harvey Associates, has determined that the work on this project has been substantially completed in accordance with the contract documents,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Woodbine, that the contract for the work be and same is hereby accepted as substantially complete, and

BE IT FURTHER RESOLVED that upon certification from the Borough Engineer that all final project closeout requirements for the contract have been satisfied, that all remaining payments as previously authorized by contract through and including approved change order no. 5 be made thereon to Allied Painting, Inc.

On motion of Councilwoman Perez, seconded by Councilman Benson 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. 4-37-2015

**A RESOLUTION OF THE BOROUGH OF WOODBINE RENEWING THE
BOROUGH OF WOODBINE'S APPROVAL OF THE SUSTAINABLE
LAND USE PLEDGE AS PART OF WOODBINE'S RURAL
SUSTAINABILITY PLAN AND STRATEGY**

WHEREAS, the Council of the Borough of Woodbine adopted Resolution 3-39-2009, approving a sustainable land-use pledge as part of Woodbine's rural sustainability plan and strategy; and

WHEREAS, Woodbine was honored with the award of being the Sustainable Champion Small Community on October 20, 2009; and

WHEREAS, the Borough of Woodbine recognizes that an effective rural sustainable plan is beneficial to its residents and the residents of surrounding communities; and

WHEREAS, the Council of the Borough of Woodbine intends upon acknowledging their continued goal of creating a walkable community, preserve open space and allow for the continued use of vital natural resources.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF BOROUGH OF WOODBINE that Resolution 3-39-2009, Resolution of the Borough of Woodbine Approving Sustainable Land-Use Pledge As Part of Woodbine's Rural Sustainable Plan is hereby ratified, confirmed and readopted.

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

RESOLUTION NO. 4-38-2015

**RESOLUTION DESIGNATING FIRST FULL WEEK OF MAY EACH YEAR AS
"COAST GUARD COMMUNITY WEEK" IN WOODBINE**

WHEREAS, Cape May County is home to the "USCG Training Center Cape May" ("TRACEN"), which is the fifth largest Coast Guard base in the world and the nation's only Coast Guard recruit training center, and which also houses tenant commands engaging in missions such as vessel support, participation in air/sea rescue, investigative services, communications and homeland security services; and

WHEREAS, after several levels of Coast Guard flag review and approval and confirmation by the United States Congress, Cape May County has been awarded the designation of "Coast Guard Community", a distinction awarded to only one other county in the United States; and

WHEREAS, the Borough of Woodbine has a unique and distinguished relationship with the Coast guard as it is the only United States Coast Guard Uniform Distribution Center providing all uniforms and accessories including service medals to all Coast guard bases in the United States and on foreign soil; and

WHEREAS, the Borough of Woodbine is truly a Coast Guard Community being the native home to retired Rear Admiral David E. Ciancaglini, Retired Rear Admiral Fred Golove, Retired Captain Paul Resnick and their families; and

WHEREAS, Coast Guard families have become an integral part of our County's rich fabric and our family, our neighbors and our friends, participating in our interdependent "Cape economy" and engaging in daily activities that provide powerful steppingstones, as well as memories for our futures; and

WHEREAS, the Mayor and Council of the Borough of Woodbine desire to take all possible steps to acknowledge and protect the strength and enduring nature of these ties;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Woodbine, County of Cape May, State of New Jersey, that beginning in 2015, the first full week of May of each year shall be celebrated as “Coast Guard Community Week” throughout the Borough of Woodbine.

Unfinished Business:

Mr. Zumpino reported on the following:

CMCMUA Leachate Pipeline – the study has been completed which included the Borough’s comments. Additional funds are needed an application has been submitted to the USDA for \$40,000.

Meeting with the School Board President, School Administrator; Superintendent and the monitor was held on March 26, 2015. It was a positive exchange in which the status of the budget was discussed. There will be an increase of .03 due to special service students. Ms. Towns will be retiring and a possible shared service is being reviewed.

New Business:

Mayor Pikolycky reviewed the following:

County Library Woodbine Branch - Beginning in May the County Library will be closed on Saturdays. Discussion ensued with Council suggestion the possibility of a resolution or petition to the County.

Volunteer Week – April 7th - Mayor Pikolycky indicated there are a number of volunteers in Woodbine and distributed buttons in honor of Volunteer Week.

Engineer’s Report: None

Solicitor’s Report: None

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

Public Comment: Mr. Padilla, PRAC, updated Council on the upcoming move of the PRAC offices to 801 Washington Avenue. He also commended the Borough Staff for the use of Borough facilities when they were unable to utilize their own offices.

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

Respectfully submitted,

Lisa Garrison
Borough Clerk