

**BOROUGH OF WOODBINE
REGULAR MEETING**

**APRIL 15, 2021
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 13, 2021 and posting a copy of said Notice on the Clerk’s bulletin board.”

Those present were: Mayor Pikolycky; Councilpersons Ortiz , Johnson, Bennett, Perez (via telephone) and Cruz . Also present were: Richard Tonetta, Borough Solicitor; Bruce Graham, Borough Engineer (via telephone); Kan Liu, Airport Engineer (via telephone); and Lisa Garrison, Borough Clerk. Councilman Benson was absent.

The Pledge of Allegiance was led by Mayor Pikolycky.

Mayor Pikolycky called for approval of the minutes of April 1, 2021. On motion of Councilman Johnson, seconded by Councilman Bennett to approve the minutes of April 1, 2021, unanimously carried.

Mayor Pikolycky next called for the introduction of Proposed Ordinance No. 595-2021, “Bond Ordinance Providing for Taxiway B Rehabilitation – Westend, By and in the Borough of Woodbine, in the County of Cape May, State of New Jersey (the “Borough”) appropriating \$518,302 Therefore From the Airport Utility of the Borough and Authorizing the Issuance of \$519,302 Bonds or Notes of the borough to Finance Part of the costs Thereof.”

On motion of Councilman Cruz, seconded by Councilman Ortiz to approve the introduction of the following proposed ordinance with the public hearing to be held on May 6, 2021, unanimously carried upon roll call. Ayes: Ortiz, Johnson, Bennett, Perez, Cruz Nays: None Abstain: None Absent: Benson

PROPOSED ORDINANCE NO. 595-2021

**BOND ORDINANCE PROVIDING FOR TAXIWAY B
REHABILITATION - WESTEND, BY AND IN THE BOROUGH OF
WOODBINE, IN THE COUNTY OF CAPE MAY, STATE OF NEW
JERSEY (THE “BOROUGH”); APPROPRIATING \$519,302
THEREFORE FROM THE AIRPORT UTILITY OF THE
BOROUGH AND AUTHORIZING THE ISSUANCE OF \$519,302
BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF
THE COSTS THEREOF**

**BE IT ORDAINED AND ENACTED BY THE BOROUGH COUNCIL OF THE
BOROUGH OF WOODBINE, IN THE COUNTY OF CAPE MAY, STATE OF NEW JERSEY (not
less than two-thirds of all the members thereof affirmatively concurring), AS FOLLOWS:**

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Airport Utility of the Borough of Woodbine, in the County of Cape May, State of New Jersey (the “Borough”) as general improvements. For the said improvements or purposes stated in Section 3, there is hereby appropriated the principal amount of \$519,302 from the Airport Utility of the Borough, said sum being inclusive of a down payment in the aggregate amount

of \$124,125 for said improvements or purposes as required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law"). The down payment is now available by virtue of a provision or provisions in a previously adopted budget or budgets of the Borough for down payment or for capital improvement purposes.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said \$519,302 appropriation not provided for by application hereunder of said down payment, negotiable bonds of the Airport Utility of the Borough are hereby authorized to be issued in the aggregate principal amount not exceeding \$519,302 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Borough in an aggregate principal amount not exceeding \$519,302 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and purposes for the financing of which said obligations are to be issued include, but are not limited to, the following various general capital improvements to the Borough's Airport Utility including, but not limited to, as follows: Taxiway B Rehabilitation - Westend

(b) All such improvements or purposes set forth in Section 3(a) shall include, but are not limited to, as applicable, all engineering, architectural and design work, title searches, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, and also shall include all work, materials, equipment, accessories, labor and appurtenances necessary therefor or incidental thereto.

(c) The aggregate estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$519,302.

SECTION 4. In the event the United States of America, the State of New Jersey, and/or the County of Cape May make a contribution or grant in aid to the Borough for the improvements and purposes authorized hereby and the same shall be received by the Borough prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, and/or the County of Cape May. In the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey, and/or the County of Cape May shall be received by the Borough after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the Borough as a result of using funds from this bond ordinance as "matching local funds" to receive such contribution or grant in aid.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such time as may be determined by the Chief Financial Officer of the Borough, provided that no note shall mature later than one (1) year from its date unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer of the Borough shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when

any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The capital budget of the Airport Utility of the Borough is hereby amended to conform with the provisions of this bond ordinance, and to the extent of any inconsistency herewith, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital programs as approved by the Director of the Division of Local Government Services in the New Jersey Department of Community Affairs will be on file in the Office of the Clerk and will be available for public inspection.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

- (a) The purposes described in Section 3 of this bond ordinance are not current expenses and are improvements or purposes which the Borough may lawfully undertake as general improvements or purposes, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.
- (b) The period of usefulness of said improvements or purposes within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 15 years.
- (c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Borough and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services in the New Jersey Department of Community Affairs, 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 or notes provided for in this bond ordinance by \$519,302 and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.
- (d) An aggregate amount not exceeding \$519,302 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements hereinbefore described.

SECTION 8. This bond ordinance authorizes obligations of the Borough solely for a purpose described in subsection (h) of section 40A:2-7 of said Local Bond Law, and the said obligations authorized by this bond ordinance are to be issued for a purpose which is "self-liquidating" within the meaning and limitations of section 40A:2-45 of said Local Bond Law and are deductible, pursuant to subsection (c) of section 40A:2-44 of said Local Bond Law, from gross debt of the Borough.

SECTION 9. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer, acting chief financial officer or treasurer of the Borough (the "Chief Financial Officer"), provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. §40A:2-8. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale at not less than par and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the dates of delivery thereof. The Chief Financial Officer is directed to report in writing to

the governing body of the Borough at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.

SECTION 10 .The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Borough, and, unless paid from the revenues of the water and sewerage system of the Borough, the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of said obligations and interest thereon without limitation of rate or amount.

SECTION 11.The capital budget or temporary capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget or temporary capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Borough Clerk and are available for public inspection.

SECTION 12. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Mayor Pikolycky called for the Public Hearing to adopt the 2021 Municipal Budget of the Borough of Woodbine. There being no comment forthcoming the public hearing was then closed. At this time Mayor Pikolycky requested the resolution to adopt the 2021 Municipal Budget be tabled on the recommendation of the Borough Auditor due to insufficient information regarding the stimulus funding. On motion of Councilman Ortiz, seconded by Councilman Johnson to table Resolution No. 4-42-2021, unanimously carried

RESOLUTION NO. 4-42-2021

RESOLUTION APPROVING THE 2021 MUNICIPAL BUDGET FOR THE BOROUGH OF WOODBINE

BE IT RESOLVED, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2021; and

BE IT FURTHER RESOLVED, that said budget was published in The Press on April 5, 2021; and

BE IT FURTHER RESOLVED, that the Governing Body of the Borough of Woodbine does hereby approved the attached as the Budget for the year 2021.

Mayor Pikolycky called for the following resolutions.

RESOLUTION NO. 4-43-2021

RESOLUTION AWARDING A CONTRACT TO TTI ENVIRONMENTAL, INC. MOORESTOWN, NEW JERSEY FOR UNDERGROUND STORAGE TANK REMOVAL —HAT COMPANY SITE

WHEREAS, the Borough of Woodbine has heretofore advertised for bids for Underground Storage Tank Removal—Hat Company Site in accordance with specifications on file in the office of the Borough Clerk; and

WHEREAS, on April 15, 2021, bids were received and duly opened and read aloud, being referred to the Project Engineer and Borough Solicitor for tabulation, evaluation, report and recommendation; and

WHEREAS, the Engineer and Solicitor have respectively submitted reports and tabulations of the bids received, including reports on the responsiveness of the bids received; and

WHEREAS, the following bidder has been disqualified as non-responsive:

VENDOR	REASON
Enterprise Network Resolutions Contracting, LLC Berlin, N.J.	No bid bond submitted

WHEREAS, the Project Engineer and Solicitor have determined that TTI Environmental Inc. Moorestown, New Jersey is the lowest responsive responsible bidder and have recommended that a contract for Underground Storage Tank Removal—Hat Company Site be awarded to TTI Environmental, Inc. in the amount of \$81,859.00 said bid being the lowest responsive responsible bid received and considered in the best interest of the Borough of Woodbine; and

WHEREAS, the Chief Financial Officer for the Borough of Woodbine has certified the availability of funds for the award of contract.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Woodbine that the contract for Underground Storage Tank Removal—Hat Company Site be awarded to TTI Environmental, Inc. Moorestown, New Jersey based on their bid of \$81,859.00 said bid being the lowest responsive responsible bidder and considered in the best interest of the Borough of Woodbine and the Purchasing Agent be and the same is hereby authorized and directed to issue a purchase order contract for the same on behalf of the Borough of Woodbine.

BE IT FURTHER RESOLVED that the award of contract is conditioned and contingent upon the approval by the United States Department of Agriculture.

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

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

RESOLUTION NO. 4-44-2021

RESOLUTION AUTHORIZING THE EXECUTION OF A SHARED SERVICES AGREEMENT BY AND BETWEEN THE COUNTY OF CAPE MAY, CAPE MAY COURT HOUSE, NEW JERSEY AND THE BOROUGH OF WOODBINE FOR THE DEVELOPMENT

**OF A JAKE’S LAW PLAYGROUND AS PART OF THE ECO-PARK IN THE BOROUGH OF
WOODBINE**

WHEREAS, the County of Cape May (County) and the Borough of Woodbine (Borough) are committed to the development of a public Eco-Park, which uses the Open Spaces Program “Woodland” theme from the Creative Placemaking Plan and includes a host of amenities including bicycle/walking trail, gazebo, natural areas, and an all-inclusive “Jake’s Law” Playground within the Borough; and

WHEREAS, the Borough has committed title to the 25 acre tract to the County in exchange for Open Spaces Grant funding in the amount of \$1,873,040.00 with an additional \$183,060.00 in Creative Placemaking Special Funding Round funding, subject to final approval; and

WHEREAS, a portion of the grant funding has been reserved for design services which amount is not adequate for the level of services necessary to cover the cost for the anticipated landscaped architect services by the County and the Borough; and

WHEREAS, both parties recognize the importance and the need for the completion of the project and therefore have agreed to proceed in the completion of the project as equal partners with respect to providing input, guidance, direction and approval of the final site design; and

WHEREAS, the firm of Melillo and Bauer Associates has been identified and a quote of \$25,000 for the final design of the all-inclusive “Jake’s Law” Playground; and

WHEREAS, the County and Borough recognize the benefits and efficiencies of sharing services to complete this necessary project for the benefit of the residents of the Borough and County; and

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq. authorizes counties and municipalities to enter into an agreement for the exchange of shared services; and

WHEREAS, the Council of the Borough of Woodbine finds it to be in the best interest of the Borough to execute a Shared Services Agreement with the County for the completion of the project

NOW THEREFORE BE IT RESOLVED by the Council of the Borough of Woodbine that the Mayor and Clerk are authorized to execute a Shared Services Agreement with the County of Cape May for the development of a Jake’s Law Playground as part of the Eco-Park in the Borough of Woodbine in the form and substance substantially similar to the agreement attached hereto and made a part hereof, subject to review and approval by the Borough Engineer and Solicitor.

RESOLUTION NO. 4-45-2021

**AUTHORIZING AGREEMENT BY AND BETWEEN THE BOROUGH OF WOODBINE AND
THE CAPE MAY COUNTY MUNICIPAL UTILITIES AUTHORITY (CMCMUA)**

WHEREAS, the Borough is responsible for ownership and operations of a Water Treatment and Distribution System in the Borough of Woodbine and an on-site Sanitary Sewage Treatment System at the Woodbine Municipal Airport; and

WHEREAS, the Cape May County Municipal Utilities Authority (CMCMUA) owns and operates the Seven Mile Beach/Middle Regional Wastewater Treatment Facility; and

WHEREAS, the CMCMUA proposes to construct a Shared Wastewater Conveyance System to convey leachate from the CMCMUA Landfill, which will also convey wastewater from the Borough of Woodbine to the CMCMUA's Seven Mile Beach/Middle Regional Wastewater Treatment Facility; and

WHEREAS, the Borough proposes to participate with the CMCMUA in the Shared Wastewater Conveyance System costs as part of the Borough of Woodbine's overall strategy to provide public sanitary sewer services to residential, commercial, industrial and institutional users, including the Woodbine Development Center (WDC); and

WHEREAS, in order to proceed with plans for the Shared Wastewater Conveyance System, the Borough and CMCMUA will enter into a Shared Services Agreement which will address Phase I activities including Professional Engineering Services for work associated with the application for and issuance of permits.

NOW THEREFORE, BE IT RESOLVED, by Mayor and Council of the Borough of Woodbine to authorize a Shared Services Agreement between the Borough of Woodbine and the Cape May County Municipal Utilities Authority subject to final legal review and recommendation of approval of the Shared Services Agreement.

BE IT FURTHER RESOLVED the Mayor and Borough Clerk are hereby authorized to sign said agreement.

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

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

RESOLUTION NO. 4-46-2021

APPROVAL TO SUBMIT A LAIF GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE RECONSTRUCTION OF CLAY STREET AND MADISON AVENUE

NOW, THEREFORE, BE IT RESOLVED that Mayor and Council of the Borough of Woodbine formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as LAIF-2021-Clay Street and Madison Avenue-00049 to the New Jersey Department of Transportation on behalf of the Borough of Woodbine.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Woodbine and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Unfinished Business

Water Quality Management Plan (County) Status – no change.

County Road Project - Route 550 – County is waiting on DOT approval. The tentative date to advertise is May 1, 2021. Mayor Pikolycky indicated the County has placed signs at the Dennisville WaWa indicating bridge work will be occurring. There will be an impact on traffic within Woodbine. Mayor directed those present to review the details online. Councilman Cruz indicated the Fire Department the calls this side of the bridge.

Open Space Eco-Park Replacement/Upgraded Items – a meeting was held with the Open Space Board representatives. It was agreed to shared the cost of M&B for the landscape architect services for the Jake’s Law playground. A resolution to approve the agreement was acted upon by Council earlier in tonight’s meeting.

Mobile Carrier Projects at Water Tower (Status) – no movement on either project. Waiting on the carriers.

USDA Projects – Status –

Food Pantry III – no change

Water/Asset Management Plan Drawdown (Status) – a preconstruction meeting will be held next week for both contracts.

Sewer/I-Bank Drawdown (Status) - the agreement needs to be revised

Water Diversion Permit (Status) – waiting on DEP

Hat Factory Property (ECWAG) – first contract has been awarded subject to USDA approval. The next two contracts will involve soil removal and capping.

Radios - no change.

Command Vehicle – no change.

DOT DeHirsch Avenue (Status) – waiting on County.

DOT Streetscape Project (Status) – no change

DCA Local Bicycle/Pedestrian Planning Program Study (Status) - no change

Landfill Redevelopment Zone – Solar Project Status - TWT is working on the narrative for NEXAMP’s application to be submitted to Pinelands by the end of the month.

Freidriechstadt Road Vacation Status – the description has been sent to the applicant’s attorney. Mr. Tonetta will followup.

Master Plan (Status) –

Airport Lease Agreements –

Holland to American Aerospace Technologies - no change.

Delinquent Hangar Accounts – Hartley & Thompson - Mr. Tonetta has sent additional letters to Mr. Popovich and Mr. Salvesen.

COVID19 (Status)

Cases – Ms. Garrison indicated there are currently fourteen (14) residential cases; 0 State School.

County Community Development CV1 & CV2 Funding Program (Status) – no change

Property Maintenance (Status) –

AFSCME Property – application has been made to Pinelands.

520-526 Adams - demolition permit has been issued. Court date has been set.

Rutkowski Property - summons issued.

CMC OEM Hazard Mitigation Plan (Status) – no change.

FEMA DR 4574 Tropical Storm Isaias Funds - meeting was held with FEMA representative. Anticipate wrapping up within the next two weeks.

Municipalities and Marijuana Rules/Establishments – Adoption Deadline 8/20/21. Discussion ensued regarding adopting an ordinance that would enable the Borough to make a determination on a case by case basis. Mr. Tonetta will review.

New Business –

Financial Disclosure Statement Filing – Due April 30, 2021. Deadline has been extended until May.

Committee Reports:

Public Works/Buildings & Grounds: Chairman Bennett had no report at this time.

Health, Education & Human Services: Chairman Benson was absent.

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

Community Affairs & Grants: Chairman Ortiz had nothing to report

Property & Small Business: Chairman Johnson indicated he has received comments questioning allowing an individual staying in the Public Works building. Ms. Garrison indicated there was an issue at one time and it had been addressed. Ms. Garrison will followup with the Public Works Supervisor.

Revenue & Finance: Chairwoman Perez had nothing to report.

Engineer's Report - Mr. Graham had nothing further to report..

Airport Engineer's Report - Mr. Liu reported on the following:

Helicopter Parking Apron Design and Construction - closeout has been approved by FAA..

Taxiway B Rehabilitation Design - continuing work on the design for 2021 construction to be submitted by the May 3rd deadline for Phase III.

Taxiway B Rehabilitation Construction Phase II – contractor anticipated to return by end of the month to repair the ponding issue.

NJDOT 2021 grant Application - there is indication that the Transient Apron – Design project has been justified and has moved to the next state of DOT approval.

FAA 2021 Grant Application Season - construction of the west side of Taxiway B.

Solicitor's Report – Mr. Tonetta had nothing further to report.

Jet A Fuel Tanks - Ms. Garrison indicated project is continuing to move forward.

Atlantic City Electric Lighting Upgrade - Ms. Garrison indicated an email has been directed to ACE for further clarification .

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

Public Comment - None

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

Respectfully submitted,

Lisa Garrison
Borough Clerk

