

**BOROUGH OF WOODBINE
REGULAR MEETING**

**APRIL 16, 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 the Pledge of Allegiance.

Mayor Pikolycky called for approval of the minutes of April 2, 2015. On motion of Councilman Ortiz, seconded by Councilman Cruz to approve the minutes of April 2, 2015 as presented, unanimously.

Mayor Pikolycky called for the following resolution:

RESOLUTION NO. 4-43-2015

AUTHORIZING BUDGET TO BE READ BY TITLE

WHEREAS, N.J.S.A. 40A4-8 provides that the budget be read by title only at the time of the public hearing if a resolution is passed by not less than a majority of the full governing body, providing that at least one week prior to the date of hearing a complete copy of the approved budget as advertised has been posted in the Municipal Building and copies have been made available by the Clerk to persons requesting them; and

WHEREAS, these two conditions have been met;

NOW, THEREFORE, BE IT RESOLVED that the budget shall be read by title only.

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

At this time Mayor Pikolycky called for the Public Hearing for the 2015 Municipal Budget. Mayor Pikolycky opened the public hearing and with no comment forthcoming the public hearing was then closed. Mayor Pikolycky called for Resolution No. 4-45-2015, "A Resolution to Amend Budget". Mayor Pikolycky thanked the Budget Committee on the work in preparing the budget with no tax increase. On motion of Councilwoman Perez, seconded by

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

RESOLUTION NO. 4-44-2015

RESOLUTION APPROVING THE 2015 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 2015; and

BE IT FURTHER RESOLVED, that said budget was published in The Herald on April 1, 2015; 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 2015.

Mayor Pikolycky called for the following resolutions:

RESOLUTION NO. 4-46-2015

A RESOLUTION ACCEPTING FROM THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS \$150,000 IN SUPPLEMENTAL CDBG FUNDING, FOR THE CONTINUATION OF THE WOODBINE STORMWATER MANAGEMENT PROJECT

WHEREAS, in 2012 the Borough of Woodbine applied for and received from the New Jersey Department of Community Affairs (NJDCa) \$400,000 in Community Development Block Grant (CDBG) funds a grant from the New Jersey Department of Community Affairs to construct storm drainage/flood mitigation improvements, and;

WHEREAS, the NJDCa has proposed to amend Agreement 2012-02292-0285-01 for said project through an addition of \$150,000 in new funds;

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Woodbine does hereby agree to and accept the funding attached with this proposed Amendment, as noted above.

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

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

RESOLUTION NO. 4-47-2015

**PROVIDING FOR THE INSERTION OF A SPECIAL ITEM
OF REVENUE IN THE BUDGET PURSUANT TO N.J.S.A. 40A:4-87**

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of Local Government Services may approve the insertion of any special item of revenue in the budget when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation for equal amount:

Section 1.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Woodbine, County of Cape May, hereby requests the Director of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2015 in the sum of \$150,000.00, which item is now available as a revenue from the Department of Community Affairs.

Section 2.

BE IT FURTHER RESOLVED that a like sum of \$150,000.00 is hereby appropriated under the caption of SCPF 2012 Stormwater Drainage Project.

BE IT FURTHER RESOLVED that two copies of the required certification, together with supporting documentation, be filed in the office of the Director of Government Services for his certification.

RESOLUTION NO. 4-49-2015

**APPOINTMENT OF KATHERINE BAILEY AS
DEPUTY REGISTRAR OF VITAL STATISTICS**

WHEREAS, the Borough of Woodbine is in need of the services of a Deputy Registrar of Vital Statistics.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Woodbine, in the County of Cape May, and State of New Jersey that Katherine Bailey is hereby appointed as Deputy Registrar of Vital Statistics for the Borough of Woodbine for a three (3) year term commencing April 16, 2015 and expiring April 16, 2018

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

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

RESOLUTION NO. 4-50-2015

A RESOLUTION AUTHORIZING AN AGREEMENT FOR PROFESSIONAL LEGAL SERVICES WITH JAMES KYLE GRACE, ESQUIRE, LOCATED AT 137 HIGH STREET, MOUNT HOLLY, NEW JERSEY, FOR SPECIALIZED SERVICES IN CONNECTION WITH UNITED STATES BANKRUPTCY COURT

WHEREAS, there exists a need for Professional Legal Services in connection with the United States Bankruptcy Court; and

WHEREAS, the Borough of Woodbine has a need to acquire such professional legal services as a Non-Fair and Open Contract pursuant to N.J.S.A. 19:44A-20.5; and

WHEREAS, the Law Office of James Kyle Grace, located at 137 High Street, Mount Holly, New Jersey, has submitted a proposal indicating they will provide professional services on an as needed basis with the hourly rate of one hundred twenty-five (\$125.00) dollars not to exceed \$2,000.00; and

WHEREAS, the Law Office of James Kyle Grace has completed and submitted a Business Entity Disclosure Certification for Non-Fair and Open Contract which certifies that the Law Office of James Kyle Grace has not made any reportable contributions to a political or candidate committee in the Borough of Woodbine in the previous one year and that the contract will prohibit the Law Office of James Kyle Grace from making any reportable contributions through the term of the contract to a political or candidate committee in the Borough of Woodbine; and

WHEREAS, the availability of funds for said Professional Services Contract to be awarded herein have been certified by the Borough CFO; and

WHEREAS, the Local Public Contract Law (N.J.S.A. 40A:11-1, et seq) requires that the Resolution authorizing the award of contract for Professional Services without competitive bidding and the contract itself must be available for public inspection.

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

That the Mayor and Clerk are hereby authorized and directed to execute a Non-Fair and Open Professional Services Agreement pursuant to N.J.S.A. 19:44A-20.5 with the Law Office of James Kyle Grace, located at 137 High Street, Mount Holly, New Jersey, to provide Professional Legal Services in connection with the United States Bankruptcy Court.

That the Law Office of James Kyle Grace shall be available on an as needed basis and will charge an hourly rate of \$125.00 plus other costs not to exceed \$2,000.00 in accordance with a formal contract and proposal attached hereto and made a part hereof.

That this Agreement is awarded without competitive bidding as a Professional Service in accordance with N.J.S.A. 40A:11-5 (1) (a) of the Local Public Contracts Law because said services to be rendered or performed require knowledge of an advanced type in a field of learning acquired by a prolonged formal course of specialized instruction distinguished from general academic instruction or apprenticeship and training.

That the Business Disclosure Entity Certification and the Determination of Value be placed on file with this Resolution.

That a Notice of this action shall be printed once in the local paper.

RESOLUTION NO. 4-51-2015

PROVIDING FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE BUDGET PURSUANT TO N.J.S.A. 40A:4-87

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of Local Government Services may approve the insertion of any special item of revenue in the budget when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation for equal amount:

Section 1.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Woodbine, County of Cape May, hereby requests the Director of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2015 in the sum of \$175,000.00, which item is now available as a revenue from the Department of Transportation.

Section 2.

BE IT FURTHER RESOLVED that a like sum of \$175,000.00 is hereby appropriated under the caption of DOT 2015 Reconstruction of DeHirsch Avenue.

BE IT FURTHER RESOLVED that two copies of the required certification, together with supporting documentation, be filed in the office of the Director of Government Services for

his certification.

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

Unfinished Business:

Coast Guard Designation Celebration – May 8-10-2,015 – Mayor Pikolycky distributed posters. The Borough is home to the Coast Guard Uniform Distribution Center, two (2) Admirals and a Captain. Councilman Benson indicated his nephew is a graduate of the Coast Guard Academy and commended the work done by the Coast Guard. Mayor Pikolycky indicated the Borough had an opportunity to place an ad showing the Borough's support in the Coast Guard Community Festival Program Book. On motion of Councilman Cruz, seconded by Councilman Benson to approve and adopt the following resolution, unanimously carried.

RESOLUTION NO. 4-52-2015

A RESOLUTION AUTHORIZING THE CLERK OF THE BOROUGH OF WOODBINE TO PLACE ADVERTISEMENT IN THE UNITED STATES COAST GUARD COMMUNITY FESTIVAL PROGRAM BOOK ACKNOWLEDGING THE BOROUGH OF WOODBINE AND ITS CONTRIBUTION TO THE COAST GUARD

WHEREAS, Cape May County has received the designation of a “Coast Guard Community” recognizing its long-standing service to the Coast Guard; 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, and Woodbine is the native home to Rear Admiral David E. Ciancaglini, Retired, Rear Admiral Fred Golove, Retired, Captain Paul Resnick, Retired, and their families; and

WHEREAS, the Mayor and Council wish to extend their best wishes to the County of Cape May and its municipalities for a successful celebration..

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF BOROUGH OF WOODBINE that the Borough Clerk is authorized and directed to place an advertisement in the Coast Guard Community Festival Program Book on behalf of the Mayor and Council and residents of the Borough of Woodbine at a cost not to exceed \$225.00

Library Branch Update - Mayor Pikolycky reviewed the status and upon review and discussion on motion of Councilman Benson, seconded by Councilman Ortiz to approve and adopt the following resolution, unanimously carried.

RESOLUTION NO. 4-53-2015

A RESOLUTION OF THE BOROUGH OF WOODBINE REQUESTING THE FREEHOLDERS OF THE COUNTY OF CAPE MAY MAINTAIN SATURDAY HOURS FOR THE CAPE MAY COUNTY LIBRARY, WOODBINE BRANCH

WHEREAS, the Cape May County Freeholders have considered closing certain branches of its County Libraries on Saturdays; and

WHEREAS, the residents of the Borough of Woodbine find the Woodbine Library is an important and necessary service providing a place for students to research and study and a place for adults and seniors to read and enjoy not only current newspapers and magazines but other literature; and

WHEREAS, not all of the residents of the Borough of Woodbine are able to afford computers and Internet connections and count on the service at the Cape May Library Woodbine Branch which is considered a necessity; and

WHEREAS, the Borough Council finds closing the Woodbine Branch of the Cape May County Library would adversely impact its residents, especially seniors and students; and

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF BOROUGH OF WOODBINE that the Governing Body urges the Cape May County Freeholder Board consider allowing the Cape May County Library Woodbine Branch remain open and available to the students, adults and seniors residing in the Borough of Woodbine.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be served upon the Cape May County Freeholders

New Business:

Bill A4235 – “Transparent Tax Act of 2015” - The purpose of this bill is for the tax office to send out a bill to the County and School in order for them to share in the refunds of tax monies collected due tax appeals. After review and discussion on motion of Councilman Cruz, seconded by Councilman Benson to approve and adopt the following resolution, unanimously carried.

RESOLUTION NO. 4-54-2015

RESOLUTION SUPPORTING THE TRANSPARENT TAX ACT OF 2015

WHEREAS, Assembly Bill No. A-4325 supplementing chapter 4 of Title 54, R.S. 54:4-65 and designated the “Transparent Tax Act of 2015” is being considered for adoption by the New Jersey State Assembly; and

WHEREAS, the amendment would permit the local jurisdiction to print separate tax bills to each taxpayer, one showing the amount of property taxes due and payable for municipal tax purposes, the other shall state the amount of property taxes due and payable for county purposes, school purposes, fire district purposes, and for the purposes of any other special district on behalf of which the municipality collects property taxes; and

WHEREAS, both bills shall include a brief tabulation showing the distribution of the total amount to be raised by taxes; and

WHEREAS, A-4325 would require the municipal tax collector to send notice of the pro rata share, if any, of the property tax appeal refunds paid by the municipality during the tax year to the county, school districts, and fire districts for inclusion in their annual budgets; and

WHEREAS, in the following tax year in which the refunds were paid, the municipal tax collector is then required to deduct the applicable pro rata share of the property tax refund from the amounts to be paid to the county, and each school and fire district; and

WHEREAS, these amendments, if adopted, will assist the general public to understand the tax bill, the structure of the taxes, and the level of support for each agency, and will further provide a more equitable structure to share the obligation of paying approved tax appeals as the title states, creates transparency in the tax supporting local assessments.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and council of the Borough of Woodbine, County of Cape May, and State of New Jersey, hereby supports Assembly Bill A-4325 amending Title 54:4-65 and urges the Legislature to approve and pass the bill for the reasons expressed herein; and

BE IT FURTHER RESOLVED that a copy of this resolution be sent to the members of the NJ State Assembly, the members of the NJ Senate, and the Governor of the State of NJ, the New Jersey State League of Municipalities, the Municipal Clerks' Association of New Jersey and all Cape May County municipalities.

Alcohol Awareness Month - The MAC will be partnering with the school on some events.

Cape May County League of Municipalities Meeting - April 28, 2015 – West Wildwood

Tree Distribution – April 18, 2015 - Councilman Bennett indicated the trees have been delivered and will be distributed by the Green Team from 10:00 a.m. – 1:00 p.m.. There are five (5) different species. Information and planting instructions will be disbursed when trees are distributed.

Pinelands Designee – Mayoral Appointment – Dave Bennett

DCA Award - \$150,000

Summer Youth - The Summer Youth program is for children between the ages of 17-21 years of age and will again be held this year. Further information will be forthcoming.

ISO Rating - 2010 was the last rating. The rating may assist residents with lowering their insurance premiums.

Woodbine State Police Helmet Giveaway – Lt. Pearson indicated there will be bicycle and sports equipment giveaways; hot dogs and water donated by Councilman Ortiz from the Dollar Plus Store. Lt. Pearson indicated bike patrols will be starting. Mayor Pikolycky indicated the State Police are in need of a 20x20 storage/garage building.

Committee Reports:

Public Works/Buildings & Grounds: Chairman Bennett reported public works in working on the lawnmowers and repairing the benches and tables in Lincoln Park.

Health, Education & Human Services: Chairman Benson reported PARCC testing will begin in May. The public hearing on the budget will be held on April 28, 2015. There will be a .03 tax increase.

Public Safety & Courts: Chairman Cruz reported the State Police service calls are up 34% for the month of February. There is a superintendent search ongoing and there will be summer school this year.

Community Affairs: Chairman Ortiz had nothing to report.

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

Revenue & Finance: Chairwoman Perez had nothing to report.

Engineer's Report:

Mr. Graham updated Council on the following:

Open Space - Two (2) Stockton grad students are on board. A meeting is to be held with the Vo-Tech to utilize students for drafting services.

DOT Application - The Borough has an application pending and is optimistic for \$175,000 to do the whole street.

DCA Award - \$150,000 was received for additional paving. Work is expected to resume early next week. It is anticipated to spend the money very quickly. An extension of time until October 30, 2015 has been granted by FEMA due to weather conditions and extra paving.

F&S Landfill - DEP letter is recommending the Borough be approved for \$175,000 grant for HDSRF funds.

Sewer Project - No update on grant application.

County Route 550 - A meeting was held with the County consultant regarding Heilprin Avenue project. They are currently working on the design of Route 550 and Webster. There has been no money allocated for Webster.

Solicitor's Report: None

Payment of Bills - On motion of Councilwoman Perez, seconded by Councilman Bennett to approve bills for payment, unanimously carried.

Public Comment: None

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

Respectfully submitted,

Lisa Garrison
Borough Clerk