

**BOROUGH OF WOODBINE
REGULAR MEETING**

**APRIL 20, 2017
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 18, 2017 and posting a copy of said notice on the Clerk's bulletin board."

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

The flag salute was led by Mayor Pikolycky.

Mayor Pikolycky called for approval of the minutes of April 6, 2017. On motion of Councilman Bennett, seconded by Councilman Johnson to approve the minutes of April 6, 2017 as received, unanimously carried.

Mayor Pikolycky called for the Public Hearing on the following ordinance:

ORDINANCE NO. 567-2017

CALENDAR YEAR 2017

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

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to .5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

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

WHEREAS, the Council of the Borough of Woodbine in the County of Cape May finds it advisable and necessary to increase its CY 2017 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Council hereby determines that a 3 % increase in the budget for said year, amounting to \$ 41,322 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

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

NOW THEREFORE BE IT ORDAINED, by the Council of the Borough of Woodbine, in the County of Cape May, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2017 budget year, the final appropriations of Borough of Woodbine shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$48,209, and that the CY 2017 municipal budget for the Borough of Woodbine be approved and adopted in accordance with this ordinance; and,

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

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

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

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

Mayor Pikolycky called for a Public Hearing for Resolution No. 4-57-2017, "Resolution Approving the 2017 Municipal Budget for the Borough of Woodbine".

RESOLUTION NO. 4-57-2017

RESOLUTION APPROVING THE 2017 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 2017; and

BE IT FURTHER RESOLVED, that said budget was published in The Herald on April 5, 2017; 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 2017.

Mayor Pikolycky opened the public hearing. There being no comment forthcoming, the public hearing was then closed. Mayor Pikolycky then called for Resolution No. 4-58-2017 entitled "Resolution to Amend Budget". Said resolution is hereby attached and made a part of these minutes. On motion of Councilwoman Perez, seconded by Councilman Johnson to approve and adopt said resolution, unanimously carried.

After adoption of Resolution No. 4-58-2017 Mayor Pikolycky called for approval and adoption of Resolution No. 4-57-2017, "Resolution Approving the 2017 Municipal Budget for the Borough of Woodbine. On motion of Councilman Johnson, seconded by Councilwoman Perez to approve and adopt said resolution, unanimously carried upon roll call vote. Ayes: Ortiz, Johnson, Bennett, Perez, Benson, Cruz Nays: None Abstain: None Absent: None

Mayor Pikolycky called for the following resolutions:

RESOLUTION NO. 4-59-2017

**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 2017 in the sum of \$102,000.00, which item is now available as a revenue from the State of New Jersey Department of Transportation.

Section 2.

BE IT FURTHER RESOLVED that a like sum of \$102,000.00 is hereby appropriated under the caption of Reconstruction of DeHirsch Avenue.

BE IT FURTHER RESOLVED that two copies of the required certification, together

with supporting documentation to be filed in the office of the Director of Government Services for his certification.

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

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

RESOLUTION NO. 4-60-2017

A RESOLUTION OF THE BOROUGH OF WOODBINE AWARDING AN EMERGENCY ELECTRICAL REPAIR QUOTE TO GM WHITE ELECTRICAL CONTRACTOR INC.

WHEREAS, the Borough of Woodbine may award emergency contracts pursuant to Local Public Contract Law, N.J.S.A. 40A:11-6 without public advertising for bids when an emergency affecting the public health, safety or welfare of the public requires the immediate performance of services; and

WHEREAS, on April 4, 2017 the Borough Clerk's office was notified of a problem with the electrical wiring that prevented the HVAC system from working at the State Police Barracks; and

WHEREAS, after further investigation it was determined by the Public Works Supervisor that there was damage to the wiring and it was in need of replacement and/or repair in order to maintain the HVAC system at the State Police Barracks; and

WHEREAS, the Mayor, Borough Engineer and the Chief Financial Officer were made award of the emergency on April 4, 2017 and the need for invoking N.J.S.A. 11-6; and

WHEREAS, all required officials determined the emergency does exist and authorized the award of a contract for the repair of the electrical wiring; and

WHEREAS, the Borough of Woodbine wishes to award a quote for the necessary repairs and/or replacement of the electrical wiring for the HVAC system at the State Police Barracks.

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

1. As a result of the damaged electrical wiring on April 4, 2017 at the State Police Barracks an emergency existed, which threatened the health and safety of the occupants and immediate repairs were necessary.

2. The Borough approves an emergency quote with GM White Electrical Inc. to effectuate the necessary repairs and/or replacement of the electrical wiring for the HVAC system at the State Police Barracks in an amount to exceed \$3,000.00.
3. Upon completion of the emergency quote, GM White Electrical Inc. shall be entitled to payment and the governing body of the Borough shall take such action as shall be required to provide for the payment of the contract price.

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

RESOLUTION NO. 4-61-2017

A RESOLUTION ADOPTING THE ANNUAL AUDIT REPORT FOR THE YEAR 2016

WHEREAS, N.J.S.A. 40A: 5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year 2016 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A: 5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations"; and

WHEREAS, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Woodbine, hereby states that it has complied with N.J.A.C. 5-30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

Unfinished Business:

COAH Status – Mr. Tonetta, Borough Solicitor, indicated there is no change in the status.

FEMA Flood Maps – Mr. Graham indicated FEMA has revamped their Flood Mapping System for the flood insurance rating. Previously Woodbine had fourteen (14) properties impacted. With the new mapping system there are no properties within the flood hazard area.

Financial Disclosure Statements – April 30, 2017 deadline

CMC League of Municipalities Meeting – April 25, 2017 – Sea Isle City.

Coast Guard Week – May 5-7, 2017

New Business:

DY Consultants – Airport Presentation/Overview - Mr. Dennis Yapp, DY Consultants, the engineer for the dissolved Port Authority presented the Mayor and Council with an update of the current ongoing projects occurring at the Woodbine Airport along with both short term and long term goals. Wayne Rumble, Airport Manager, issued an invitation to Council to tour the airport facility.

Committee Reports:

Public Works/Buildings & Grounds: James Gurdgiel, Public Works Supervisor, reported the department is currently working on grass cutting and leaf pickup. Mr. Gurdgiel indicated there is a problem with grass clippings being placed in the street which is against the storm water regulations. Letters have been issued to properties owners in regards to the problem. Mr. Gurdgiel indicated the main problem is with the contractors. Mayor Pikolycky indicated that the contractors need to be contacted and advised of the fines that would be incurred. Mayor Pikolycky indicated that complaints have been received in regards to the grass not being cut at the parks. Mayor Pikolycky

advised that as spring has approached these areas should be monitored closely. Also he brought up the issue of a recent demolition which had caused damage to Borough property. He advised Mr. Gurdgiel that when these types of issues are going on that it should be monitored closely and the Borough should not have to be advised of the situation by a resident. Mr. Gurdgiel was also advised to monitor the street light outages.

Health, Education & Human Services: Chairman Benson indicated the Borough is still in discussions relating to funding for a study at the school. Mr. Benson updated Council on the following events:

The school play, Ever After, was held with a very talented cast and director, Mrs. Benson.

Reading Celebration Week was held for grades K-5.

Student Council Community Cleanup was held on April 12, 2017.

Parent/Teacher Conferences were held last week.

Spring Break

Cape Assist Contest Winners were Lynasia Harris, Adriana Ayres and Solimar Galindez

Public Safety & Courts: Chairman Cruz was absent.

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

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

Revenue & Finance: Chairwoman Perez had nothing to report at this time.

Engineer's Report: Mr. Graham reported on the following:

Sewer Project - No change. The USDA application is pending and is currently in the environmental review process.

Water Renovation Project - Currently under the environmental review process with NJIT. A public hearing is scheduled for May 19, 2017.

Open Space Project- Dr. Hernandez, Stockton University, has agreed to do the Red Headed Woodpecker study at no charge.

Bikeway Project – No change.

De Hirsch Project - Project tied with the County Route 550 project. The contractor has been delaying and there is no firm start date. The concern is for the upcoming Memorial Day weekend with detours and traffic control devices. The De Hirsch Project was to commence three (3) weeks after the County work was completed.

Generator Project - Essentially completed and waiting on the Chief Financial Officer to request the final reimbursement.

Hat Company/Airport Remediation Projects - TWT is preparing the NJDEP application for funding.

Municipal Aid Applications - pending.

Head Start Renovation Project - Ms. Garrison indicated she has been in contact with the architect to proceed with the original timeline for the project. Mr. Graham indicated the project mainly consists of the bathrooms and revamping the kitchen.

Solicitor's Report - Mr. Tonetta reported he had spoken with Mr. Kizner, Special Counsel, in regards to the F&S landfill. Currently all but nineteen (19) percent of the coverage years have been identified. Mr. Kizner feels we are close to a settlement agreement.

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

Public Comment: None

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

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Respectfully submitted,

Lisa Garrison
Borough Clerk

