

**BOROUGH OF WOODBINE
REGULAR MEETING**

**MAY 4, 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, Perez, Benson and Cruz. Also present were: Richard Tonetta, Borough Solicitor, Bruce Graham, Engineer; and Lisa Garrison, Borough Clerk.

Mayor Pikolycky called for approval of the minutes of April 20, 2017. On motion of Councilman Johnson, seconded by Councilman Bennett to approve the minutes of April 20, 2017 as received, carried with one (1) abstention by Councilman Cruz.

Mayor Pikolycky indicated the following proposed ordinance is being tabled at this time until further information is collected on the property.

PROPOSED ORDINANCE NO. 568-2017

**AN ORDINANCE ACCEPTING THE DONATION
OF LAND KNOWN AS BLOCK 30 LOT 10.1
FROM WELLS FARGO BANK, NA**

WHEREAS, Wells Fargo Bank, NA (Owner) is the owner of certain real estate located in the Borough of Woodbine known as 518 Adams Avenue, Block 30 Lot 10.01 on the Tax Map of the Borough of Woodbine (Property); and

WHEREAS, the Owner has offered the Property to the Borough at no cost and has further agreed to pay closing costs not to exceed \$2,500.00: and

WHEREAS, the Council of the Borough of Woodbine finds it to be in the best interest of the Borough to graciously accept the donation of land known as Block 30 Lot 10.01 from Wells Fargo, NA.

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

1. The Borough of Woodbine shall accept the offer of Wells Fargo Bank, NA for the donation of land known as 518 Adams Avenue, Block 30 Lot 10.01 at no cost and further that Wells Fargo Bank, NA shall pay closing costs in an amount not to exceed \$2,500.00
2. The acceptance of this donation is subject to and contingent upon a determination by the Borough that there are no underground storage tanks located on the property and no violations of any laws or regulations affecting the property.
3. Subject further to clear title being given to the Borough, insurable by a title company operating in the State of New Jersey insurable at regular rates.

Mayor Pikolycky called for the following resolutions:

RESOLUTION NO. 5-62-2017

AUTHORIZING THE POSTPONEMENT OF WATER UTILITY DEBT FOR THE WOODBINE BOARD OF EDUCATION REGARDING 801 WEBSTER STREET WOODBINE, NEW JERSEY

WHEREAS, the Woodbine Board of Education (BOE) is the owner of certain land and improvements known as 801 Webster Street, Block 54 Lot 1 (School), upon which the BOE operates a public school for children residing in the Borough of Woodbine; and

WHEREAS, the Woodbine Municipal Utilities Authority (MUA) was the owner and operator of the public water service within the Borough providing water service to the School, among other improvements; and

WHEREAS, over the past years, the MUA allowed the School to postpone the payment of the water bills for the School and otherwise failed to collect the amount due for water service; and

WHEREAS, the Borough of Woodbine has since dissolved the MUA and has taken over the operations of the water service provided to the residents and School and is being operated as the Woodbine Water/Sewer Utility and further has considered the outstanding obligation owed to the MUA which, as of the end of the first quarter of 2017 totals \$11,186.75; and

WHEREAS, the BOE has requested the Borough consider financial assistance by postponing the collection of the outstanding obligation for so long as the Property operates as a public school; and

WHEREAS, the Borough Council finds it to be in the best interest of the Borough and children attending the School to postpone the debt.

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

1. The collection of the outstanding water utility debt obligation up to the end of year 2016 in the amount of \$10,863.25 shall be postponed.
2. The Woodbine Board of Education shall make all future water utility bill payments the Borough Water Utility in a timely manner, commencing on the first quarter of 2017.
3. This postponement of debt shall be contingent upon the Woodbine Board of Education executing an agreement by and between the Borough of Woodbine and the Woodbine Board of Education which shall state that should the property and improvements located at 801 Webster Street, Block 54 Lot 1 discontinue use as a public school, the balance as specified in paragraph 1 shall immediately come due and payable and shall be a lien on the land and improvements located at 801 Webster Street.

BE IT FURTHER RESOLVED that should any portion of this Resolution be deemed by a Court of competent jurisdiction to be unenforceable, the balance of the Resolution shall remain in full force and affect.

On motion of Councilwoman Perez, seconded by Councilman Cruz to adopt the foregoing

resolution, unanimously carried.

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

RESOLUTION NO. 5-63-2017

**AUTHORIZATION TO SUBMIT
HDSRF GRANT APPLICATION FOR SUPPLEMENTAL FUNDS
FOR THE FORMER WOODBINE LANDFILL SITE
(AKA “FOUNDATION & STRUCTURES LANDFILL”)**

WHEREAS, the Borough of Woodbine has previously performed Remedial Investigation work in 2016 as part of the April 15,2016 HDSRF grant at the former Woodbine Landfill Site; and

WHEREAS, the Remedial Investigation identified additional investigative work that needs to be completed under a third phase of investigation; and

WHEREAS, Taylor Wiseman & Taylor has prepared a Scope of Work to be included in a Hazardous Discharge Site Remediation Fund (HDSRF) Grant Application outlining various additional work to be completed;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Woodbine, that the Mayor and Clerk are hereby authorized to sign all necessary documentation for said HDSRF Grant Application and to submit the application to the New Jersey Department of Environmental Protection Site Remediation Program.

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

RESOLUTION NO. 5-64-2017

**AUTHORIZATION TO SUBMIT
HDSRF GRANT APPLICATION FOR SUPPLEMENTAL FUNDS
FOR THE FORMER WOODBINE HAT FACTORY SITE**

WHEREAS, the Borough of Woodbine has previously performed Remedial Investigation (RI) work at the property known as the Woodbine Hat Factory Site (Block 65, Lot 1) under a grant from the New Jersey Economic Development Authority (NJEDA) under the Hazardous Discharge Site Remediation Fund (HDSRF) Grant Program; and

WHEREAS, the Remedial Investigation (RI) has completed delineation of soil impacts but has identified additional investigation and remediation work that needs to be completed under a fifth phase of investigation; and

WHEREAS, Taylor Wiseman & Taylor has prepared a Scope of Work to be included in a Hazardous Discharge Site Remediation Fund (HDSRF) Grant Application outlining various additional work to be completed;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Woodbine, that the Mayor and Clerk are hereby authorized to sign all necessary documentation for said

HDSRF Grant Application and to submit the application to the New Jersey Department of Environmental Protection Site Remediation Program.

Unfinished Business: None

New Business: Mayor Pikolycky announced the 325th anniversary of Cape May County.

Engineer's Report: None

Solicitor's Report: None

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

Public Comment: None

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

Respectfully submitted,

Lisa Garrison
Borough Clerk