

**BOROUGH OF WOODBINE  
REGULAR MEETING**

**MAY 16, 2019  
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, 2019 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, Borough Engineer; Kan Liu, Airport Engineer; and Lisa Garrison, Borough Clerk.

The Pledge of Allegiance was led by Mayor Pikolycky.

Mayor Pikolycky called for approval of the minutes. On motion of Councilman Bennett, seconded by Councilman Johnson to approve the minutes of April 18, 2019, unanimously carried.

Mayor Pikolycky called for a Public Hearing for the following ordinance. There being no comment forthcoming the public hearing was then closed. On motion of Councilman Cruz, seconded by Councilwoman Perez to adopt the following ordinance, unanimously carried upon roll call vote. Ayes: Ortiz, Johnson, Bennett, Perez, Benson, Cruz Nays: None Abstain: None Absent: None

**ORDINANCE NO. 582-2019**

**ORDINANCE APPOINTING JAMES CRAFT AS QUALIFIED  
PURCHASING AGENT FOR THE BOROUGH OF WOODBINE IN  
ACCORDANCE WITH N.J.S.A. 40A:11-9 AND SUBJECT TO A SHARED  
SERVICE AGREEMENT BY AND BETWEEN THE BOROUGH OF  
WOODBINE AND BOROUGH OF AVALON**

**WHEREAS**, the Borough of Woodbine (Woodbine) has entered into a Shared Services Agreement with the Borough of Avalon (Avalon) for the provision of a Qualified Purchasing Agent (QPA) on behalf of Woodbine; and

**WHEREAS**, Avalon's QPA is James Craft who shall provide such services for Woodbine on a part-time basis; and

**WHEREAS**, the Council of the Borough of Woodbine finds it to be in the best interest of the Borough to appoint James Craft as QPA, part time.

**NOW THEREFORE, BE IT ORDAINED** by the Council of the Borough of Woodbine that James Craft be and is hereby appointed as Qualified Purchasing Agent in accordance with a Shared Service Agreement entered into by and between the Borough of Avalon and the Borough of Woodbine.

**BE IT FURTHER ORDAINED** that James Craft shall be assigned the authority, responsibility, and accountability for the purchasing activity for the Borough of Woodbine and shall preform such other duties as specified in the N.J.S.A. 40A:11-9(a).

At this time Mayor Pikolycky called for the following resolutions:

**RESOLUTION NO. 5-55-2019**

**SELF-EXAMINATION OF BUDGET**

**WHEREAS**, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

**WHEREAS**, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

**WHEREAS**, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Borough of Woodbine has been declared eligible to participate in the program by the Division of Local government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2019 budget year.

**NOW THEREFORE BE IT RESOLVED** by the governing body of the Borough of Woodbine that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:

- a. Payment of interest and debt redemption charges
- b. Deferred charges and statutory expenditures
- c. Cash deficit of preceding year
- d. Reserve for uncollected taxes
- e. Other reserves and non-disbursement items
- f. Any inclusions of amounts required for school purposes.

2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).

3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.

4. That pursuant to the Local Budget Law:

- a. All estimates of revenue are reasonable, accurate and correctly stated,
- b. Items of appropriation are properly set forth
- c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.

5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.

6. That all other applicable statutory requirements have been fulfilled.

**BE IT FURTHER RESOLVED** that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

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

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

#### **RESOLUTION NO. 5-56-2019**

##### **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.

#### **RESOLUTION NO. 5-57-2019**

##### **RESOLUTION APPROVING THE 2019 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 2019; and

**BE IT FURTHER RESOLVED**, that said budget was published in The Herald on May

1, 2019; 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 2019.

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

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

**RESOLUTION NO. 5-58-2019**

**APPROVAL OF PAYMENT RETIREMENT LEAVE**

**WHEREAS**, John H. Miller retired with an effective date of April 30, 2019; and

**WHEREAS**, it is the policy of the Borough of Woodbine to compensate retiring employees for accumulated vacation and sick time; and

**WHEREAS**, the Chief Financial Officer has provided sufficient documentation verifying the amount of time accumulated and the Borough Auditor has certified that time; and

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Woodbine, County of Cape May, that payment be issued to the employee in the amount referenced below:

	<u>Hours</u>	<u>Amount</u>
Vacation:	169.92	\$ 7,907.66
Sick:	<u>695.00</u>	<u>12,500.00</u> (max payout)
Total	864.92	\$20,407.66

**RESOLUTION NO. 5-59-2019**

**APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEWJERSEY FOREST SERVICE, URBAN AND COMMUNITY FORESTRY PROGRAM FOR RESILIENCY PLANNING**

**WHEREAS**, the Borough of Woodbine desires to apply for and obtain a grant from the new Jersey Forest Service, Urban and Community Forestry Program for an amount not to exceed \$10,000 to conduct a tree inventory at the Eco-Park;

**BE IT THEREFORE RESOLVED THAT,**

1. the Borough of Woodbine does hereby authorize the application for such grant; and
2. recognizes and accepts that the Forest service may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the Forest Service, does further authorize the execution of any such grant agreement; and, upon receipt of the fully-executed agreement from the Forest Service, does further authorize the expenditure of funds pursuant to the terms of the agreement between the Borough of Woodbine and the New Jersey Forest Service.

**BE IT FURTHER RESOLVED** that the persons whose names, titles and signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement, and any other documents necessary in connection therewith.

On motion of Councilman Ortiz, seconded by Councilman Cruz 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. 5-60-2019**

#### **AUTHORIZING AN AMENDMENT TO J.W. PEDERSEN ARCHITECT, P.C.. AGREEMENT TO PROVIDE ARCHITECTURAL SERVICES FOR THE 2017 SMALL CITIES HEAD START BUILDING RENOVATIONS**

**WHEREAS**, the Borough of Woodbine on March 16, 2017 awarded a contract through a Fair and Open process to J.W. Pedersen Architect, P.C. to provide architectural services for the 2017 Small Cities Head Start Renovations Project; and

**WHEREAS**, it has been determined additional work was necessary for a parking lot for the Head Start Building; and

**WHEREAS**, J.W. Pedersen Architect, P.C. has provided a fee proposal in the amount of \$2,000.00 to complete said work; and

**WHEREAS**, funds are available for the purposes set forth above; and

**WHEREAS**, Borough Council has duly considered the matter and wishes to express its advice and consent.

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

The allegation of the preamble are incorporated herein by this reference.

The contract to J.W. Pedersen, P.C. is amended in the amount of \$2,000.00 for the Parking Lot for the Head Start Building.

The Mayor and Borough Clerk are authorized to execute, on behalf of the Borough of Woodbine, an amendment to J.W. Pedersen Architect, P.C. agreement in accordance with the requirements of Local Public Contracts Law since the individuals appointed practice in a recognized profession, whose members are licensed and regulated by the State of New Jersey and who possess a high degree of specialized training and the performance of the service required judgment and will likely create a fiduciary relationship between the appointing authority and the individual so appointed.

The Clerk of the Borough of Woodbine is hereby authorized and directed to publish a notice of the award of this contract in the official newspaper of the Borough of Woodbine, within the time prescribed by law and in accordance with the requirements of the Local Public Contracts Law of the State of New Jersey.

#### **RESOLUTION NO. 5-61-2019**

**RESOLUTION AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT BY AND BETWEEN THE BOROUGH OF WOODBINE AND THE ENGINEERING FIRM OF VAN NOTE-HARVEY ASSOCIATES, CAPE MAY COURT HOUSE, NEW JERSEY FOR CONSTRUCTION AND RECONSTRUCTION OF SIDEWALKS AND STREETS IN ACCORDANCE WITH N.J.S.A 40A:11-4.1 ET SEQ.**

**WHEREAS**, the Borough of Woodbine is the recipient of a grant from the New Jersey Department of Community Affairs, Small Cities Public Facilities Fund for street and sidewalk construction and reconstruction; and

**WHEREAS**, on or about February 7, 2019 the Council of the Borough of Woodbine adopted Resolution 2-31-2019 authorizing requests for proposals (RFP) Engineering services in accordance with State of New Jersey in car policy. Competitive Contracting Guidelines, N.J.S.A. 40A:11-4.1 et seq.; and

**WHEREAS**, the appropriate Borough official prepared a request for proposals (RFP) which allow for full and free competition between professionals which is based upon an evaluation and ranking in accordance with N.J.S.A 40A:11-4.4; and

**WHEREAS**, the appropriate Borough official has evaluated all proposals in accordance with the ranking described in the RFP and after reviewing the same recommended the award of a contract for street and sidewalk construction and reconstruction to Van Note-Harvey and Associates, Cape May Court House, New Jersey, said report being available to the public.

**NOW THEREFORE BE IT RESOLVED** by the Council of the Borough of Woodbine that the Mayor and Clerk are authorized to execute a Professional Service Agreement with Van Note-Harvey and Associates, Cape May Court House, New Jersey, for professional engineering services in accordance with a FY2019 Small Cities Award for street and sidewalk construction and re-construction subject to the availability of said funds.

**BE IT FURTHER RESOLVED** that the Borough Clerk shall cause to be published a notice in

the official newspaper summarizing the award of contract including the nature, duration, amount of the contract, name of professional, a statement that the resolution and contract are on file in the office of the Borough Clerk.

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

#### Unfinished Business

Water Quality Management Plan (County) Status – Mr. Graham stated there was no update from the County as they are currently waiting on Pinelands comments.

County Road Projects – 550/638 Update - Waiting on final plans to review prior to meeting. County still expects fall 2019 construction.

Roundabout Project - 90% plans received and are under review. Mr. Graham is to speak with the County regarding a maintenance free center. Mayor Pikolycky requested water be installed.

Route 638 – No change in status. The Garrison bills are still outstanding. Mr. Graham will contact the County.

Open Space Eco-Park update – waiting on return of contracts in order to issue Notice to Proceed.

DEP Issues – Asset Management Plan Status- there has been some progress. DEP permit has been received for the water main extension. The treatment plant permits are under Pinelands review.

USDA Projects – Status – Food Pantry – Project ready to close out. USDA roof project is waiting on a commitment of funding from Gateway.

DOT Sumner/Heilprin Avenues Reconstruction Projects Status – the project is moving along there is a difficulty with suppliers.

DCA Planning Board Master Plan Status – anticipate the project should be wrapped up with 1-2 additional meetings. The next meeting will be held on June 26, 2019.

DCA Small Cities Sidewalks Project Status - there was only one RFP received for the engineering services from Mr. Graham. After review and discussion it was determined to proceed with appointing Mr. Graham on motion of Councilman Bennett, seconded by Councilman Cruz and unanimously carried.

Landfill Redevelopment Zone – Solar Project Status - waiting on Nexamp to do due diligence. Follow-up is needed with TWT on pursuing additional grant application previously submitted to NJDEP under the HDSRF program.

New Business –

Student Government Day - May 29, 2019

Woodbine Elementary School Graduation – June 10, 2019 – 7:00 p.m.

DOT application deadline is July 19, 2019. The bikeway application has been resubmitted and there is a discretionary application pending. Mr. Graham indicated that the Borough should have a second option.

Committee Reports:

Public Works/Buildings & Grounds: Chairman Bennett had nothing to report at this time.

Health, Education & Human Services: Chairman Benson reported on the following:

May 17, 2019 – Pizza Party  
May 22, 2019 – Childrens Garden Ceremony  
May 23, 2019 – Spring Concert  
June 10, 2019 – Graduation

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

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

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

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

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

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

1. Taxiway A Mill and Overlay State 2, Design - awaiting comment FAA comment.
2. 20:1 TERP Surface Obstruction Removal - field visit



3. Helicopter Parking Apron Design and Construction - awaiting comment from FAA on the new phasing plan. Acquiring material submittals from South State.
4. 2019 Projects - Transient Apron Design, Taxiway B Rehabilitation Design and Construction and Runway 1-19 Taxiway B Connection Design & Construction

Solicitor's Report – Mr. Tonetta reported the process with the small cell tower is with the Land Use Board. The question will be is whether it will be an amendment to zoning or a permitting process.

Public Comment: None.

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

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

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Respectfully submitted,

Lisa Garrison  
Borough Clerk

