

**BOROUGH OF WOODBINE  
REGULAR MEETING**

**MAY 20, 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 Benson. 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 Cruz was absent.

The Pledge of Allegiance was led by Mayor Pikolycky.

Mayor Pikolycky called for approval of the minutes of May 6, 2021. On motion of Councilman Johnson, seconded by Councilman Benson to approve the minutes of May 6, 2021, unanimously carried.

Mayor Pikolycky called for the following resolutions:

**RESOLUTION NO. 5-48-2021**

**RESOLUTION AUTHORIZING THE EXECUTION OF A  
PROFESSIONAL SERVICES AGREEMENT WITH  
MELILLO-BAUER-CARMAN, BRIELLE, NEW JERSEY  
FOR LANDSCAPE ARCHITECTURE FOR THE  
WOODBINE ECOPARK INCLUSIVE PLAYGROUND**

**WHEREAS**, the Borough of Woodbine has requested proposals for landscape architecture services in furtherance of the Cape May County and Borough of Woodbine joint effort to provide an eco-park and All Inclusive (Jake’s Park) Playground (Project) in accordance with Governor Murphy’s initiative to have an all-inclusive park in every county of the State of New Jersey; and

**WHEREAS**, the Borough Engineer has recommended the Borough utilize the firm of Melillo-Bauer-Carmen, Brielle, New Jersey to perform such services as they are familiar with the Project and have experience in this field of endeavor; and

**WHEREAS**, Melillo-Bauer-Carman has submitted a proposal for Professional Landscape Architect Services to perform the required services for the Project at a cost of \$25,000.00 plus reimbursable costs in accordance with a proposal dated April 14, 2021, attached hereto and made a part hereof; and

**WHEREAS**, the availability of funds for said Professional Services Contract to be awarded have been certified by the Borough's QPA which payment shall be in accordance with a Shared Services Agreement by and between the Borough and Cape May County.

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

1. That the Mayor and Clerk are hereby authorized and directed to execute a Professional Services Agreement with Melillo-Bauer-Carman, Landscape Architects, Brielle, New Jersey, for Professional Landscape Architect Services for concept presentation, recommend and assist the Borough Engineer in preparation of construction drawings, assist in preparing the estimate of probable cost and developing a phasing plan in accordance with the proposal dated April 14, 2021, attached hereto and made a part hereof at a cost not to exceed \$25,000.00 plus reimbursable costs.
2. That this Professional Services Agreement is awarded without competitive bidding in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Laws because said service 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.
3. That the Business Disclosure Entity Certification, the Political Contribution Disclosure Form be placed on file in the Office of the Borough Clerk with the Resolution.
4. That a notice of this action shall be printed once in the official Borough newspaper.

On motion of Councilman Bennett, seconded by Councilman Benson 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. 5-49-2021**

#### **APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE RECONSTRUCTION OF CLAY STREET & 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 MA-2022-Clay Street & Madison Avenue-00034 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.

**RESOLUTION NO. 5-50-2021**

**APPROVAL TO SUBMIT A BIKEWAY GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR CONSTRUCTION OF A NEW BIKEWAY**

**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 2022 BIKE—SUMNER AVENUE BIKEWAY--00006 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.

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

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

**RESOLUTION NO. 5-51-2021**

**APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE RECONSTRUCTION OF FREMONT 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 MA-2022-Fremont Avenue-00044 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.

**RESOLUTION NO. 5-52-2021**

**A RESOLUTION AUTHORIZING PARTICIPATION IN THE NATIONAL  
COOPERATIVE CONTRACT WITH SOURCEWELL IN ACCORDANCE  
WITH N.J.S.A. 52:34-6.2**

**WHEREAS**, N.J.S.A. 52:34-6.2 was enacted into law permitting agencies to use national purchasing cooperatives; and

**WHEREAS**, the Borough of Woodbine desires to participate in National Cooperative contracts established by Sourcewell, a nationally recognized and accepted cooperative purchasing agency organized and created by the Minnesota legislature as a local unit of government in accordance with Minn. Stat. Section 123A.21, in order to effect substantial economies in the purchase of equipment, materials, supplies and services; and

**WHEREAS**, Sourcewell has contracted with various vendors for various contracts; and

**WHEREAS**, it is the intent of the Borough of Woodbine to utilize these contracts on an “as needed” basis during the calendar years 2021 and 2022; and

**WHEREAS**, the Borough of Woodbine may enter into contractual agreements with Sourcewell through its resolutions and properly executed contracts/purchase orders, which shall be subject to all the conditions applicable to the current New Jersey Local State Public Contracts Laws.

**NOW, THEREFORE, BE IT RESOLVED** that the Council of the Borough of Woodbine authorizes the appropriate Borough officer to make application to become a member of Sourcewell and to purchase certain equipment, materials, supplies and services from those approved Sourcewell vendors pursuant to all conditions of the individual contracts, the procedures established by Sourcewell and in compliance with New Jersey State Public Contracts Laws.

**BE IT FURTHER RESOLVED** that Sourcewell vendors and their corresponding contracts may change during the timeframe indicated below and that the Borough Clerk/Purchasing Agent is hereby authorized to make the necessary adjustments to the list of vendors as may be required for the Borough to continue its routine procurement practices throughout the indicated timeframe.

**BE IT FURTHER RESOLVED** that the certification of available funds and contract shall not be chargeable or certified until such time as the equipment, materials, supplies and services are ordered or otherwise called for prior the placing the order and a certification of availability of funds shall be made by the Borough’s Chief Financial Officer.

**BE IT FURTHER RESOLVED** that the duration of the contracts between the Borough

and the referenced Sourcewell shall be for the time period beginning upon the adoption of this Resolution and continuing through December 31, 2022, the termination by either party with 30 days written notice by certified mail or until the expiration of the vendor's Sourcewell Contract, whichever shall first occur.

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

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

### **RESOLUTION NO. 5-53-201**

#### **AUTHORIZING THE SALE OF SURPLUS PERSONAL PROPERTY NO LONGER NEEDED FOR PUBLIC USE ON AN ONLINE AUCTION WEBSITE**

**WHEREAS**, the Borough of Woodbine has determined that the personal property described on Schedule A attached hereto and incorporated herein is no longer needed for public use; and

**WHEREAS**, the Borough of Woodbine intends to utilize the online auction services of GovDeals located at [www.govdeals.com](http://www.govdeals.com); and

**WHEREAS**, the sales are being conducted pursuant to N.J.S.A. 40A:11-36 and the guidance set forth in the Division of Local Government Services' Local Finance Notice 2019-15,

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Woodbine in the County of Cape May, State of New Jersey, that the Borough is hereby authorized to sell the surplus personal property as indicated on Schedule A on an online auction website entitled [www.govdeals.com](http://www.govdeals.com).

#### **SCHEDULE A**

<b><u>YEAR</u></b>	<b><u>MAKE</u></b>	<b><u>MODEL</u></b>	<b><u>VEHICLE ID #</u></b>
1988	Gilman	Trailer	8920D T3092 0PH12 88
1986	Chipmunk	Trailer/Chipper	1AWC0011 X-G4000328
1990	Ford	F600	1FDNF 60H2L VA408 07
1988	Ford	Ambulance	1FDKE 30M5J HC105 43
1977	Ford	PU Utility Body	F25SEY84615

**RESOLUTION NO. 5-54-2021**

**RESOLUTION PURSUANT TO N.J.S.A. 40A:11-4.3 AUTHORIZING THE USE OF COMPETITIVE CONTRACTING FOR THE PROCUREMENT OF SMALL CITIES GRANT ADMINISTRATION AND PROJECT ENGINEER FOR WATER SYSTEMS AND ROADWAY IMPROVEMENTS (ADAMS & FRANKLIN)**

**WHEREAS**, the Borough of Woodbine (“Borough”) desires to contract with professionals to provide Small Cities Grant Administration and Project Engineer services for the Water Systems and Roadway Improvements (Adams & Franklin); and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-4.1 et seq., the Borough may use competitive contracting in lieu of public bidding for procurement of specialized goods and services; and

**WHEREAS**, N.J.S.A. 40A:11-4.1(a) permits the use of competitive contracting for professional services; and

**WHEREAS**, N.J.S.A. 40A:11-4.1 (b) permit the Chief Financial Officer, James Craft, to administer the process for the procurement pursuant to the rules governing the competitive contracting process; and

**WHEREAS**, under the competitive contracting process, the contract for Small Cities Grant Administration and Project Engineer services will be awarded to those entities submitting proposals that, when evaluated, most successfully meets the stated criteria and, therefore, achieves the highest ranking, rather than based solely on the lowest price; and

**WHEREAS**, the Borough desires to conduct the bidding process for the aforesaid goods and services pursuant to the competitive contracting process as set forth by N.J.S.A. 40A:11-4.1 et seq.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Woodbine, in the County of Cape May, State of New Jersey, that the Chief Financial Officer is hereby authorized to utilize and administer the competitive contracting process as set forth in N.J.S.A. 40A:11-4.1 et seq., to procure a contract with vendors to provide Small Cities Grant Administration and Project Engineer services for the Water Systems and Roadway Improvements (Adams & Franklin) Project.

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

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

**RESOLUTION NO. 5-55-2021**

**AUTHORIZING THE HIRING OF A  
SEASONAL LABORER FOR THE WOODBINE MUNICIPAL AIRPORT UTILITY  
DEPARTMENT**

**WHEREAS**, the Woodbine Municipal Airport Utility Department is in need of a part-time Seasonal laborer; and

**WHEREAS**, an application has been received and reviewed.

**NOW THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Woodbine, County of Cape May, State of New Jersey, that the following be hired as a part-time Seasonal Laborer for the Woodbine Municipal Airport Utility Department: Milton Kern at the hourly rate of \$16.00 per hour with hours not to exceed 20 effective 5/20/21.

Unfinished Business

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

County Road Project - Route 550 – No change. Complaints have been received regarding the visibility at Panzini's parking lot.

Open Space Eco-Park Replacement/Upgraded Items – A professional service agreement was approved for Melillo & Bauer for Landscape Architect Services for the final design.. Once the final design is received we will be able to go out to bid for the playground portion of the project.

Mobile Carrier Projects at Water Tower (Status) – there are currently two (2) applications in different stages of review.

USDA Projects – Status –

Food Pantry III – waiting on the HVAC portion of the project to begin.

Water/Asset Management Plan Drawdown (Status) – the Asset Management Plan has been completed and is awaiting upload. This plan will be utilized in future projects. The Water Treatment Plant is under construction. The water mains are under construction. The pipes are in the ground and tested. Mayor Pikolycky indicated DHS must be kept in the loop during the project. There has been a problem with the drawdown which should be resolved shortly. But in the meantime there has been no specific timeframe for the drawdown of funds. There have recently been complaints regarding rusty/discolored water. Mr. Graham explained the plant is over forty (40) years old. The clear wells have a large amount of sludge that needs to be cleaned out. The filters for the filtration system will not arrive until the fall. The water not harmful. A plan needs to be implemented to clean the clear wells. There will be a DEP inspection tomorrow.

Sewer/I-Bank Drawdown (Status) - The CMCMUA agreement has been approved. This will allow the County to move forward with the design and permitting phases. These phases will determine the cost for all parties involved. IBank and USDA funding will be utilized for design and construction.

Water Diversion Permit (Status) – no change.

Hat Factory Property (ECWAG) – the contract has been awarded to remove the seven (7) underground storage tanks.

Radios - no change.

Command Vehicle – no change.

DOT DeHirsch Avenue (Status) – the project has been advertised to bid with bids being received in June with construction tentatively beginning this summer.

DOT Streetscape Project (Status) – a communication plan needs to be put together to discuss the upcoming project with the residents in the area.

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

Landfill Redevelopment Zone – Solar Project Status - application was sent to Pinelands. It was suggested that the Land Use Board be informally briefed on the project.

Freidrichstadt Road Vacation Status – the description has been sent to the applicant's attorney. Mr. Tonetta will followup. Waiting on additional escrow fees, which the applicant's attorney was advised.

Master Plan (Status) – no change.

Airport Lease Agreements –

Holland to American Aerospace Technologies - A bill of sale from Nick Holland to AATI was forwarded to AATI. The Lease Agreement has not been executed at this time, waiting on AATI. Ms. Garrison will issue a bill for the water/sewer as per the agreement.

Delinquent Hangar Accounts – Hartley & Thompson - Mr. Tonetta attended a conference call meeting with the Superior Court today. Mr. Hartley signed a Consent Order and has agreed to pay the account in full July 1, 2021. Mr. Thompson failed to attend the conference call meeting. As Mr. Salvesen and Mr. Popovich have not responded to the correspondence regarding their account delinquencies, Mr. Tonetta will begin court proceedings on these accounts.

COVID19 (Status)

Cases – Ms. Garrison indicated there are currently five (5) residential cases as per two (2) days ago; 0 State School.

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

Property Maintenance (Status) – Mr. Tonetta indicated the attorney for the AFSCME property replied that a Certificate of Filing had been received, which will enable the demolition to begin. No word has been received from Mr. Mogavero and his court date is scheduled for June. Mr. Graham has been speaking with Joann Rutkowski regarding the property on Washington and advised her that while some cleanup has occurred it is not sufficient.

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

FEMA DR 4574 Tropical Storm Isaias Funds - the Force Account Labor Summary was submitted.

Municipalities and Marijuana Rules/Establishments – Mr. Tonetta updated the Council on the types of licenses that the State will be issuing. Mayor & Council further discussed the various options available. Ms. Garrison will forward the Land Use Board's recommendations to Mayor and Council. Mr. Tonetta will provide additional information for Mayor and Council's review and consideration. Councilman Johnson indicated he is in favor of adopting an ordinance that would enable us to obtain additional revenue for the town.

New Business –

Financial Disclosure Statement Filing – Due June 30, 2021.

Committee Reports:

Public Works/Buildings & Grounds: Mr. Gurdziel indicated the residents have been responding positively to the new leaf/brush collections regulations. The department has been collecting those residents that were unaware of the new regulations and distributing reminders. Mayor Pikolycky questioned if work schedules were prepared for the airport. Ms. Garrison indicated she had verbally reviewed the work schedules with the airport personnel but will follow up with written instructions. Mayor Pikolycky questioned the lack of a written report regarding the empty fuel tanks at the airport. Ms. Garrison indicated the problem had been corrected and there would not be a repeat.

Health, Education & Human Services: Chairman Benson reported there are school board vacancies that need to be filled.

Public Safety & Courts: Chairman Cruz was absent.

Community Affairs & Grants: Chairman Ortiz had nothing to report

Property & Small Business: Chairman Johnson indicated he has noticed an increase in the amount of residents maintaining their properties and felt it was very good for the town.

Revenue & Finance: Chairwoman Perez had nothing to report.

Engineer's Report - Mr. Graham reported on the earmark application through Van Drew's office. The project is for the bikepath and is approximately a 1 million dollar project with a 20% cash match.

Airport Engineer's Report - Mr. Liu reported on the projects at the airport.

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

Public Comment - Lisa Gilroy indicates she was against the removal of trees as so many trees have been removed at the Eco Park. She stated she is very proactive regarding clean air and water. She further indicated she was in agreement with Councilman Johnson regarding the marijuana issue. Mayor Pikolycky provided her with information on the Borough's tree giveaway.

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

Respectfully submitted,

Lisa Garrison  
Borough Clerk

