

**BOROUGH OF WOODBINE
REGULAR MEETING**

**JULY 18, 2019
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 13, 2019 and posting a copy of said notice on the Clerk's bulletin board."

Those present were: Mayor Pikolycky; Councilpersons Ortiz, Johnson, Bennett, Benson, and Cruz. Also present were: Mitchell Kizner, Special Environmental Counsel, Richard Tonetta, Borough Solicitor; Michael Zumpino, Triad Associates; Bruce Graham, Borough Engineer; Kan Liu, Airport Engineer; James Gurdgiel, Public Works Supervisor and Lisa Garrison, Borough Clerk.

Mayor Pikolycky called for the approval of minutes of May 16, 2019 and June 20, 2019. On motion of Councilman Benson, seconded by Councilman Cruz to approve the minutes of May 16, 2019, unanimously carried. On motion of Councilwoman Perez, seconded by Councilman Johnson to approve the minutes of June 20, 2019, carried with one (1) abstention by Councilman Cruz.

Mayor Pikolycky next called for a Public Hearing for the following ordinance.

ORDINANCE NO. 583-2019

**ORDINANCE VACATING A PORTION OF PINCUS STREET, A PUBLIC STREET
NOT ACCEPTED OR OPENED BY THE BOROUGH OF WOODBINE, IN
ACCORDANCE WITH N.J.S.A. 40:67-19.**

WHEREAS, Princus Street is a dedicated public street which has never been accepted, developed or opened by the Borough of Woodbine; and

WHEREAS, it has been determined by the Council of the Borough of Woodbine that a portion of Pincus Street, as outlined in the description prepared by Van-Note Harvey Associations attached hereto and made a part hereof, marked Exhibit A, shall best serve the public interest by releasing those lands described in Exhibit A from such dedication.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Borough of Woodbine that a portion of the dedicated but not accepted street known as Pincus Street, as described on Exhibit A attached hereto and made a part hereof, shall be released from dedication and that part of Pincus Street shall be effectively discharged therefrom as though the dedication had not taken place.

BE IT FURTHER ORDAINED that the Borough Clerk is instructed to publish this

Ordinance after introduction not less than 10 days before the public hearing thereon and after the adoption of same, the Ordinance and Exhibit A shall be filed in the Office of the Clerk of Cape May County.

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

Mayor Pikolycky called for the following resolutions:

RESOLUTION NO. 7-75-2019

**ACCEPTANCE OF PROJECT
HEAD START RENOVATION**

WHEREAS, Warriner's Construction, Inc. of Egg Harbor Township, New Jersey was previously awarded a contract for the project known as Head Start Renovation; and

WHEREAS, the Architect, John Pedersen, of J.W. Pedersen Architect, PC, has determined that the work on this project has been substantially completed in accordance with the contract documents,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Woodbine, that the contract for the work be and same is hereby accepted as complete, and

BE IT FURTHER RESOLVED that all remaining payments as previously authorized by contract through and including approved Change Order No. 5 Final be made thereon to Warriner's Construction, Inc.

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

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

RESOLUTION NO. 7-76-2019

**RESOLUTION AUTHORIZING A CONTRACT AWARD
TO A STATE CONTRACT VENDOR, BEYER FORD,
MORRISTOWN, NEW JERSEY, FOR THE PURCHASE OF
ONE (1) 2019 FORD F-250 SRW 4WD REG. CAB 8 FOOT
BED FOR THE AIRPORT UTILITY, IN AN AMOUNT NOT
TO EXCEED \$28,908.00**

WHEREAS, the Borough of Woodbine, pursuant to N.J.S.A. 40a:11-12 and N.J.A.C. 5:34-7.29(C), may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the Division of Purchase and Property in the Department of the Treasury; and

WHEREAS, the Borough of Woodbine intends to enter into a contract with a State Contract Vendor for the purchase of one (1) 2019 Ford F-250 SRW 4WD Reg. Cab 8 foot bed from Beyer Ford, through this Resolution and properly executed contracts, which shall be subject to all the conditions applicable to the current State contracts; and

WHEREAS, it has recommended that a contract be awarded to Beyer Ford, Morristown, New Jersey (A88727) for the purchase of one (1) 2019 Ford F-250 SRW 4WD Reg. Cab 8 foot bed vehicle for the Airport Utility with the quote from Beyer Ford, Morristown, New Jersey, attached hereto and made a part hereof; and

WHEREAS, the Chief Financial Officer has certified the availability of funds for said contract to be awarded; and

WHEREAS, the Borough of Woodbine has certified that this meets the statute and regulations governing the award of said contracts.

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

1. That this contract for the purchase of one (1) 2019 Ford F-250 SRW 4WD Reg Cab 8 foot bed vehicle for the Airport Utility as more specifically described in the quote from Beyer Ford, attached hereto and made a part hereof, is awarded pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29(c), under the State of New Jersey Cooperative Purchasing Program.
2. That the Purchasing Agent be and the same is hereby authorized to issue a contract to Beyer Ford Morristown, New Jersey in the amount not to exceed \$28,908.00.

Unfinished Business: None

New Business: None

Airport Engineer's Report - None

Engineer's Report – None

Solicitor's Report: None

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

Public Comment: None.

At this time Mayor Pikolycky called for the following resolution.

RESOLUTION NO. 7-77-2019

A RESOLUTION OF THE BOROUGH OF WOODBINE AUTHORIZING THE EXCLUSION OF THE PUBLIC FROM A MEETING BETWEEN THE BOROUGH COUNCIL, THE MAYOR, THE BOROUGH CLERK, BOROUGH SOLICITOR, BOROUGH SPECIAL ENVIRONMENTAL COUNSEL AND BOROUGH ENGINEER CONCERNING POTENTIAL LITIGATION

WHEREAS, N.J.S.A. 10:4-12 Open Public Meetings Act, permits the exclusion of the public from the meeting of the public body when the subject matter of that meeting concerns potential or pending litigation; and

WHEREAS, the Mayor and Council intend upon meeting in closed session with the Clerk, Solicitor, Special Environmental Counsel and Engineer on that subject;

WHEREAS, the length of the closed session is estimated to be 25 minutes after which the public meeting of the Mayor and Borough Council shall reconvene and immediately adjourn;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Woodbine, together with the Clerk, Solicitor, Special Environmental Counsel and Engineer shall go into a closed session for only the above stated reasons.

BE IT FURTHER RESOLVED that the Mayor and Council of the Borough of Woodbine hereby declare that its discussion of the aforementioned subject will be made public at the time when the public's interest and disclosure is greater than any privacy or governmental interest being protected from disclosure. The estimated date by which such disclosure can be made is (90) days.

BE IT FURTHER RESOLVED that the Clerk at the present public meeting shall read the title of said resolution aloud so that members of the public in attendance can understand at precisely the nature of the matters that will privately be discussed.

BE IT FURTHER RESOLVED that the Clerk on the next business day following this meeting shall furnish a copy of this Resolution to any member of the public who requests on at the fees allowed by N.J.S.A. 47:1A-1 et seq.

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

Upon return to open session Mr. Tonetta indicated for the record that Council went into closed session for forty (40) minutes to discuss Resolution No. 7-77-2019.

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

Respectfully submitted,

Lisa Garrison
Borough Clerk