

**BOROUGH OF WOODBINE
REGULAR MEETING**

**JULY 21, 2016
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 27, 2016 and posting a copy of said notice on the Clerk's bulletin board."

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

Mayor Pikolycky called for the approval of the minutes of June 16, 2016 (workshop & regular). On motion of Councilwoman Perez, seconded by Councilman Johnson to approve the minutes as received, carried with one (1) abstention by Councilman Cruz.

Resolutions:

RESOLUTION NO. 7-50-2016

**A RESOLUTION ACCEPTING A GRANT FROM THE HAZARDOUS DISCHARGE
SITE REMEDIATION FUND PUBLIC ENTITY PROGRAM THROUGH THE NEW
JERSEY ECONOMIC DEVELOPMENT AUTHORITY AND THE DEPARTMENT OF
ENVIRONMENTAL PROTECTION**

WHEREAS, the Borough of Woodbine has applied for and has been awarded a grant in the amount of \$69,583 from the Hazardous Discharge Site Remediation Fund Municipal Grant Program through the Department of Environmental Protection and the New Jersey Economic Development Authority for the Remedial Investigation along with report preparation of the Woodbine Hat Company property;

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of Woodbine that the above referenced grant is hereby accepted and the Mayor is hereby authorized to execute grant documents as an authorized representative thereunder, as the representative for the Borough of Woodbine.

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

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

RESOLUTION NO. 7-51-2016

**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 2016 in the sum of \$500.00, which item is now available as a revenue from the AtlantiCare Foundation.

Section 2.

BE IT FURTHER RESOLVED that a like sum of \$500.00 is hereby appropriated under the caption of Growing Green Grant.

BE IT FURTHER RESOLVED that two copies of the required certification, together with supporting documentation, be filed in the office of the Director of Government Services for his certification.

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

RESOLUTION NO. 7-52-2016

**AUTHORIZING THE TAX COLLECTOR TO PLACE A SPECIAL ASSESSMENT
AGAINST CERTAIN PROPERTIES**

WHEREAS, Ordinance No. 151 of the Borough of Woodbine requires that property owners maintain their property in accordance with said ordinance; and

WHEREAS, a Notice of Violation was served on the property owner of the property listed below, and they failed to correct the condition set forth in the Notice of Violation within the time specified; and

WHEREAS, the Code Enforcement Official authorized services to be performed to correct the condition at a cost to the Borough of Woodbine as hereinafter provided.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Woodbine:

1. That the Tax Collector of the Borough of Woodbine is hereby authorized to record the following sums of money on the property listed below as a special assessment and municipal lien to be collected as required by law.

Block 6 Lot 13 208 Webster Ave	\$ 140.00
Block 17 Lot 15 634 Adams Ave	\$ 140.00
Block 12 Lot 5 713 Jackson Ave	\$ 200.00
Block 25 Lot 6 414 Jackson Avet	\$ 140.00
Block 28 Lot 5 401 Longfellow St	\$ 140.00
Block 28 Lot 6 405 Longfellow	\$ 140.00
Block 28 Lot 7 402 Washington Ave	\$ 140.00
Block 32 Lot 2 341 Washington Ave	\$ 200.00
Block 61 Lot 8 917 Franklin St	\$ 200.00
Block 69 Lot 10 310 Madison Ave	\$ 140.00

RESOLUTION NO. 7-53-2016

**APPROVING THE PLACE-TO-PLACE TRANSFER (EXPANSION OF PREMISES)
OF PLENARY RETAIL CONSUMPTION LICENSE NO. 0516-33-001-008
FOR MOUSE TRAP BOWLING ALLEY, LLC**

WHEREAS, an application has been filed for a place-to-place transfer of Plenary Retail Consumption License No. 0516-33-001-008, for the purpose of expanding the premises under license wherein the sale, service and storage of alcoholic beverages are authorized; and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been property renewed for the current license term; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Woodbine does hereby approve, effective July 21, 2016, the expansion of the aforesaid Plenary Retail Consumption Licensed premises located at 2051 Route 610 to place under license the area delineated in the application form and the sketch of the licensed premises attached thereto.

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

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

RESOLUTION NO. 7-54-2016

TRANSFER OF PROPERTY TAXES FOR 2015

WHEREAS, the Tax Collector of the Borough of Woodbine has reviewed the overpayment and delinquent tax list for the year 2015; and

WHEREAS, an overpayment has been created on the below listed; and

WHEREAS, the Tax Collector of the Borough of Woodbine has determined that said overpayments should be transferred appropriately which will create a zero balance on the account for the year 2015.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Woodbine, in the County of Cape May and State of New Jersey, that the following amounts be transferred accordingly.

<u>BLOCK</u>	<u>LOT</u>	<u>NAME</u>	<u>AMOUNT</u>
8	3	Rodriguez, Alberto & Lucia	\$ 21.20

RESOLUTION NO. 7-55-2016

**RESOLUTION AUTHORIZING THE EXECUTION OF A SHARED SERVICES
AGREEMENT WITH THE COUNTY OF CAPE MAY FOR THE DEHIRSCH AVE
(COUNTY ROUTE 550) IMPROVEMENTS**

WHEREAS, the County of Cape May is proceeding with a project in the Borough of Woodbine to improve North De Hirsch Avenue (County Route 550) from Madison Avenue to just west of Scott Avenue; and

WHEREAS, the Borough of Woodbine is proceeding with a project to make resurfacing improvements to South De Hirsch Avenue from Washington Avenue to Madison Avenue; and

WHEREAS, the Borough's improvement project is similar to the County's improvement project; and

WHEREAS, North De Hirsch Avenue is under the jurisdiction of the county and is maintained by the County; and

WHEREAS, South De Hirsch Avenue is under the Jurisdiction of the Borough and is maintained by the Borough; and

WHEREAS, it is advantageous from a cost perspective, coordination of traffic control during the construction phase and the quality of life of the adjacent property owners do not suffer as long by combining the two (2) roadway improvements as one (1) jointly shared construction project; and

WHEREAS, the Borough and County have indicated a willingness to work together for an efficient and coordinated Project; and

WHEREAS, under the Shared Services Act, any local unit may enter into an agreement with any other local unit or units to provide and/or receive any service that each local unit participating in the agreement is empowered to provide or receive within its own jurisdiction, including services incidental to the primary purposes of any of the participating local units; and

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

1. The Borough of Woodbine hereby approves the Shared Services Agreement Between the Borough of Woodbine and the County of Cape May to jointly conduct the Project with the County acting as the lead agency.
2. The Mayor is authorized to execute said Agreement.

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

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

RESOLUTION NO. 7-56-2016

**A RESOLUTION AUTHORIZING REDEMPTION OF PROPERTY KNOWN AS
BLOCK 32 LOT 7 AND 8 IN THE BOROUGH OF WOODBINE**

WHEREAS, the Boroughs of Woodbine holds a Certificate of Sale No.: 16-0008 for property known as Block 32 Lot 7 and Certificate of Sale No.: 16-0009 for property known as Block 32 Lot 8 on the Tax Map of the Borough of Woodbine and the amount necessary to redeem totals \$6,547.57 on Block 32 Lot 7 and \$49,943.02 on Block 32 Lot 8 including interest calculated up and including August 11, 2016 on property owned by Michael Rutowski whose address is 412 Joffe Drive, Woodbine, NJ (owner). The total necessary to redeem both properties is \$56,490.59 which includes the 3rd quarter interest and penalties; and

WHEREAS, the Owner has requested the Borough consider installment payments to redeem said properties as of August 11, 2016; and

WHEREAS, N.J.S.A. 54:5-65 et seq authorizes such installment payments and Borough Council finds it to be in the best interest of the Borough to allow installment payments provided the installment payments are to redeem both Lot(s) 7 and 8 of Block 32; and

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

1. The Tax Collector is hereby authorized and directed to accept installment payments in redemption of total arrears and accrued interest for both Lot(s) 7 and 8 of Block 32. Failure to make installment payments as hereinafter set forth shall be an event of Default and terminate this agreement.

2. The following payment schedule shall be adhered to:

A) On or before August 11, 2016 the Owner, his agent or assigns shall pay the sum of \$30,000.00 of which \$6,547.57 shall be applied to Lot 7 and \$23,452.43 shall be applied to Lot 8.

B) The balance of principal and interest due on Lot 8 shall be \$26,490.59 up to and including August 11, 2016.

■ Interest shall accumulate on the unpaid principal amount at a rate of 18% per annum.

■ The Owner shall make 36 monthly payments of principal and interest in the amount of \$957.70 consisting for Block 32 Lot 8..

■ The First payment of principal and interest shall be made on or before September 11, 2016 and all subsequent payments shall be made on or before the 11th day of each month

thereafter until paid in full in accordance with the mortgage schedules attached hereto and made a part hereof.

- Default in any installment payment terminates this Agreement and subjects the property to foreclosure action.

- All taxes not yet due shall be regularly and properly made.

- In addition to the payments set forth herein above. Failure to make any future tax payments when due shall be an event of default under this Agreement.

BE IT FURTHER RESOLVED that should any portion of this Resolution be deemed unenforceable the balance of the Resolution shall remain in full force and effect.

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

RESOLUTION NO. 7-57-2016

**AWARD OF CONTRACT FOR
MUNICIPAL BUILDING EMERGENCY GENERATOR**

WHEREAS, sealed bids were received on July 7, 2016 by the Borough for the construction of the project known as the “Municipal Building Emergency Generator”; and

WHEREAS, R. Janney Electric, Inc. of Estell Manor, NJ submitted the lowest of three (3) bids received for the project which are summarized as follows:

Bidder	Bid
R. Janney Electric, Inc.	\$80,462.50
Scalfo Electric, Inc.	\$127,800.00
Multi-Temp Mechanical, Inc.	\$133,990.00

WHEREAS, the Borough has received approval for a FEMA grant from the NJ Office of Emergency Management in the amount of \$75,000.00 for the overall project and the balance of funds required are anticipated to be provided in cooperation with the Woodbine Municipal Utilities Authority; and

WHEREAS, the bid of R. Janney, Inc. has been submitted in proper form and the Contractor appears qualified to perform the work anticipated under this contract;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Woodbine, that the award of said contract is hereby made to R. Janney, Inc. in the amount of \$80,462.50, said award being subject to certification that sufficient funds are available for the award; and

BE IT FURTHER RESOLVED that the Municipal Clerk is hereby authorized and directed to return the certified checks or bid bonds for the following unsuccessful bidders:

Multi-Temp Mechanical, Inc.

and that the certified checks or bid bonds of the successful bidder (R. Janney Electric, Inc.) and the next lowest bidder (Scalfo Electric, Inc.) are to be returned upon receipt of a fully executed Contract and other required documents.

BE IT FURTHER RESOLVED that upon certification of funds, the Mayor and Clerk are hereby authorized to execute all documents necessary to effectuate a contract with R. Janney Electric, Inc. for this project.

Unfinished Business: None

New Business: None

Engineer's Report:

Solicitor's Report: None

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

Public Comment: Jeannette Coleman, 337 Madison, presented her concerns in regards to odors and animals coming from the Gold Medal site. Council indicated they would review her concerns.

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

Respectfully submitted,

Lisa Garrison
Borough Clerk

