

**BOROUGH OF WOODBINE
REGULAR MEETING**

**AUGUST 15, 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: Richard Tonetta, Borough Solicitor; Michael Zumpino, Triad Associates; Bruce Graham, Borough Engineer; Kan Liu, Airport Engineer; and Lisa Garrison, Borough Clerk.

Mayor Pikolycky called for the following resolutions:

RESOLUTION NO. 8-78-2019

AUTHORIZING THE HIRING OF TRIAD ADVISORY SERVICES, INC. t/a TRIAD ASSOCIATES TO PROVIDE GRANT SERVICES FOR THE PREPARATION AND SUBMISSION OF A NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS SMALL CITIES PUBLIC FACILITIES APPLICATION FOR ADA RECREATIONAL FACILITY

WHEREAS, the Governing Body of the Borough of Woodbine entered into a Professional Services Agreement - General Services Contract on January 17, 2019 with Triad Advisory Services, Inc. (trading as Triad Associates) for ongoing professional services for obtaining grant money for the Borough; and

WHEREAS, the Borough is desirous of hiring Triad Associates to prepare and submit a grant a NJDCA Small Cities Public Facilities application for ADA improvements to a municipal property; and

WHEREAS, the Governing Body of the Borough of Woodbine finds the scope of services to be provided by Triad Associates to be acceptable; and

WHEREAS, the Chief Financial Officer certifies that funds in the amount of \$14,200.00 are available to pay Triad Associates in connection with the applications under the existing Professional Services Agreement in accordance with N.J.A.C. 5:30-5.4; and

WHEREAS, the Governing Body of the Borough of Woodbine finds it in the interest of the citizens of the Borough of Woodbine to accept the proposal of Triad Associates as submitted; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Woodbine that the proposal for administrative agent services are hereby accepted as part of the general services contract aforementioned;

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized and directed to execute the proposals for same.

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

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

RESOLUTION 8-79-2019

APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS FOR THE DEVELOPMENT OF AMERICANS WITH DISABILITIES ACT (ADA)-COMPLIANT PLAYGROUND FACILITIES AT THE WOODBINE ECO-PARK

SCHEDULE I: RESOLUTION

WHEREAS, the Borough of Woodbine desires to apply for and obtain a grant from the New Jersey Department of Community Affairs, Small Cities Public Facilities Fund for an amount not to exceed \$400,000, for the development of ADA-complaint playground facilities at the Woodbine Eco-Park;

BE IT THEREFORE, RESOLVED,

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

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:

(signature)

William Pikolycky

Mayor

(signature)

Lisa Garrison

Borough Clerk

**RESOLUTION NO. 8-80-2019
GRANT MANAGEMENT PLAN**

FY 2020 Small Cities Programs

**Public Facilities Fund: Development of Americans with Disabilities Act (ADA)-compliant
Playground Facilities at Eco-Park**

WHEREAS, the Borough of Woodbine is applying for a Small Cities grant from the Public Facilities Fund and, if awarded funding, will entered into a Grant Agreement with the New Jersey Department of Community Affairs; and

WHEREAS, the Borough is required to submit a Grant Management Plan as part of each Small Cities application;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Woodbine, County of Cape May and State of New Jersey, that:

The Grant Management Plan prepared by the Borough and submitted to DCA Small Cities with the application for the various improvements at the former Hat Factory site is hereby adopted to identify Todd Noon of Triad Associates as the Project Coordinator and Mayor William Pikolycky as the Program Director and Official Contact Person.

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

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

RESOLUTION NO. 8-81-2019

CITIZEN PARTICIPATION PLAN

FY 2020 Small Cities Programs

**Public Facilities Fund: Development of Americans with Disabilities Act (ADA)-compliant
Playground Facilities at Eco-Park**

WHEREAS, the Borough of Woodbine is applying for a Small Cities grant under the Public Facilities Fund and if awarded intends to enter into Grant Agreements with the New Jersey Department of Community Affairs; and

WHEREAS, these Grant Agreements will require the Borough of Woodbine to comply with all federal regulations with respect to citizen participation;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the Council of the Borough of Woodbine, County of Cape May and State of New Jersey, that:

The Citizen Participation Plan developed by the New Jersey Department of Community Affairs, Small Cities CDBG Program, is adopted by the Borough of Woodbine; and

The Borough of Woodbine will follow all regulations set forth in that document throughout the term of the Grant Agreement cited above, if awarded.

RESOLUTION NO. 8-82-2019

IDENTIFYING CDBG FAIR HOUSING OFFICER

Public Facilities Fund: Development of Americans with Disabilities Act (ADA)-compliant playground facilities at Eco-Park

WHEREAS, the Borough of Woodbine is applying for a Small Cities Community Development Block Grant from the New Jersey Department of Community Affairs (hereafter NJDCA) for funds to develop Americans with Disabilities Act (ADA)-compliant playground facilities at the Eco-Park, and;

WHEREAS, the Borough of Woodbine must make efforts to affirmatively further fair housing, and;

WHEREAS, the Borough of Woodbine has reviewed various actions that would be acceptable to the New Jersey State Department of Community Affairs and the U.S. Department of Housing and Urban Development;, and;

WHEREAS, the Borough of Woodbine has made assurances in the grant agreement that:

- (1) It will comply with the Housing and Community Development Act of 1974, as amended, and regulations issued thereto, and;
- (2) It will comply with the Civil Rights Act of 1964, and the regulations issued thereto it, and;
- (3) It will comply with the Fair Housing Act of 1968 and will affirmatively further fair housing, and;
- (4) It will comply with the Age Discrimination Act of 1975 and with the Rehabilitation Act of 1973.

NOW, THEREFORE, BE IT RESOLVED that Monserrate Gallardo, shall be designated as the Fair Housing Officer for the Borough of Woodbine, and;

BE IT FURTHER RESOLVED that the Fair Housing Officer shall contact USHUD Regional Office of Housing and Equal Opportunity and the NJ Division on Civil Rights, inform those agencies of her appointment as Fair Housing Officer and request Fair Housing Information, and;

BE IT FURTHER RESOLVED that the Fair Housing Officer shall provide fair housing advisory services and assistance and referral advice to persons requesting such assistance from the Borough of Woodbine, and;

BE IT FURTHER RESOLVED that the Borough of Woodbine will publish in the local newspaper of record and post at the municipal building a public notice announcing the appointment of the Fair Housing Officer and the availability of local fair housing services.

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

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

RESOLUTION NO. 8-83-2019

**TO COMMIT TO THE COMPETITIVE CONTRACTING PROCUREMENT PROCESS
PURSUANT TO
NJSA 40A:11-4.1 THROUGH 40A:11-4.5 FOR CERTAIN PROFESSIONAL SERVICES,
CONTINGENT UPON AN FY2020 SMALL CITIES GRANT AWARD FROM THE NEW
JERSEY DEPARTMENT OF COMMUNITY AFFAIRS TO DEVELOP AMERICANS
WITH DISABILITIES ACT (ADA)-COMPLIANT PLAYGROUND FACILITIES AT
THE WOODBINE ECO-PARK**

WHEREAS, the Borough of Woodbine intends to submit in September 2019 an application to the New Jersey Department of Community Affairs, Small Cities Public Facilities Fund to develop ADA-compliant playground facilities at the Woodbine Eco-Park; and,

WHEREAS, the Small Cities Program requires, in certain instances, that professional services associated with the implementation of a Small Cities award be procured through a Competitive Contracting process;

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Woodbine does hereby commit to authorize the issuance of Requests for Proposals (RFP), under the aforementioned State Competitive Contracting guidelines, for Professional Engineering Services and Grant Administration Services, contingent upon award of said Small Cities grant; and,

BE IT FURTHER RESOLVED, that the Borough Clerk will be directed to advertise these RFPs for a period of not less than 20 days in the Borough's official newspaper of record; that the Borough will strive to obtain three or more proposals; and the Borough will proceed with the RFP evaluation process if at least two proposals are received.

(signature)

William Pikolycky

Mayor

(signature)

Lisa Garrison

Borough Clerk

RESOLUTION NO. 8-84-2019

A RESOLUTION ADOPTING THE ANNUAL AUDIT REPORT FOR THE YEAR 2018

WHEREAS, N.J.S.A. 40A: 5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year 2017 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A: 5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations"; and

WHEREAS, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and,

upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Woodbine, hereby states that is has complied with N.J.A.C. 5-30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

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

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

RESOLUTION NO. 8-85-2019

APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR TAXIWAY B REHABILITATION - DESIGN

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 AERO-FAA-2020-WOODBINE BOROUGH-007 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. 8-86-2019

APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE FEDERAL AVIATION ADMINISTRATION (FAA) FOR TAXIWAY B REHABILITATION - DESIGN

WHEREAS, the Borough of Woodbine desires to apply and obtain a grant from the FAA for an amount not to exceed \$206,698 for the Taxiway B Rehabilitation Design for the Woodbine Airport.

NOW, THEREFORE, BE IT RESOLVED,

BE IT THEREFORE, RESOLVED,

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

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:

(signature)

William Pikolycky

Mayor

(signature)

Lisa Garrison

Borough Clerk

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

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

RESOLUTION NO. 8-86-2019

APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE FEDERAL AVIATION ADMINISTRATION (FAA) FOR TAXIWAY B REHABILITATION - DESIGN

WHEREAS, the Borough of Woodbine desires to apply and obtain a grant from the FAA for an amount not to exceed \$206,698 for the Taxiway B Rehabilitation Design for the Woodbine Airport.

NOW, THEREFORE, BE IT RESOLVED,

BE IT THEREFORE, RESOLVED,

- 1) that the Borough of Woodbine does hereby authorize the application for such a grant; and,
- 2) recognizes and accepts that the FAA may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the FAA, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the FAA, does

further authorize the expenditure of funds pursuant to the terms of the agreement between the Borough of Woodbine and the Federal Aviation Administration.

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:

(signature)

William Pikolycky

Mayor

(signature)

Lisa Garrison

Borough Clerk

RESOLUTION NO. 8-87-2019

REFUND OVERPAYMENT AND SECURITY DEPOSIT ON HANGAR LEASE

WHEREAS, the tenant of Hangar D-5 has requested to terminate his lease agreement prior to the expiration of said lease; and

WHEREAS, upon the termination of the lease another tenant has requested to lease said hangar; and

WHEREAS, the Borough of Woodbine has collected lease payments in advance totaling \$975.00 which has created an overpayment and a security deposit of \$325.00; and

WHEREAS, the lease agreement has been terminated; and

WHEREAS, the Borough Clerk of the Borough of Woodbine has determined that said overpayment and security deposit should be refunded to the below listed:

<u>HANGAR NO.</u>	<u>ACCOUNT NO.</u>	<u>NAME</u>	<u>AMOUNT</u>
D-5	927-0	Leon Grisbaum 539 Breakwater Road Cape May, NJ 08204	\$1,200.00

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 Chief Financial Officer is hereby authorized to execute said refund and that the Borough Clerk should mark her records accordingly.

On motion of Councilman Bennett, seconded by Councilman Johnson 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. 8-88-2019

**ACCEPTANCE OF PROJECT
CLEARING OF WOODBINE ECO-PARK PHASE 2**

WHEREAS, Jonathon Hand Excavating, Inc. of Cape May Court House, New Jersey was previously awarded a contract for the project known as Clearing of Woodbine Eco-Park Phase 2; and

WHEREAS, the Borough Engineer, Bruce S. Graham of Van Note-Harvey Associates, has determined that the work on this project has been completed substantially 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 payments including release of all retainages as authorized under the contract be made thereon to Jonathon Hand Excavating, Inc.

RESOLUTION NO. - 8-89-2019

**APPROVAL TO SUBMIT A DISCRETIONARY AID GRANT APPLICATION AND
EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF
TRANSPORTATION FOR CONSTRUCTION OF STREETSCAPE IMPROVEMENTS**

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 2020 LAIF— STREETSCAPE IMPROVEMENTS--00001 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 Ortiz, seconded by Councilman Johnson to approve the foregoing resolution, unanimously carried.

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

RESOLUTION NO. 8-90-2019

**RESOLUTION ADOPTING THE
EMERGENCY RELOCATION PLAN FOR THE ELECTIONS**

WHEREAS, the Borough of Woodbine Office of Emergency Management along with the Borough Clerk has created an Emergency Relocation Plan in order to ensure that the Elections are conducted unimpeded throughout the course of the day and to safeguard the rights of all qualified voters in the Township; and

WHEREAS, the Mayor and Council has deemed it in to be in the best interest of the Borough to adopt the Emergency Relocation Plan.

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

1. The allegations of the preamble are incorporated herein by this reference.
2. The Mayor and Council hereby adopts the Borough of Woodbine Relocation Plan for the Elections.
3. The Borough Council expressly reserves the right to amend or review said Emergency Relocation Plan at any time it deems it appropriate.

RESOLUTION NO. 8-91-2019

**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 2019 in the sum of \$25,100.00, which item is now available as a revenue from the United States Department of Agriculture.

Section 2.

BE IT FURTHER RESOLVED that a like sum of \$25,100.00 is hereby appropriated under the caption of USDA Food Bank Phase III.

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

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

Unfinished Business: None

New Business: None

Engineer's Report – None

Solicitor's Report: None

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

Public Comment: None.

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

Respectfully submitted,

Lisa Garrison
Borough Clerk

