

**BOROUGH OF WOODBINE
REGULAR MEETING**

**August 19, 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, Benson and Cruz. Also present were: Richard Tonetta, Borough Solicitor; Bruce Graham, Borough Engineer; Van Note-Harvey Associates; Kan Liu, Airport Engineer; Michael Zumpino, Triad Associates; and Lisa Garrison, Borough Clerk. Absent: Councilwoman Perez

Mayor Pikolycky called for the following resolutions:

RESOLUTION NO. 8-75-2021

**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 2021 in the sum of \$45,700.00, which item is now available as a revenue from New Jersey Clean Energy.

Section 2.

BE IT FURTHER RESOLVED that a like sum of \$45,700.00 is hereby appropriated under the caption of NJ Clean Energy Street Lighting Project.

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

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

RESOLUTION NO. 8-76-2021

**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:

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 12 Lot 5 713 Jackson Ave	\$220.00
Block 25 Lot 6 414 Jackson Ave	\$140.00
Block 31 Lot 5 401 Washington Ave	\$140.00
Block 32 Lot 2 341 Washington Ave	\$220.00
Block 67 Lot 9 705-709 De Hirsch Ave	\$220.00
Block 70 Lot 10 518 Monroe Ave	\$220.00

RESOLUTION NO. 8-77-2021

**RESOLUTION AUTHORIZING THAT A CLAIMANT CERTIFICATION BE WAIVED
IN TRANSACTIONS LESS THAN \$50.00**

WHEREAS, the Division of Local Government Services issued a Local Finance Notice 2018-13, updating Local Units on various financial matters including claimant certifications; and

WHEREAS, N.J.A.C. 5:30-9A.6(c) and 5:31-4.1 contains significant changes to the requirement for a claimant certification that gives local units discretion to not require claimant certification under certain circumstances; and

WHEREAS, the Chief Financial Officer and the Qualified Purchasing Agent of the Borough of Woodbine have determined that it is in the best interest of the Borough to waive such certification for matters less than or equal to \$50.00; and

WHEREAS, the Borough has sufficient internal controls to ensure that no payment is authorized without the receipt of goods or services; and

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 this Resolution shall constitute an authorization that a claimant certification may be waived for transactions less than or equal to \$50.00.

BE IT FURTHER RESOLVED that the duration of this Resolution shall be until December 31, 2021.

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

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

RESOLUTION NO. 8-78-2021

REFUND OVERPAYMENT ON PROPERTY TAXES

WHEREAS, the Tax Collector of the Borough of Woodbine has collected from the below listed excess on their 2020 property taxes; and

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

WHEREAS, the Tax Collector of the Borough of Woodbine has determined that said overpayment should be refunded accordingly to the below listed:

<u>BLOCK</u>	<u>LOT</u>	<u>NAME</u>	<u>AMOUNT</u>	<u>REASON</u>
102	1.02	Rebecca Meeks 1101 Morris Ave	\$474.75	Veteran Exemption

Woodbine, NJ 08270

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 Tax Collector should mark her records accordingly.

RESOLUTION NO. 8-79-2021

**RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT WITH THE
CAPE MAY COUNTY MUNICIPAL UTILITIES AUTHORITY FOR SOLID WASTE
DISPOSAL AND RECYCLING SERVICES**

WHEREAS, the Cape May County Municipal Utilities Authority (“CMCMUA”/”Authority”) has designed, financed, acquired, constructed, expanded, and currently operates a solid waste management system (“system”) which presently serves the entire County of Cape May in the State of New Jersey, for the disposal, transfer, and recycling of solid waste; and

WHEREAS, the Borough of Woodbine has utilized and desires to continue to utilize the services of the CMCMUA’s System; and

WHEREAS, there presently exists a contract between the Borough of Woodbine and the Authority for the use of the CMCMUA’s System for the disposal, transfer, and recycling of solid waste entitled “Shared Services Agreement for Solid Waste Disposal and Recycling Services” (“Agreement”) which will expire on December 31, 2021; and

WHEREAS, the Borough of Woodbine and the Authority desire to enter into a new Agreement and to fix the expiration date of said Agreement to occur on December 31, 2022; and

WHEREAS, the Authority has offered the “Shared Services Agreement for Solid Waste Disposal and Recycling Services” to the Borough of Woodbine in order to more efficiently provide and continue to offer municipalities within Cape May County the use of the CMCMUA’s System from January 1, 2022 through December 31, 2022; and

WHEREAS, the Authority has submitted the same proposed form of Agreement to all Cape May County Municipalities which will provide for both Solid Waste disposal and certain recycling services through December 31, 2022; and

WHEREAS, N.J.S.A. 40A:65-1 et seq. the Uniform Shared Services and Consolidation Act, authorizes a municipality to enter into a contract with any other local unit for the sharing of governmental services.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of Woodbine, County of Cape May, and State of New Jersey, that the Borough of Woodbine shall enter into a contract with the Authority entitled “Shared Services Agreement for Solid Waste

Disposal and Recycling Services”, effective January 1, 2022, in the form to be maintained on file in the office of the Borough Clerk, and that the appropriate Borough officials are hereby authorized and directed to execute said Agreement.

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

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

RESOLUTION NO. 8-80-2021

APPROVAL TO ISSUE A REQUEST FOR PROPOSALS, UNDER STATE COMPETITIVE CONTRACTING GUIDELINES, FOR ENGINEERING AND GRANT ADMINISTRATIVE SERVICES PURSUANT TO A FY2021 SMALL CITIES AWARD TO THE BOROUGH OF WOODBINE TO COMPLETE WATER INFRASTRUCTURE AND ADA COMPLIANT IMPROVEMENTS ON ADAMS AVENUE AND FRANKLIN STREET

WHEREAS, the Borough of Woodbine has been awarded a grant from the New Jersey Department of Community Affairs, Small Cities Public Facilities Fund for water infrastructure and ADA compliant improvements to Adams Avenue and Franklin Street;

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;

BE IT THEREFORE, RESOLVED, that the Borough of Woodbine does hereby authorize the issuance of a Request for Proposals (RFP), under State Competitive Contracting Guidelines, for Professional Engineering Services and Professional Grant Administration Services pursuant to the aforementioned Small Cities grant; and

BE IT FURTHER RESOLVED, that the Borough Clerk is directed to advertise this RFP for a period of not less than 20 days in the Borough’s official newspaper of record.

(signature)

William Pikolycky

Mayor

(signature)

Lisa Garrison

Borough Clerk

RESOLUTION NO. 8-81-2021

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 2021 in the sum of \$32,000.00, which item is now available as a revenue from New Jersey Department of Transportation Federal Aviation Administration.

Section 2.

BE IT FURTHER RESOLVED that a like sum of \$32,000.00 is hereby appropriated under the caption of FAA American Recovery Plan Act.

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

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

RESOLUTION NO. 8-82-2021

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 2021 in the sum of \$78,500.00, which item is now available as a revenue from United States Department of Agriculture.

Section 2.

BE IT FURTHER RESOLVED that a like sum of \$78,500.00 is hereby appropriated under the caption of USDA RDBG Airport Feasibility Study.

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.

RESOLUTION NO. 8-83-2021

**APPROVING FIFTH AMENDMENT TO LETTER OF INTENT
WITH NEXAMP, INC.**

WHEREAS, the Borough of Woodbine has entered into a Letter of Intent (LOI) with Nexamp, Inc., for a long-term lease of a portion of property located at Fidler Hill Road, Woodbine, New Jersey consisting of all or part of Block 117, Lot 1 on the Tax Map of the Borough of Woodbine and as generally depicted in Exhibit B of the LOI (“Property”), for the installation and operation of a ground-mounted, solar-powered electric generation facility, and the LOI included an option period of six (6) months, until October 19, 2019, for Landlord and Tenant to enter into a Lease Agreement; and

WHEREAS, Landlord and Tenant entered into an Amendment to the LOI, dated October 17, 2019, extending the LOI and the option period therein until April 19, 2020; and

WHEREAS, Landlord and Tenant entered into a second Amendment to the LOI, dated May 7, 2020, extending the LOI and the option period therein until October 19, 2020.

WHEREAS, Landlord and Tenant entered into a third Amendment to the LOI, dated December 3, 2020, extending the LOI and the option period therein until January 19, 2021.

WHEREAS, Landlord and Tenant entered into a fourth Amendment to the LOI, dated January 20, 2021, extending the LOI and the option period therein until July 19, 2021.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of Woodbine that the LOI dated April 19, 2019 between the Borough of Woodbine and Nexamp, Inc., amended on October 17, 2019, amended on December 3, 2020 and further amended on January 20, 2021 is hereby further amended to extend the LOI and the option period therein until January 19, 2021.

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute a second amendment to the agreement extending the term as stipulated above, which shall be retained by the Borough Clerk and included along with this Resolution.

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

RESOLUTION NO. 8-84-2021

RESOLUTION AUTHORIZING THE EXECUTION OF A NEW JERSEY INTEROPERABLE COMMUNICATIONS USER AGREEMENT BY AND BETWEEN THE NEW JERSEY OFFICE OF INFORMATION TECHNOLOGY, TRENTON, NEW JERSEY AND THE BOROUGH OF WOODBINE

WHEREAS, the New Jersey office of Information Technology (NJOIT) is responsible for administering the Public Safety Interoperable Communications (PSIC) Grant on behalf of municipalities for the replacement or costly upgrades required by the FCC's Narrowbanding mandate; and

WHEREAS, NJOIT, with the cooperation of local, county and state agencies, have funds available for the construction of a Statewide, 700MHz Trunked Radio System to improve interoperable communications capabilities among first responders and provide 95% of street coverage from a hand held portable radio; and

WHEREAS, the NJOIT and the Borough of Woodbine intend to execute a New Jersey Interoperable Communications System User Agreement (Agreement) to outline their respective obligations to accomplish the goals to replace and upgrade the trunked radio system in accordance with the grant agreement; and

WHEREAS, the Agreement requires the appointment of a Liaison Officer for the purpose as described in Section III(I) of the Agreement; and

WHEREAS, the Borough Council finds it to be in the best interest of the Borough to enter into the User Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Woodbine that the Mayor and Clerk are authorized to execute a New Jersey Interoperable Communications System User Agreement in the form and substance as attached hereto and make a part hereof.

BE IT FURTHER RESOLVED that Lisa Garrison, Clerk of the Borough of Woodbine, is hereby appointed as Liaison Officer in accordance with the said Agreement.

Unfinished Business – None

New Business – Mr. Zumpino, Triad Associates, reported that the Small Cities application for the Clay/Madison water main and ADA improvements will be submitted in September. DOT funds will be utilized as a cash match. An email had been received regarding the Booker/Menendez Earmark Funds in the amount of \$800,000 for the Bikeway/Trails program stating the Borough's application had been chosen and recommended for the funding. Interest has been received regarding Solar Cannabis. Looking for a 25-30 acre parcel with a building. Several sites were reviewed. The purpose will be for cultivation and distribution to other entities. The benefits to locate to the Borough would be a solar array to tap into. The company will be submitting an RFP to the State for a license on August 21, 2021.

EFI Tornado caused damage to Ocean World. Ocean world is pursuing various resources for financial assistance with the possibility of COVID funding.

Engineers Report - None

Airport Engineer's Report - Mr. Liu reviewed his prepared report on current projects and future projects at the airport.

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 Councilman Benson, seconded by Councilman Ortiz to adjourn, unanimously carried.

Respectfully submitted,

Lisa Garrison
Borough Clerk

