

**BOROUGH OF WOODBINE
REGULAR MEETING**

**AUGUST 20, 2020
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 3, 2020 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), Benson, and Cruz. Also present were: Richard Tonetta, Esq.; Bruce Graham, Borough Engineer (via telephone) ; Michael Zumpino, Grant Consultant (via telephone); Kan Liu, Airport Engineer (via telephone); James Gurdgiel, PW Supervisor and Lisa Garrison, Borough Clerk.

Mayor Pikolycky called for the approval of minutes of July 16, 2020. On motion of Councilman Bennett, seconded by Councilman Johnson to approve the minutes of July 16, 2020, unanimously carried.

At this time Mayor Pikolycky called for the Introduction of Proposed Ordinance No. 588-2020, “ Bond Ordinance Appropriation Nine Hundred ninety-Nine Thousand Seven Hundred Seventy Dollars (\$999,770) and Authorizing the Insurance of Nine Hundred ninety-Nine Thousand Seven Hundred Seventy Dollars (\$999,770) in Bonds and Notes of the Borough of Woodbine, in the County of cape May, New Jersey for the Environmental Site Remediation of the Former Woodbine Hat Company in the Borough of Woodbine, in the County of Cape May, New Jersey”.

PROPOSED ORDINANCE NO. 588-2020

BOND ORDINANCE APPROPRIATING NINE HUNDRED NINETY-NINE THOUSAND SEVEN HUNDRED SEVENTY DOLLARS (\$999,770) AND AUTHORIZING THE ISSUANCE OF NINE HUNDRED NINETY-NINE THOUSAND SEVEN HUNDRED SEVENTY DOLLARS (\$999,770) IN BONDS AND NOTES OF THE BOROUGH OF WOODBINE, IN THE COUNTY OF CAPE MAY, NEW JERSEY FOR THE ENVIRONMENTAL SITE REMEDIATION OF THE FORMER WOODBINE HAT COMPANY IN THE BOROUGH OF WOODBINE, IN THE COUNTY OF CAPE MAY, NEW JERSEY

THE BOROUGH COUNCIL OF THE BOROUGH OF WOODBINE IN THE COUNTY OF CAPE MAY, NEW JERSEY (not less than two-thirds of the full membership thereof affirmatively concurring), DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Appropriation for Project-Down Payment

The improvements described in Section 3 of this Bond Ordinance are hereby respectfully authorized as general improvements to be made or acquired by the Borough of Woodbine, in the County of Cape May, New Jersey (the "Township"). For said improvements or purposes stated in Section 3, there are hereby appropriated the sums of money therein stated as the appropriations made for said improvements or purposes, said sums being inclusive of all appropriations heretofore made therefore and amounting in the aggregate to NINE HUNDRED NINETY-NINE THOUSAND SEVEN HUNDRED SEVENTY DOLLARS (\$999,770). No down payment is appropriated in accordance with N.J.S.A. 40A:2-11(c) as this Bond Ordinance authorizes obligations solely for projects that will be funded by an Emergency Community Water Assistance Grant administered through the United States Department of Agriculture, Rural Development Program.

Section 2. Authorization of Bonds

For the financing of said improvements or purposes and to meet the NINE HUNDRED NINETY-NINE THOUSAND SEVEN HUNDRED SEVENTY DOLLARS (\$999,770) appropriation, negotiable bonds of the Township are hereby authorized to be issued in the maximum principal amount of NINE HUNDRED NINETY-NINE THOUSAND SEVEN HUNDRED SEVENTY DOLLARS (\$999,770) pursuant to the Local Bond Law of New Jersey (the "Local Bond Law") and any other law applicable thereto. Such bonds shall bear interest at the rate of rates per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be authorized by resolution of the Township Committee.

Section 3. Description of Projects

The improvements hereby authorized and the purposes for the financing of which said obligations are to be issued, the appropriations made for and the estimated costs of such purposes (including all work or materials necessary therefore or incidental thereto), and the estimated maximum amount of bonds or notes to be issued for such purposes are as follows:

IMPROVEMENT OR <u>PURPOSE</u>	APPROPRIATION AND <u>ESTIMATED COST</u>	AMOUNT OF BONDS <u>OR NOTES</u>
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Environmental Site Remediation of the Former Woodbine Hat Company property located at 413 Adams Avenue, including without limitation all other necessary or desirable structures, appurtenances, work, equipment and materials required for the project, all as shown on and in accordance with the plans and specifications therefore on file in the office of the Borough Clerk and hereby approved, including the costs of demolition, surveying, construction planning, engineering, preparation of plans and specifications, permits, bid documents and construction inspection and administration.

\$999,770

\$999,770

Section 4. Authorization of Notes

In anticipation of the issuance of said bonds and to temporarily finance said improvements, negotiable notes of the Borough in a principal amount equal to the said principal of bonds not exceeding NINE HUNDRED NINETY-NINE THOUSAND SEVEN HUNDRED SEVENTY DOLLARS (\$999,770) are hereby authorized to be issued pursuant to the limitations prescribed by the Local Bond Law. All such note(s) shall mature at such time as may be determined by the Chief Financial Officer or such other Financial Officer designated by Resolution for these purposes (both being hereinafter referred to in this Section as Chief Financial Officer); provided that no note shall mature later than one (1) year from its issue date. Such note(s) shall bear interest at a rate or rates and shall be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with any note(s) issued pursuant to this Ordinance, and the signature of the Chief Financial Officer upon such note(s) shall be conclusive evidence as to all such determinations. The Chief Financial Officer is hereby authorized to sell the note(s) from time to time at public or private sale in such amounts as the Chief Financial Officer may determine and not less than par, and to deliver the same from time to time to the purchasers thereof upon receipt of the purchase price plus accrued interest from their dates to the date of delivery thereof as payment thereof. Such Chief Financial Officer is authorized and directed to report in writing to the Mayor and the Committee of the Borough at the meeting next succeeding the date when any sale or delivery of the note(s) pursuant to this Ordinance is made. Such report shall include the amount, the description, the interest rate, the maturity schedule of the note(s) sold, price obtained and the name of the purchaser. All note(s) issued hereunder may be renewed from time to time for periods not exceeding one (1) year for the time period specified in and in accordance with the provisions and limitations of N.J.S.A. 40A:2-8(a) of the Local Bond Law. The Chief Financial Officer is further directed to determine all matters in connection with said note or notes and not determined by this Ordinance. The Chief Financial Officer's signature upon said note(s) shall be conclusive evidence of such determination.

Section 5. Capital Budget

The capital budget of the Borough of Woodbine is hereby amended to conform with the provisions of this bond ordinance. The resolution in the form promulgated by the Local Finance Board showing full detail of the capital budget and capital program is on the file with the Clerk and is available there for public inspection.

Section 6. Additional Matters

The following additional matters are hereby determined, declared and recited and stated:

(a) The said purposes described in Section 3 of this Bond Ordinance are not current expenses and are properties or improvements which the Borough may lawfully require or make as a general improvement, and no part of the cost thereof has been or shall be specifically assessed on property specifically benefited thereby.

(b) The period of usefulness of said purposes authorized herein as determined in accordance with the Local Bond Law is forty (40) years.

(c) The supplemental debt statement required by the Local Bond Law has been duly prepared and filed in the office of the Township Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by NINE HUNDRED NINETY-NINE THOUSAND SEVEN HUNDRED SEVENTY DOLLARS (\$999,770), and the said obligations authorized by this bond ordinance will be within the debt limitations prescribed by the Local Bond Law.

(d) Amounts not exceeding FOUR HUNDRED SIXTY THOUSAND DOLLARS (\$460,000) in the aggregate for interest on said obligations, costs of issuing said obligations, architectural, engineering and inspection costs, legal expenses, a reasonable proportion of the compensation and expenses of employees of the Borough in connection with the acquisition of such improvements and properties as authorized herein, and other items of expense listed in and permitted under Section 40A:2-20 of the Local Bond Law have been included as part of the costs of said improvements and are included in the foregoing estimate thereof.

Section 7. Ratification of Prior Actions

Any action taken by any officials of the Borough in connection with the improvements described in Section 3 hereof are hereby ratified and confirmed notwithstanding that such actions may have been taken prior to the effective date of this bond ordinance and shall be deemed to have been taken pursuant to this bond ordinance.

Section 8. Application of Grants

Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. Full Faith and Credit

The full faith and credit of the Borough are hereby pledged to punctual payment of the principal and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all of the taxable property within the Borough for the payment of said obligations and interest thereon without limitation of rate or amount.

Section 10. Official Intent to Reimburse Expenditures

The Borough reasonably expects to reimburse any expenditures towards the cost of the improvements or purposes described in Section 3 of this Bond Ordinance and paid prior to the issuance of any bonds or notes authorized by this Bond Ordinance with the proceeds of such bonds or notes. No funds from sources other than the bonds or notes authorized herein has been or is reasonably expected to be reserved, allocated on a long-term basis or otherwise set aside by the Borough, or any member of the same "control group" as the Borough, within the meaning of Treasury Regulations Section 1.150-1(f), pursuant to their budget or financial policies with respect to any expenditures to be reimbursed. This Section is intended to be and hereby is a declaration of the Borough's official intent to reimburse any expenditures towards the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations Section 1.103-18, and no action (or inaction) will be an artifice or device in accordance with Treasury Regulation Section yield restrictions or arbitrage rebate requirements.

Section 11. Grant Funding

The Borough expects to finance the cost of the improvements stated in Section 1, above, through participation in a grant program entitled the Emergency Community Water Assistance Grant ("ECWAG") administered through the United States Department of Agriculture, Rural Development Program ("USDA"). The Mayor, Deputy Mayor, Chief Financial Officer, Borough Administrator and Clerk of the Borough are hereby jointly and severally authorized and directed to take all actions and execute all documents and instruments necessary or appropriate to carry out the purposes of this Bond Ordinance, including, without limitation, the furnishing of such documentation and information as may be required by USDA in connection with the ECWAG. All prior actions taken by such officials in connection with the financing program authorized by this Bond Ordinance are hereby ratified and confirmed.

Section 12. Effective Date

This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law.

On motion of Councilman Cruz, seconded by Councilman Ortiz to approve the introduction of the foregoing proposed ordinance with public hearing to be held on September 3, 2020, unanimously carried upon roll call vote. Ayes: Ortiz, Johnson, Bennett, Perez, Benson, Cruz

Mayor Pikolycky called for the following resolutions:

RESOLUTION NO. 8-81-2020

RESOLUTION ACCEPTING A GRANT FROM THE UNITED STATES OF AMERICA ACTING THROUGH RURAL UTILITIES SERVICE, DEPARTMENT OF AGRICULTURE FOR AN EMERGENCY COMMUNITY WATER ASSISTANCE GRANT

WHEREAS, an application had been submitted and a grant has been awarded in the amount of \$999,770.00 from the United States of American acting through Rural Utilities Service, Department of Agriculture for an Emergency Community Water Assistance Grant for the Environmental Site Remediation of the Former Woodbine Hat Company property located at 413 Adams Avenue.

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 and Borough Clerk are hereby authorized to execute grant documents as an authorized representative thereunder, as the representative for the Borough of Woodbine.

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

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

RESOLUTION NO. 8-82-2020

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 2020 in the sum of \$200.00, which item is now available as a revenue from County of Cape May.

Section 2.

BE IT FURTHER RESOLVED that a like sum of \$200.00 is hereby appropriated under the caption of Municipal Alliance Grant.

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. 8-83-2020

**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 2020 in the sum of \$475,028.00, which item is now available as a revenue from the Federal Aviation Administration.

Section 2.

BE IT FURTHER RESOLVED that a like sum of \$475,028.00 is hereby appropriated under the caption of FAA Taxiway B Rehabilitation Construction Phase II.

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 Cruz 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. 8-84-2020

**RENEWAL OF PLENARY RETAIL CONSUMPTION AND DISTRIBUTION
LICENSES AND CLUB LICENSES FOR THE TERM FROM JULY 1, 2020 TO JUNE
30, 2020 FOR THE LICENSES HEREIN SPECIFIED**

WHEREAS, the holders of Plenary Retail Consumption Licenses, Plenary Retail Distribution Licenses and Club Licenses hereinafter indicated have made application to the Mayor and Council of the Borough of Woodbine, the issuing authority of the Borough of Woodbine, for the renewal of said licenses for the term commencing July 1, 2020 and ending June 30, 2021; and

WHEREAS, no written objections to the renewal of any of said licenses have been filed with the Borough Clerk necessitating a hearing thereon; and

WHEREAS, the Mayor and Council are satisfied that the licenses hereinafter specified should be renewed for the term indicated.

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

1. The allegations of the preamble are incorporated herein by this reference.
2. The applications for renewal hereinafter designated have paid all required fees to the Borough Clerk.
3. The submitted application forms as to each of the hereinafter designated licensees are complete in all respects.
4. The hereinafter designated applicants for renewal are qualified to be licensees according to all standards established by Title 33 of the New Jersey Statutes, regulations and promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33.
5. The applicants for renewal have heretofore disclosed the source of all funds used in the purchase of the license and licensed business and this issuing authority is satisfied with the disclosure and adequacy of that information.
6. The following licenses are hereby renewed for the license term commencing July 1, 2020 and ending on June 30, 2021.

Name of Licensees and Licensed Premises

License Numbers

R&S LLC
2051 Route 610
Woodbine, New Jersey 08270

0516-33-001-010
PRC

7. A certified copy of this Resolution shall be forthwith filed with the Director of Alcoholic Beverage Control of the State of New Jersey.

RESOLUTION NO. 8-85-2020

A RESOLUTION ADOPTING THE ANNUAL AUDIT REPORT FOR THE YEAR 2019

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 2019 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 Benson, seconded by Councilman Johnson to approve the foregoing resolution, unanimously carried.

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

RESOLUTION NO. 8-86-2020

APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS FOR THE RECONSTRUCTION OF PORTIONS OF ADAMS AND FRANKLIN AVENUES AND RELATED INFRASTRUCTURE

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 reconstruction of portions of Adams and Franklin Avenues and related infrastructure;

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)

(signature)

William Pikolycky

Mayor

Lisa Garrison

Borough Clerk

RESOLUTION NO. 8-87-2020

GRANT MANAGEMENT PLAN

FY 2021 Small Cities Programs

Public Facilities Fund: Reconstruction of portions of Adams and Franklin Avenues

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 reconstruction of portions of Adams and Franklin Avenues and related infrastructure 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.

This is to certify that the foregoing Resolution was duly adopted at a Regular Meeting of the Woodbine Borough Council which was held on August 20, 2020.

On motion of Councilman Ortiz, seconded by Councilman Cruz 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. 8-88-2020

IDENTIFYING CDBG FAIR HOUSING OFFICER

Public Facilities Fund: Reconstruction of portions of Adams and Franklin Avenues

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 reconstruction portions of Adams and Franklin Avenues, 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.

RESOLUTION NO. 8-89-2020

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 FY2021 SMALL CITIES GRANT AWARD FROM THE NEW
JERSEY DEPARTMENT OF COMMUNITY AFFAIRS TO CARRY OUT STREET
RECONSTRUCTION OF PORTIONS OF ADAMS AND FRANKLIN AVENUES AND
RELATED INFRASTRUCTURE**

WHEREAS, the Borough of Woodbine intends to submit in September 2020 an application to the New Jersey Department of Community Affairs, Small Cities Public Facilities Fund to reconstruct portions of Adams and Franklin Avenues and related infrastructure; 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;

BE IT THEREFORE, 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

On motion of Councilman Cruz, 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. 8-90-2020

CITIZEN PARTICIPATION PLAN

FY 2021 Small Cities Programs

Public Facilities Fund: Reconstruction of portions of Adams and Franklin Avenues and related infrastructure

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. 8-91-2020

RESOLUTION AUTHORIZING JOSEPH M. WEINBERG TO SUBLET HANGAR B-5 TO MATTHEW REEVES IN ACCORDANCE WITH THE LEASE AGREEMENT BY AND BETWEEN THE BOROUGH AND JOSEPH M WEINBERG

WHEREAS, the Borough of Woodbine is the owner of certain real estate and improvements thereon commonly referred to as the Woodbine Airport; and

WHEREAS, the Borough leases land and improvements to tenants as hangars to keep and maintain aircraft owned by tenants; and

WHEREAS, Hangar B-5 is presently leased to Joseph M. Weinberg in accordance with a lease agreement dated September 1, 2019 (Lease) which, at ¶ 6 therein allows the tenant to sublet the Hangar provided the Borough consents thereto; and

WHEREAS, Joseph M. Weinberg has requested approval to sublet Hangar B-5 to Matthew Reeves without releasing Joseph M. Weinberg from the term of the Lease; and

WHEREAS, the Utilities Administrator has no objection to the request to sublet under the same terms and conditions of the Lease with Joseph M. Weinberg being the responsible party providing all information regarding the aircraft stored in Hangar B-5 is provided to the Borough. Including an FAA Aircraft Registration Certificate evidencing Matthew Reeves as owner or part owner of the aircraft stored therein.

NOW THEREFORE BE IT RESOLVED by the Council of the Borough of Woodbine that Joseph M. Weinberg may assign the Lease for Hangar B-5 to Matthew Reeves provided an FAA Aircraft Registration Certificate is presented to the Borough evidencing Matthew Reeves as owner/part owner of the aircraft stored therein.

On motion of Councilman Johnson, seconded by Councilman Bennett 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. 8-92-2020

AWARD OF CONTRACT FOR FOOD BANK PHASE III

CONTRACT #2

WHEREAS, sealed bids were received on July 28, 2020 by the Borough for the Food Bank Phase III Project; and

WHEREAS, Charles Marandino LLC of Milmay, NJ submitted the only bid received which is summarized as follows:

Bidder

Bid

Charles Marandino, LLC

\$11,690.00

WHEREAS, the Chief Financial Officer certifies that funds are available for this Contract in accordance with N.J.A.C. 5:30-5.4; and

WHEREAS, the bid of Charles Marandino LLC 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 Charles Marandino LLC in the amount of \$11,690.00, subject to concurrence with said award by the US Department of Agriculture, the agency funding this project; and

BE IT FURTHER RESOLVED that upon approval by the above noted funding agencies the Mayor and Clerk are hereby authorized to execute all documents necessary to effectuate a contract with Charles Marandino LLC for this project.

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

RESOLUTION NO. 8-93-2020

AUTHORIZING THE HIRING OF TRIAD ADVISORY SERVICES, INC. t/a TRIAD ASSOCIATES TO PROVIDE GRANT SERVICES FOR THE PREPARATION AND PROCESSING OF NJDCA SMALL CITIES PUBLIC FACILITIES APPLICATION FOR THE ADA STREET IMPROVEMENTS

WHEREAS, the Governing Body of the Borough of Woodbine entered into a Professional Services Agreement - General Services Contract on January 2, 2020 with Triad Advisory Services, Inc. (trading as Triad Associates) for ongoing professional services for obtaining grant money for the Borough; and

WHEREAS, the Borough of Woodbine desires to apply for funding from New Jersey

Department of Community Affairs; and

WHEREAS, the Borough is desirous of hiring Triad Associates to prepare and submit the application to the New Jersey Department of Community Affairs; 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, in the amount of \$14,200.00 as submitted; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Woodbine that the attached 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.

Unfinished Business: None

New Business:

Reports, FEMA etc. – Mayor Pikolycky issued his concerns regarding the state of property maintenance in the Borough. Mr. Graham, Code Enforcement Officer, will prepare a list for the Clerk to send out letters. Also of concern to the Mayor was the leaf/brush pickup schedule. Mr. Gurdgiel reviewed other municipalities schedules and it was concurred to switch to two (2) pickups a year. It was also determined that if a property is serviced by a landscaper the landscaper must dispose of the residue. Mr. Gurdgiel will prepare the new regulations to be disseminated in the tax bills.

Engineer's Report – None

Airport Engineer's Report-

Helicopter Apron Project – Waiting on FAA closeout of the project to submit final invoice.

Taxiway B Design Phase I & III – continuing the design for bid package Phase I (2021) and Phase III (2022)

Taxiway B Construction Phase II - preconstruction meeting to be held during the week of the 24th and in the process of gathering data sheets and material submittals.

Solicitor's Report: None

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

Public Comment: None

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

Respectfully submitted,

Lisa Garrison
Borough Clerk

