

**BOROUGH OF WOODBINE
REGULAR MEETING**

**SEPTEMBER 16, 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, Perez and Cruz . Also present were: Richard Tonetta, Borough Solicitor; Bruce Graham, Borough Engineer; Brian Prohowich, Van-Note Harvey Associates; Kan Liu, Airport Engineer; James Gurdziel, Public Works Supervisor and Lisa Garrison, Borough Clerk. Councilman Benson was absent.

The Pledge of Allegiance was led by Mayor Pikolycky.

Mayor Pikolycky called for approval of the minutes of September 2, 2021. On motion of Councilman Ortiz, seconded by Councilman Johnson to approve the minutes of September 2, 2021, carried with one (1) abstention by Councilman Cruz.

Mayor Pikolycky next called for the following resolutions:

RESOLUTION NO. 9-99-2021

RESOLUTION AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICE AGREEMENT BY AND BETWEEN THE BOROUGH OF WOODBINE AND VAN NOTE-HARVEY ASSOCIATES, CAPE MAY COURT HOUSE, NEW JERSEY TO PROVIDE ENGINEERING SERVICES FOR THE FY 2021 SMALL CITIES PROJECT – WATER SYSTEMS AND ROADWAY IMPROVEMENTS (ADAMS & FRANKLIN)

WHEREAS, the Borough of Woodbine is the recipient of a grant from the New Jersey Department of Community Affairs, Small Cities Program for Water Systems and Roadway Improvements of Franklin Street and Adams Avenue; and

WHEREAS, on May 20, 2021, the Council of the Borough of Woodbine adopted Resolution No. 5-54-2021 authorizing requests for proposals (RFP) Engineering services in accordance with State of New Jersey policy, Competitive Contracting Guidelines, N.J.S.A. 40A:11-4.1 et seq.; and

WHEREAS the appropriate Borough official prepare a request for proposals (RFP) which allows for full and free competition between professionals which is based upon an evaluation and ranking in accordance with NJ.S.A. 40A:11-4.4; and

WHEREAS, the appropriate Borough official has evaluated all proposals in accordance with the ranking described in the RFP and after reviewing the same recommended the award of a contract for engineering services for Water Systems and Roadway Improvements of Franklin

Street and Adams Avenue to Van Note-Harvey Associates, Cape May Court House, New Jersey, contingent upon said report being available to the public.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Woodbine that the Mayor and Clerk are authorized to execute a Professional Service Agreement with Van Note-Harvey Associates, Cape May Court House, New Jersey for professional engineering services in accordance with the FY2021 Small Cities Award and contingent upon New Jersey Department of Community Affairs approval.

BE IT FURTHER RESOLVED that the Borough Clerk shall cause to be published a notice in the official newspaper summarizing the award of contract including the nature, duration, amount of the contract, name of professional, a statement that the resolution and contract are on file in the office of the Borough Clerk.

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

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

RESOLUTION NO. 9-100-2021

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:

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 12 Lot 5	\$220.00
713 Jackson Ave	

Block 25 Lot 6	\$140.00
414 Jackson Ave	

Block 32 Lot 2
341 Washington Ave

\$540.00

Block 59 Lot 7
828 Heilprin Ave

\$220.00

RESOLUTION NO. 9-101-2021

RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDATORY SUPPLEMENTAL CHANGE ORDER NO.2 TO A CONTRACT ISSUED TO TTI ENVIRONMENTAL, INC. MOORSETOWN, NEW JERSEY FOR REMEDIATION OF CONTAMINATED SOILS DISCOVERED AT THE HAT FACTORY COMPANY PROJECT

WHEREAS, on April 30, 2021 the Borough of Woodbine executed a contract with TTI Environmental, Inc. Moorestown, New Jersey (TTI) for the removal of an underground storage tank (UST) located on Borough owned property known as the Hat Factory Company Project, which contained a hazardous substance known as toluene solvent, a listed hazardous substance; and

WHEREAS, upon the commencement of the UST removal, it was discovered that the hazardous substance had leaked from the UST and migrated within the soils on the Property which was an unforeseen circumstance and created a different site condition unknown at the time of the execution of the contract with TTI; and

WHEREAS, the discovery of the contaminated soils and hazardous substance leaking from the UST could not have been known since it was below the surface; and

WHEREAS, the Borough's environmental engineers, Taylor, Wiseman and Taylor, Blue Bell Pennsylvania (TWT), has prepared and presented a certification indicating that the need for a Change Order is necessary and additional work is required to remediate the site and that the need for additional work was unforeseen, said report being attached hereto and made a part hereof; and

WHEREAS, TTI has submitted a Change Order request to their contract for Landfarming/in situ treatment of approximately 500 tons of contaminated soils at a cost of \$44,000.00 so as to complete the remediation of the hazardous materials located on the Property, which would represent a gross increase of the contract amount by approximately 67%; and

WHEREAS, the Borough Council has reviewed the certification of TWT attached hereto as well as the Change Order No. 2 from TTI and finds it to be in the best interest of the Borough to remediate the contaminated property of the Borough and protect the health and welfare of its

residents from further contamination and that Change Order No. 2 would not constitute an abuse of N.J.A.C. 5:34-4 et seq.; and

WHEREAS, the Chief Financial Officer has certified the availability of funds for Change Order No. 2 from the USDA ECWAG Grant for the Hat Factory Company Project.

NOW, THEREFORE, BE IT RESOLVED by the Council of Borough of Woodbine, that the Mayor and Clerk are hereby authorized to execute an Amendatory Supplemental Change Order No. 2 to a contract with TTI Environmental, Inc., Moorestown, New Jersey for further remediation of contaminated soils in accordance with the Change Request attached hereto and made a part hereof.

BE IT FURTHER RESOLVED, that the action taken in accordance with this Resolution shall be reported in the annual audit filed with the Division of Local Government Services on or before the last day of February 2022.

On motion of Councilman Ortiz, seconded by Councilman Cruz 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. 9-102-2021

AUTHORIZING AGREEMENT FOR EMERGENCY MEDICAL SERVICES

WHEREAS, the Borough of Woodbine desires emergency medical services for the residents and visitors of the Borough of Woodbine.

WHEREAS, James Craft, Qualified Purchasing Agent has determined and certified in writing that the value of this agreement will exceed \$17,500; and,

WHEREAS, N.J.S.A. 40A:11-5(25) et seq. allows for a term of the contract not to exceed five years; and

WHEREAS, a proposal was received from Belleplain Emergency Corp, Inc. Corporation dated September 15, 2021, and the maximum amount of the contract in question is for a total fee of \$25,000.00, and funds are available in an appropriation entitled "Budget Line Item" and have been certified by the local finance officer, said certification being attached; and

WHEREAS, Belleplain Emergency Corp, Inc. has completed and submitted a Business Entity Disclosure Certification which certifies that Belleplain Emergency Corp, Inc. has not made any reportable contributions to a political or candidate committee in the *Borough of Woodbine* in the previous one year, and that the contract will prohibit the Belleplain Emergency Corp, Inc. from making any reportable contributions through the term of the contract, and

NOW, THEREFORE BE IT RESOLVED by the Borough of Woodbine, County of Gloucester, New Jersey as follows:

1. The Mayor and Borough Clerk are hereby authorized and directed to execute the attached agreement with Belleplain Emergency Corp, Inc. in an amount not to exceed \$25,000.00.

RESOLUTION NO. 9-103-2021

AUTHORIZING AGREEMENT FOR EMERGENCY DISPATCHING

WHEREAS, the Borough of Woodbine desires emergency dispatching services for the residents and visitors of the Borough of Woodbine.

WHEREAS, James Craft, Qualified Purchasing Agent has determined and certified in writing that the value of this agreement will exceed \$17,500; and,

WHEREAS, N.J.S.A. 40A:11-15(8) et seq. allows for a term of the contract not to exceed five years; and

WHEREAS, a proposal was received from Belleplain Emergency Corp, Inc. Corporation dated September 15, 2021, and the maximum amount of the contract in question is for a total fee of \$25,000.00, and funds are available in an appropriation entitled "Budget Line Item" and have been certified by the local finance officer, said certification being attached; and

WHEREAS, Belleplain Emergency Corp, Inc. has completed and submitted a Business Entity Disclosure Certification which certifies that Belleplain Emergency Corp, Inc. has not made any reportable contributions to a political or candidate committee in the *Borough of Woodbine* in the previous one year, and that the contract will prohibit the Belleplain Emergenncy Corp, Inc. from making any reportable contributions through the term of the contract, and

NOW, THEREFORE BE IT RESOLVED by the Borough of Woodbine, County of Gloucester, New Jersey as follows:

1. The Mayor and Borough Clerk are hereby authorized and directed to execute the attached agreement with Belleplain Emergency Corp, Inc. in an amount not to exceed \$25,000.00.

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

Unfinished Business

Water Quality Management Plan (County) Status – no change.

County Road Project - Route 550 – The award has been made and a preconstruction meeting is scheduled for October 1, 2021. A tentative completion date is January 13, 2022.

Open Space Eco-Park Replacement/Upgraded Items – The maintenance plan is being finalized and will be submitted shortly. It was also learned that NJDCA will be publishing the Jake's Law rules in the October 4, 2022.

Mobile Carrier Projects at Water Tower (Status) –

AT&T Generator Installation – an Alternative to the easement has been proposed by sj Gas which Mr. Tonetta has reviewed and is in agreement with.

T-Mobile Antennas Replacement and Upgrade - V-Comm is working with T-Mobile on compensation for the Borough to re-letter the tank at a later date instead of dealing with it now. Ms. Garrison is working with V-Comm to verify the charges and balances against the escrow accounts. If deemed necessary, additional escrow monies will need to be requested from one or both of the carriers.

Dish Wireless - has expressed an interest to locate on the tower and is to send a proposal.

USDA Projects – Status –

Food Pantry III – project is complete except for closeout and reimbursement from USDA which is being handled by Triad Associates.

Food Pantry IV – no change

Water/I-Bank Drawdown (Status) – work is ongoing and change order work on contract #1 is still being negotiated.

Asset Management (Status) – no change in status

Sewer/I-Bank Drawdown (Status) - CMCMUA proposals were received and evaluated. MM was the highest ranked of the three (3) proposals received. Still waiting to hear from the MUA on whether interviews of the two highest ranked firms will be held.

Water Diversion Permit (Status) – As of early September, NJDEP advises that the application has been reviewed and the Borough should be hearing from them shortly. There is no indication at this point of whether there are any significant comments to be addressed and responded to.

Hat Factory Property (ECWAG) - TWT is working on the next bid documents. Anticipate 3-4 weeks to go out to bid.

Radios - no change.

Command Vehicle – no change.

Adams Avenue Project:

DCA Small Cities (Status) - proposals for engineering were received on September 15, 2021 and was awarded at tonight's Council meeting. The proposals for the grant administration will be received next week and awarded at the first meeting in October.

DOT Streetscape (Status)

DOT DeHirsch Avenue (Status) – concrete completed. There are two (2) inlets to put in. The contractor will be back on site September 27, 2021.

DOT Various Streets (Clay/Madison) Project (Status) – no change

Landfill Redevelopment Zone – Solar Project Status - no change

Freidrichstadt Road Vacation Status – no change.

Master Plan (Status) – a draft version of the zoning ordinance has been received and is under review.

Airport Lease Agreements –

Holland to American Aerospace Technologies - Mr. Tonetta reviewed the Pecan delinquency. Ms. Garrison indicated there were still outstanding funds due from AATI.

COVID19 (Status)

Cases – Ms. Garrison indicated there are currently ten (10) residential cases

County Community Development CV1 & CV2 Funding Program (Status) – businesses have been notified

Property Maintenance (Status) –

520-526 Adams - demolition has been completed. Seeding needs to be done.

401 Washington – a violation notice was sent. Mr. Graham spoke with the contractor and he is moving forward to comply.

322 Madison - notice sent

Monroe - notice sent

Rutkowski Property - owner pleaded guilty in court and was fined \$4,000 with half suspended pending compliance. Mr. Graham will reach out to Mr. Guibas, the tenant on the property to discuss the status of the cleanup.

DOT Transportation Study (Schwartz Study) - Steering Committee Meeting Pending - the kickoff meeting was held. Currently working on preliminary data gathering.

New Business –

Woodbine Chamber of Commerce Car Show – October 9, 2021 – Bike Path

Noise Ordinance - discussion ensued on complaints received. Mr. Tonetta indicated that noise ordinance had been amended and should handle the concerns. Ms. Garrison will forward the complaints to Mr. Graham.

Committee Reports:

Public Works/Buildings & Grounds: Mr. Gurdgiel, Public Works Supervisor, reported that the department was continuing to mow grass and working on educating the public regarding the new brush collection regulations.

Health, Education & Human Services: Chairman Benson was absent.

Public Safety & Courts: Chairman Cruz had nothing to report.

Community Affairs & Grants: Chairman Ortiz had nothing to report

Property & Small Business: Chairman Johnson had nothing to report.

Revenue & Finance: Chairwoman Perez had nothing to report.

Engineer's Report - Mr. Graham had nothing further to report..

Airport Engineer's Report - Mr. Liu reviewed his written report with Council and those present.

Solicitor's Report – Mr. Tonetta had nothing to report.

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

Public Comment - Mayor Pikolycky issued a reminder to Mr. Gurdgiel and Mr. Prohowich regarding the County Preconstruction Meeting and the upcoming Chamber of Commerce Car Show to be held on October 9, 2021.

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

Respectfully submitted,

Lisa Garrison
Borough Clerk

