

**BOROUGH OF WOODBINE
REGULAR MEETING**

**SEPTEMBER 17, 2020
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 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), and Benson. Also present were: Richard Tonetta, Borough Solicitor; Bruce Graham, Borough Engineer (via telephone); Kan Liu, Airport Engineer (via telephone); James Gurdgiel, PW Supervisor; and Lisa Garrison, Borough Clerk.

The Pledge of Allegiance was led by Mayor Pikolycky.

Mayor Pikolycky called for approval of the minutes. On motion of Councilman Johnson, seconded by Councilman Bennett to approve the minutes of September 3, 2020, carried with one (1) abstention by Councilwoman Perez.

Mayor Pikolycky then called for a Public Hearing for Ordinance No. 589-2020, “An Ordinance to Vacate Portions of Fredriechstadt Avenue No Longer Needed for Public Purposes and Authorizing the Execution of a Quit Claim Deed to Adjacent Property Owners for the Vacated Street”.

ORDINANCE NO. 589-2020

AN ORDINANCE TO VACATE PORTIONS OF FREIDRIECHSTADT AVENUE NO LONGER NEED FOR PUBLIC PURPOSES AND AUTHORIZING THE EXECUTION OF A QUIT CLAIM DEED TO ADJACENT PROPERTY OWNERS FOR THE VACATED STREET

WHEREAS, within the Borough of Woodbine is a street known as Freidriechstadt Avenue, of which a portion thereof is unimproved and exists solely on the tax map of the Borough of Woodbine, known as a “paper street;” and

WHEREAS, the owner of Block 139, Lots 1 and 3 has requested Borough Council consider vacating the paper street adjacent to said property which request was forwarded to the Land Use Board of the Borough of Woodbine and on August 14, 2019 the Land Use Board adopted Resolution No. 4-8-19 recommending Borough Council consider vacating Freidriechstadt Avenue from its intersection with Dennisville-Petersburg Road to the Woodbine-Dennis Township Municipal Division Line provided the owners of adjacent properties agree to said vacating of the paper street; and

WHEREAS, Block 138 Lots 1 and 2 are also adjacent properties to the paper street

requested to be vacated and the owner thereof has agreed to the vacation of the paper street

WHEREAS, it was further recommended that the underlying fee title to said paper street, if any, be granted unto the adjacent property owners excepting all rights and privileges possessed by public utilities as defined in N.J.S.A. 48:2-13 and by any cable television company as defined in the "Cable Television Act" N.J.S.A. 48:5A-1 et seq., to maintain, repair and replace their existing facility in, adjacent to, over or under the said street to be vacated; and

WHEREAS, Borough Council finds that the portion of Freidriechstadt Avenue to be vacated has no public purpose and is not needed therefor and vacating the same will be in the best interest of the Borough.

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

1. That parts of the unimproved street and tracts of land situated in the Borough of Woodbine, County of Cape May and State of New Jersey, and known as a portion of Freidriechstadt Avenue from its intersection with Dennisville-Petersburg Road to the Woodbine-Dennis Township Municipal Division Line be and the same are hereby vacated, and all public rights therein extinguished, subject, however, to the reservations hereinafter set forth.
2. The Borough of Woodbine, for itself and its successors and assigns, reserves unto itself the right to construct, install, build, operate, maintain, use, repair, replace, and relocate such public utilities and cable television facilities, within the described premises, which it may, at any time hereafter, deem necessary for the public health, safety, convenience, and welfare, and the Borough of Woodbine further reserves unto itself the right to use, maintain, repair, replace, and relocate all existing utilities and cable television facilities owned or controlled by it located in, adjacent to, upon, or through said land. All of the aforesaid rights shall be unaffected by this ordinance.
3. The Mayor and Clerk are hereby authorized to execute a Quit Claim Deed for the southeastern one half portion of Freidriechstadt Avenue being vacated hereby to the owner of Block 138 Lots 1 and 2 to be added to and to become part of the land adjacent to said vacated street and further to execute a Quit Claim Deed for the northwestern one half portion of Freidriechstadt Avenue being vacated hereby to the owner of Block 139 Lots 1 and 3 to be added to and to become part of the land adjacent to said vacated street.
4. All costs associated with the vacation as described herein including costs, filing fee, searches, engineering and attorney fees shall be paid by 2101 Associates, LLC prior to the execution of said deeds.
5. All ordinances or parts of ordinances inconsistent herewith are hereby repealed as to such inconsistency only.
6. This ordinance shall take effect after final passage and publication as provided by law.

Mayor Pikolycky opened the public hearing. There being no comment forthcoming the public hearing was then closed. On motion of Councilman Bennett, seconded by Councilman

Ortiz to adopt the foregoing ordinance, unanimously carried upon roll call vote. Ayes: Ortiz, Johnson, Bennett, Perez, Benson, Nays: None Abstain: None Absent: Cruz

At this time Mayor Pikolycky called for the following resolutions:

RESOLUTION NO. 9-101-2020

**RESOLUTION AUTHORIZING MEMBER PARTICIPATION IN A
COOPERATIVE PRICING SYSTEM FOR ROCK SALT
WITH COUNTY OF CAPE MAY**

WHEREAS, N.J.S.A. 40A: 11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the County of Cape May, hereinafter referred to as the “Lead Agency” has offered voluntary participation in Cooperative Pricing System 25CMACP for the purchase of goods and services;

WHEREAS, on M-D-Y the Governing Body of the Borough of Woodbine, County of Cape May, State of New Jersey duly considered participation in a Cooperative Pricing System for the provision of Rock Salt ;

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

1. Member Participation in a Cooperative Pricing System for Rock Salt is hereby authorized.
2. This Resolution shall be known and may be cited as the Cooperative Pricing Resolution of the County of Cape May for Rock Salt.
3. Pursuant to the provisions of (*N.J.S.A. 40A:11-1 et seq.*), the Chief Financial Officer is hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency.
4. The Lead Agency shall be responsible for complying with the provisions of the *Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.)* and all other provisions of the revised statutes of the State of New Jersey.

This resolution shall take effect immediately upon passage

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

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

Unfinished Business

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

County Road Project

Route 550 – No change in either project.

Open Space Eco-Park Replacement/Upgraded Items – the shared services agreement received. The County is to pay the \$21,000 fee for the architect and the Borough will be contributing \$4,000 which will be paid out of the grant. The project will also implement the County's Creative Placemaking. The contractors are currently completing the punch list items. More contracts will be necessary to complete the project. Consultants will be scheduling a site visit.

AT&T Project – the administrative aspects for the project have been completed. The contractor is mobilized on site. The project is estimated to take approximately a week. Dennis Township will be replacing equipment and the project will be coordinated.

USDA Projects – Status –

Food Pantry III – a meeting will be held with the contractor on Monday for the ADA portion of the contract.

Water Project – waiting on DEP. Will be sending revised documents to USDA.

Sewer Project - close to agreement being approved with DHS. A meeting will be held with DHS. A shared service agreement is being worked on for CCMUA.

Asset Management Plan – Mr. Gurdziel will be meeting with the engineers.

Hat Factory Property – waiting on approval from USDA for design and specifications.

Radios - no change.

DOT DeHirsch Avenue Project Status – to submit to DOT next week.

DOT Streetscape Project – will be reviewing concept sketches with Mayor to tie project in with the Adams & Franklin Project.

DCA Small Cities Sidewalks Project Status - punch list items remaining.

Landfill Redevelopment Zone – Solar Project Status - no change.

Freidrichstadt Road Vacation Status – two (2) quit claim deeds remaining to be prepared. Ms. Garrison requested the professionals forward their charges on the project to ensure there is enough escrow remaining prior to deeds being released.

Master Plan –to be sent to Pinelands. The next step will be updating the ordinances.

Airport Lease Agreements –

Holland to American Aerospace Technologies - no change.

Census 2020 - Mayor Pikolycky reviewed the status.

COVID19 Update - Ms. Garrison indicated the counts have decreased since the last meeting and there was an additional death at the Woodbine Developmental Center.

Clean Energy Project – a draft copy of the audit was received. Hutchinson was contacted regarding the Direct Install program for the Food Pantry Phase III project.

Property Maintenance - Mr. Graham prepared a sample letter for the Council's review.

Noise Ordinance - Mr. Tonetta indicated he was waiting on the judge's review and comment.

New Business –

Greater Woodbine Chamber of Commerce Car Show - October 10, 2020

Committee Reports:

Public Works/Buildings & Grounds: Chairman Bennett reported on the ongoing activities of the department.

Health, Education & Human Services: Chairman Benson had nothing to report at this time.

Public Safety & Courts: Chairman Cruz was absent.

Community Affairs & Grants: Chairman Ortiz had nothing to report at this time.

Property & Small Business: Chairman Johnson felt the Borough was moving in the right direction regarding the property maintenance issue.

Revenue & Finance: Chairwoman Perez had nothing to report at this time.

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

Airport Engineer's Report - Mr. Liu reported on the following:

Helicopter Parking Apron Design and Construction - awaiting closeout of this project from the FAA in order to submit the final invoice for South State's retainage and Woodbine's IFE reimbursement.

Taxiway B Rehabilitation Design - design for bid packages Phase I and Phase III construction are continuing.

Taxiway B Rehabilitation Construction Phase II – construction anticipated to begin September 28, 2020.

NJDOT Grant Application – applications due by October 9, 2020.

FAA ACIP – deadline to submit draft spreadsheet is September 25, 2020.

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

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

Public Comment - Councilman Benson congratulated Nick Schalek on his commission as 2nd lieutenant to the USAF.

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

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Respectfully submitted,

Lisa Garrison
Borough Clerk

