

**BOROUGH OF WOODBINE
REGULAR MEETING**

**NOVEMBER 5, 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; Michael Zumpino, Triad Associates (via telephone) and Lisa Garrison, Borough Clerk.

Mayor Pikolycky called for approval of the minutes. On motion of Councilman Cruz, seconded by Councilman Johnson to approve the minutes of October 15, 2020, unanimously carried.

Mayor Pikolycky then called for a Public Hearing for Ordinance No. 591-2020, “An Ordinance Amending Ordinance No. 494-2007, as Amended, Chapter 17 of the Code of the Borough of Woodbine Entitled Solid Waste Management”. Mayor Pikolycky opened the public hearing. With no comment forthcoming from the public, on motion of Councilman Ortiz, seconded by Councilman Bennett to adopt the following ordinance upon roll call vote, unanimously carried. Ayes: Ortiz, Johnson, Bennett, Perez, Benson, Cruz Nays: None Abstain: None Absent: None

ORDINANCE NO. 591-2020

**AN ORDINANCE AMENDING ORDINANCE NO. 494-2007,
AS AMENDED, CHAPTER 17 OF THE CODE OF THE
BOROUGH OF WOODBINE ENTITLED SOLID WASTE
MANAGEMENT**

WHEREAS, as a result of the changes in recycling and solid waste management Borough Council finds it necessary to assure the proper collection of recycling and solid waste so as to protect the Borough from unlawful dumping including grass and debris in the Borough roadways; and

WHEREAS, the Solid Waste and Recycling Coordinator has recommended the Borough consider amendments to the Borough Code, Chapter 17.

WHEREAS, the Borough Council finds it necessary and in the public interest, to provide for the proper collection of recyclables and solid waste for the purpose of securing the promotion

of the public health, comfort, convenience, safety, welfare and prosperity and the peace and quiet of the Borough and its inhabitants.

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

1. § 17-1.2a2 of the Code of the Borough of Woodbine entitled Definitions shall be amended as follows:

2. The following source separated materials shall not be comingled with those materials listed in subsection 17-1.2a1 and shall be collected in accordance with Section 17-1.4c

2. Section 17-1.2a2 shall be amended by the addition of the following definition

WHITE GOODS (NON-CFC/FREON CONTAINING)

A portion of solid waste consisting of large appliances including air conditioners and dehumidifiers, clothes washing and drying machines, dishwashers, furnaces and electric heaters, hot water heaters, microwave ovens, refrigerators and freezers, stoves and ovens

3. Section 17-1.4c shall be amended as follows:

c. The following materials must be source separated and recycled through the municipal recycling program and only collected by the Borough on those dates and in the manner set forth by the Mayor and Borough Council by Resolution unless otherwise set forth herein and kept on file in the Office of the Borough Clerk and Recycling Coordinator.

3. Section 17-1.4c3 shall be deleted in its entirety and changed as follows:

3. Brush, Tree Branches (up to eight inch diameter, 8 foot length; residential curbside. No stumps, brush or branches from lot clearance or tree removal. All commercial landscaping services shall provide for removal of brush and tree branches from residential users.

BE IT FURTHER ORDAINED that any portion of Ordinance 494-2007, Chapter 17 of the Code of the Borough of Woodbine not amended hereby shall remain in full force and effect.

BE IT FURTHER ORDAINED that any Ordinance or portion thereof that is inconsistent herewith shall be void to the extent of such inconsistencies.

BE IT FURTHER ORDAINED that should any portion of this Ordinance be

deemed unenforceable by a court of competent jurisdiction, the balance of this Ordinance not so deemed unenforceable shall remain in full force and effect.

RESOLUTION NO. 11-104-2020

A RESOLUTION OF THE BOROUGH OF WOODBINE IMPLEMENTING A FAIR AND OPEN PROCESS FOR THE SELECTION OF BOROUGH ENGINEER, SOLICITOR, AUDITOR, GRANT APPLICATION AND MANAGEMENT CONSULTANT SERVICES, AIRPORT ENGINEER AND SPECIAL ENVIRONMENTAL LEGAL COUNSEL

WHEREAS, the Borough Council of the Borough of Woodbine acknowledges the need for Professional Services to be provided to the Borough; and

WHEREAS, the Borough Council recognizes the need to implement the requirements of N.J.S.A. 19:44A-20.5 so as to have a fair and open procedure for awarding professional service agreements which would otherwise be exempt from public bidding in accordance with N.J.S.A. 40A:11-5; and

WHEREAS, the Borough Council believes it is in the best interest of the Borough to select professionals to provide services to the Borough primarily on the basis of their qualifications, including qualifications uniquely suited to the needs of the Borough of Woodbine; and

WHEREAS, to receive statements of qualifications in a manner that fosters a fair and open process, it is necessary and advisable to establish advance general criteria and specific minimum requirements; and

WHEREAS, the Borough Council has determined that a fair and open process requires public advertisement of professional services required in a manner and with sufficient time to provide notice in advance of the contemplation of retaining services of a professional and the criteria to be considered in determining the best professional for the position; and

WHEREAS, a fair and open process requires that all responses be publicly opened and announced and thereafter that all appointments be made at a public meeting of the Borough of Woodbine as follows:

1. All appointments for Professional Services contained on Schedule "A" attached to and made a part hereof shall be subject to a fair and open process as set forth below.
2. The Borough Clerk shall cause all legal notices stating that a full listing of the professional service appointments subject to a fair and open process together with the criteria established for the consideration of qualification, will be posted on the Borough of Woodbine's internet website beginning no later than November 13, 2020.

3. The criteria for each position contained on Schedule "A" follows immediately subsequent to the Listing on Schedule "A". The criteria shall be disclosed together with the posting of the listed positions on the Borough of Woodbine's internet website as set forth above.
4. The website posting shall inform potential applicants that all submissions must be made to the Clerk of the Borough of Woodbine and received no later than 3:00 p.m. December 11, 2020.
5. Commencing 3:01 p.m. on December 11, 2020, or as soon thereafter as may be available, the Clerk of the Borough of Woodbine or her designee shall publicly open and announce all submissions in the Borough Council chambers, 501 Washington Avenue, Woodbine, New Jersey.
6. Appointments shall thereafter be made at a public meeting of the Borough Council of the Borough of Woodbine.
7. Subsequent to appointments, appropriate notices shall be published in accordance with the requirements of N.J.S.A. 40A:11-5.

BE IT FURTHER RESOLVED, that the Borough Council of the Borough of Woodbine has determined that the terms of this Resolution constitute a fair and open process in accordance with N.J.S.A. 19:44A-20, et seq., and that the decision by the Borough of Woodbine as to what constitutes a fair and open process shall be final.

On motion of Councilman Benson, 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. 11-105-2020

AUTHORIZING SHARED SERVICES WITH THE COUNTY OF CAPE MAY FOR EQUIPMENT SHARING

BE IT RESOLVED by the Mayor and Council of the Borough of Woodbine, **THAT**:

WHEREAS, the County of Cape May has been the recipient of various grants from the Office of Homeland Security and Federal Emergency Management Agency for the purchase of various vehicles, equipment, materials and control devices hereinafter referred to as "Equipment"; and

WHEREAS, this Equipment was purchased with the intent to be shared with the various municipalities in the County; and

WHEREAS, the Borough from time to time may have a need to use some of the equipment for a short duration when the County is not in need for the use of the Equipment.

NOW, THEREFORE, BE IT RESOLVED by the Borough of Woodbine, as follows:

1. The Borough of Woodbine hereby approves the "Shared Services Agreement Between the Borough of Woodbine and the County of Cape May for the sharing of equipment.
2. The Mayor is authorized to execute said Agreement.

RESOLUTION NO. 11-106-2020

**RESOLUTION AUTHORIZING PURCHASE OF NINE NEW EF JOHNSON VIKING
VP900 DUAL BAND PORTABLE RADIOS FROM TED KINGSTON, INC.
STRATHMERE, NEW JERSEY IN THE AMOUNT NOT TO EXCEED \$40,020.00
PURSUANT TO STATE CONTRACT #A83927**

WHEREAS, there is a need to purchase nine EF Johnson Viking VP900 Dual Band Portable Radios; and

WHEREAS, through State Contract #A83927, these items are available; and

WHEREAS, the total amount of the purchase is \$40,020.00, and funds are available as evidenced by the Chief Financial Officer's Certification.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Woodbine, County of Cape May and State of New Jersey, that the purchase of the nine EF Johnson Viking VP900 Dual Band Portable Radios is contingent upon approval from the United States Department of Agriculture.

BE IT FURTHER RESOLVED that the Chief Financial Officer is authorized to prepare a purchase order to procure nine EF Johnson Viking VP900 Dual Band Portable Radios in accordance with the specifications on file in the Clerk's Office submitted by Ted Kingston, Inc., Strathmere, Cherry Hill, New Jersey for a price not to exceed \$40,020.00.

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

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

RESOLUTION NO. 11-107-2020
APPROVAL OF CHANGE ORDER NO. 1-FINAL
& ACCEPTANCE OF PROJECT
ECO PARK LOOP PATH AND PARKING LOT

WHEREAS, C. Abbonizio Contractors, Inc. was previously awarded a contract for the construction of the Eco Park Loop Path and Parking Lot in the amount of \$576,875.00; and

WHEREAS, during the course of work on the project, various overages and underages in the bid quantities occurred; and

WHEREAS, the changes in the quantities and additional work resulted in a net reduction in the contract amount of \$13,160.50 resulting in a revised contract amount of \$563,714.50 all as shown on Change Order No. 1 Final; and

WHEREAS, the work on the project is now complete;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Woodbine, that Change Order No. 1-Final is hereby approved and that the project be accepted as complete; and

BE IT FURTHER RESOLVED that all payments due the contractor as authorized through Change Order No. 1 Final be made to C. Abbonizio Contractors, Inc.

RESOLUTION NO. 11-108-2020
SUPPORT FOR SUBMISSION OF APPLICATION FOR
NEW JERSEY DEPARTMENT OF TRANSPORTATION
“TRANSPORTATION ALTERNATIVES PROGRAM”

WHEREAS, the Borough of Woodbine is applying for funding to conduct Bikeway and Trailhead Improvements (TA-2020-00031) within the Borough; and

WHEREAS, the project will help to continue and improve the promotion and encouragement of pedestrian and bicycle access and safety for school children, residents and visitors; and

WHEREAS, maintenance of the facility, once constructed, will be assumed by the Borough of Woodbine;

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Woodbine that it hereby supports the submission of a grant application for the Transportation Alternatives Set-Aside Program within the State of New Jersey Department of Transportation and authorizes the Mayor and the Municipal Clerk to execute any and all documents necessary and related to the submission of said grant application or grant agreement.

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

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

RESOLUTION NO. 11-109-2020

AUTHORIZING A SHARED SERVICES AGREEMENT FOR TAX ASSESSOR

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, et. seq., municipalities enter into agreements for the exchange and sharing of services; and

WHEREAS, N.J.S.A 40A:9-46.4 provides that a municipal tax assessor may be appointed in more than one municipality; and

WHEREAS, the Borough of Woodbine and the City of Sea Isle have determined that it would be mutually beneficial to enter into a Shared Services Agreement under the terms of which the municipalities would share the services of a single Tax Assessor and to further agree to the establishment of a schedule when the Tax Assessor will perform services for each municipality.

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 as follows:

1. All of the statements in the preamble are incorporated herein by this reference thereto as though the same were set forth at length.
2. On behalf of the Borough of Woodbine, the Mayor and Clerk be and they are hereby authorized to execute the shared Services Agreement with the City of Sea Isle that is annexed hereto as Exhibit "A" which provides for the sharing by the Borough of Woodbine and the City of Sea Isle of a Tax Assessor and provides for that Tax Assessor to be a full-time employee of the City of Sea Isle.
3. Said agreement is contingent upon approval by the Division of Local Government Services.

RESOLUTION NO. 11-110-2020

RESOLUTION APPROVING AN APPLICATION TOTHE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS, DEPARTMENT OF LOCAL GOVERNMENT SERVICES LOCAL GOVERNMENT EMERGENCY FUND/CORONAVIRUS RELIEF FUND GRANT PROGRAM

WHEREAS, as the public health emergency associated with the COVID-19 pandemic continues, the most significant negative financial impacts faced by county and municipal governments throughout New Jersey result from extreme economic contraction, deficits in tax and fee revenues, and extraordinary increases in public safety and health and human services expenditures; and

WHEREAS, severe fiscal stress limits the ability of counties and municipalities to maintain essential services and take the steps necessary to fight COVID-19; and

WHEREAS, without substantial federal assistance, residential taxpayers would absorb the primary impact of meeting these extraordinary needs and closing any associated operating deficits; and

WHEREAS, the Department of Community Affairs (“DCA”), through the Division of Local Government Services (“DLGS” or “Division”), has been deemed the lead agency for the distribution of the Local Government Emergency Fund (the “LGEF” or “Program”), provided through an allocation of the State of New Jersey’s CARES Act Coronavirus Relief Fund (CRF Funds); and

WHEREAS, counties and municipalities excluded from the federal government’s direct CRF allocation plan, as well as those counties and municipalities that are currently the most impacted by COVID-19 in comparison to their available resources, are eligible for LGEF funds pursuant to a maximum distribution determined by formula; and

WHEREAS, a total of \$60 million is currently being made available under the Program, with a potential \$60 million more to be allocated; and

WHEREAS, LGEF Grants exist to support costs incurred as part of a local unit’s response to COVID-19.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council, that the Borough of Woodbine will apply for a LGEF Grant in the amount of \$31,657.00

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 document in connection therewith:

(signature)

(print name)

Mayor

(signature)

(print name)

Clerk

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. 11-111-2020

**APPROVAL OF CHANGE ORDER NO. 1-FINAL
& ACCEPTANCE OF PROJECT
FOOD BANK PHASE 3, CONTRACT #2**

WHEREAS, Charles Marandino, LLC was previously awarded a contract for the construction of the Food Bank Phase 3, Contract #2 in the amount of \$11,690.00; and

WHEREAS, during the course of work on the project, various overages and underages in the bid quantities occurred; and

WHEREAS, the changes in the quantities and additional work resulted in a net reduction in the contract amount of \$2,462.00 resulting in a revised contract amount of \$9,228.00 all as shown on Change Order No. 1 Final; and

WHEREAS, the work on the project is now complete;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Woodbine, that Change Order No. 1-Final is hereby approved and that the project be accepted as complete; and

BE IT FURTHER RESOLVED that all payments due the contractor as authorized through Change Order No. 1 Final be made to Charles Marandino, LLC.

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

RESOLUTION NO. 11-112-2020

**AWARD OF CONTRACT FOR LICENSED SITE REMEDIAL PROFESSIONAL
SERVICES RELATED TO USDA EMERGENCY COMMUNITY WATER
ASSISTANCE GRANT (ECWAG) PROJECT AND
AMENDING AGREEMENT WITH TAYLOR WISEMAN AND TAYLOR FOR
ENGINEERING SERVICES FOR THE ECWAG PROJECT**

WHEREAS, the Borough of Woodbine was awarded a grant of \$999,770 from the US Department of Agriculture, Rural Development Program under their Emergency Community

Water Assistance Grant (ECWAG) Program for the purpose of remediating contamination at the former Hat Factory site, which is adjacent to the Borough's water treatment system, and;

WHEREAS, a portion of the ECWAG budget included \$347,796 for Taylor Wiseman and Taylor (TWT) for Engineering Services, and;

WHEREAS, the above-noted Engineering budget anticipated the need to subcontract with a Licensed Site Remediation Professional (LSRP) to perform needed specialized services in the amount of \$46,000, and;

WHEREAS, TWT has identified GEM, LLC as the LSRP to carry out the above-noted specialized services, and;

WHEREAS, GEM will need to contract directly with the Borough of Woodbine to provide said services;

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Woodbine that the award of said LSRP contract is hereby made to GEM, LLC in the amount of \$46,000, subject to concurrence with said award and contract by the US Department of Agriculture – the agency funding this project, and;

BE IT FURTHER RESOLVED THAT the existing contract with TWT in the amount of \$347,796, is hereby amended to \$301,796, subject to concurrence by the US Department of Agriculture, to reflect the aforementioned LSRP contracting directly with the Borough rather than serving as a subcontractor to TWT.

Unfinished Business

Sewer Project – Mr. Graham indicated the application has been initiated with IBank. Mr. Graham recommended the Borough wait for the next step until such time that the agreements with DHS and CMCMUA have been finalized. Mr. Zumpino indicated the Borough spoke with IBank in March and this verbally placed Woodbine on their radar for the filing of the application and asserts the Borough interest. He concurred with Mr. Graham's recommendation to wait for the finalization of the shared service agreements. Mr. Zumpino indicated he will reach out to DHS to find out what the holdup is on the final four (4) points. Mr. Graham indicated once this has been completed the next step will be a Letter of Interest which is a preliminary engineering report of the project.

New Business –

Engineer's Report – None

Airport Engineer's Report -

Helicopter Parking Apron Design and Construction - Waiting on FAA review.
Final invoice has been submitted for the DOT matching share.

Taxiway B Rehabilitation Design - Design direction is being changed because of programmed budget for 2021. The West end design, Phase III will now be pursued for 2021 construction.

Taxiway B Rehabilitation Construction Phase II - Construction to begin November 9, 2020.

NJDOT Grant Application – application submitted into SAGE. Projects submitted were for Transient Apron Design and CCTV Design and Construction.

FAA ACIP Program – proposed next 3-year projects will be the construction of the remainder of the Taxiway B, the design of the Edge Lights and markings and the design of the Turnaround.

DOT Airport Inspection Report - both runways are showing longitudinal and transverse cracks along with weeds. The report also indicates various lights are out or broken.

MAP – notification had been received from the ADO in Harrisburg. There are 3 spots open for General Aviation airports. This program includes items considered ineligible by FAA ACIP. The FAA had indicated the Borough may not qualify but we should still make application.

Solicitor's Report – None

Grant Consultant's Report -

Green Acres – Mr. Zumpino indicated Green Acres is issuing new guidelines for 2021 in which a grant element is to be introduced. If not introduced the Borough will issue an appeal for Pinelands, distressed and small communities.

MAP – Mr. Zumpino indicated this program could be significant towards hangars. Triad is also looking into alternate funding for hangars and a Jet A fuel facility.

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

Public Comment - None

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

Respectfully submitted,

Lisa Garrison
Borough Clerk

