

**BOROUGH OF WOODBINE  
REGULAR MEETING**

**DECEMBER 5, 2019  
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 13, 2019 and posting a copy of said notice on the Clerk's bulletin board."

Those present were: Mayor Pikolycky; Councilpersons Ortiz, Johnson, Bennett, Perez, Benson, and Cruz. Also present were: Richard Tonetta, Esq.; Bruce Graham, Borough Engineer; and Lisa Garrison, Borough Clerk.

Mayor Pikolycky called for the approval of minutes of November 7, 2019 . On motion of Councilman Ortiz, seconded by Councilman Johnson to approve the minutes of November 7, 2019, unanimously carried.

Mayor Pikolycky called for the following resolutions:

**RESOLUTION NO. 12-119-2019**

**A RESOLUTION AUTHORIZING THE EXECUTION A CHANGE  
ORDER NO. ONE TO A PROFESSIONAL SERVICES AGREEMENT BY  
AND BETWEEN FLEISHMAN DANIELS LAW OFFICES FOR THE  
PROVISION OF BOND COUNSEL SERVICES FOR THE USDA WATER  
AND WASTE DISPOSAL PROGRAM-WOODBINE WATER SYSTEM  
IMPROVEMENTS**

**WHEREAS**, the Borough Council of the Borough of Woodbine adopted Resolution 4-55-2017, a Resolution retaining the Professional Services of Fleishman Daniels Law Offices to provide bond counsel services to the Borough to meet the requirements of a USDA Water and Waste Water Grant Agreement in the amount of approximately \$2,000,000.00 at a cost not to exceed \$26,500.00 in accordance with a Professional Services Agreement awarded as a non-fair and open contract as provided by N.J.S.A. 40A:11-5(1)(a); and

**WHEREAS**, the scope of services has materially changed based upon unforeseen circumstances whereby the project has increased from a \$2,000,000.00 project to an approximately \$4,000,000.00 project, doubling in size and scope which could not have been foreseen at the time of the adoption of Resolution 4-55-2017; and

**WHEREAS**, Fleishman Daniels Law Offices has submitted an amended scope of services to complete the necessary professional services for the amended scope of services as attached hereto and made a part hereof marked Exhibit A;

**WHEREAS**, the Borough Council of the Borough of Woodbine finds it to be in the best interest of the Borough and its residents to complete the project and to authorize the execution of an amended Professional Services Agreement with Fleishman Daniels Law Offices in an amount not to exceed an additional \$25,500.00 for a total cost of \$52,000.00; and

**WHEREAS**, the Chief financial Officer of the Borough of Woodbine has certified the availability of funds in said amount.

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

1. That the Mayor and Clerk are authorized to execute a First Amendment to a Professional Services Agreement with Triad Advisory Services, Inc... T/A Triad Associates for the provision of grant services for the implementation of the USDA Water and Waste Disposal Program- Woodbine Water System Improvements in an amount not to exceed \$25,500.00 in the form and substance as attached hereto and made a part hereof marked Exhibit A.

2. That this Amendment to the Professional Services Agreement is entered into as a result of unforeseen circumstances causing the scope of work to substantially increase.

3. That a notice of this action shall be printed once in the official newspaper of the Borough of Woodbine.

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. 12-120-2019**

#### **RESOLUTION AUTHORIZING THE EARLY TERMINATION OF A LEASE AGREEMENT BY AND BETWEEN THE BOROUGH OF WOODBINE AS LANDLORD AND JOE SCHWAB AS TENANT FOR HANGAR C-4 AT THE WOODBINE AIRPORT.**

**WHEREAS**, the Borough of Woodbine is the owner and operator of a Municipal Airport and improvements, including hangars for lease to the public to be used for aviation purposes; and

**WHEREAS**, on July 1, 2018 the Borough entered into a Lease Agreement dated June 12, 2018 by and between Joe Schwab and the Borough of Woodbine for a portion of the Airport and an improvement thereon commonly known as Hangar C-4; and

**WHEREAS**, the term of the Lease Agreement ends on June 30, 2020 and Joe Schwab has requested the Borough to accept an early termination of the Lease Agreement on December 31, 2019, subject to the execution of a Lease Agreement by and between the Borough and Mike Priolo whose address is 337 Croce Avenue, Gibbstown, New Jersey for a term commencing January 1, 2020 and continuing thereafter for a period of not less than 6 months, which shall

cover, at the minimum, the balance of the Lease term for a monthly rent of a minimum of \$325.00 per month and further subject to the Borough's assurance that the leased premises complies with Paragraph 5 of the Lease Agreement, and no breach of said Lease Agreement exists.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of Borough of Woodbine, that the Lease Agreement by and between the Borough of Woodbine shall be terminated as of December 31, 2019 contingent upon and subject to the following:

1. A final inspection of the Leased Premises so as to assure the Leased Premises complies in every aspect with the Lease Agreement.
2. The execution of a Lease Agreement with Mike Priolo, 337 Croce Avenue, Gibbsboro, New Jersey for Hangar C-4 for a term commencing January 1, 2020 and continuing for a term of not less than 6 month with rent not less than \$325.00 per month.
3. The execution of a Lease Agreement in the form and substance as approved by the Airport Administrator and Solicitor.

#### **RESOLUTION NO. 12-121-2019**

#### **TRANSFER OF 2019 BUDGET APPROPRIATIONS**

**WHEREAS**, N.J.S.A. 40A:4-58 provides that appropriation transfers may be made for the budget year of 2019.

**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 following transfers be made:

FROM:

Financial Administration OE	#9-01- -102-271	\$	2,000.00
Municipal Clerk OE	#9-01- -107-271		2,000.00
Legal OE	#9-01- -108-271		1,000.00
Electric OE	#9-01- -191-300		5,000.00

TOTAL . . .		\$	10,000.00
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TO:

Planning Board OE	#9-01- -121-226	\$	2,200.00
Engineering OE	#9-01- -115-271		7,800.00

TOTAL . . . \$ 10,000.00

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

Unfinished Business: None

New Business: None

Engineer's Report – None

Solicitor's Report: None

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

Public Comment: None

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

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Respectfully submitted,

Lisa Garrison  
Borough Clerk

