

**BOROUGH OF WOODBINE  
REGULAR MEETING**

**DECEMBER 6, 2018  
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 23, 2018 and posting a copy of said notice on the Clerk's bulletin board."

Those present were: Mayor Pikolycky; Councilpersons Ortiz, Johnson, Bennett, Benson, and Cruz. Also present were: Richard Tonetta, Borough Solicitor; Lew Conley, Borough Engineer; and Lisa Garrison, Borough Clerk. Absent: Councilwoman Perez

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 Benson to approve the minutes of November 1, 2018, unanimously carried.

At this time Mayor Pikolycky called for the following resolutions:

**RESOLUTION NO. 12-110- 2018  
APPROVAL OF CHANGE ORDER NO. 1--Final  
DEHIRSCH AVENUE RECONSTRUCTION**

**WHEREAS**, South State, Inc. of Bridgeton, New Jersey was previously awarded a contract in the amount of \$345,524.50 for the project known as DeHirsch Heilprin Avenue Reconstruction; and

**WHEREAS**, during the course of the work, various overages and underages occurred in the contract quantities and additional sidewalk and driveway work was constructed on the southerly side of the roadway, all within the original project limits; and

**WHEREAS**, as a result of these overages and underages as well as the additional sidewalk, there is a net decrease in the contract amount of \$16,104.27 which is outlined on the attached Change Order No. 1 Final; and

**WHEREAS**, Bruce S. Graham, P.E., Borough Engineer, of Van Note-Harvey Associates, recommends approval of Change Order No. 1 Final;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Woodbine that Change Order No. 1 decreasing the contract in the amount of \$16,104.27 is hereby approved making the new contract amount \$329,420.23.

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

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

**RESOLUTION NO. 12-111-2018**

**AUTHORIZING THE HIRING OF TRIAD ADVISORY SERVICES, INC. t/a TRIAD ASSOCIATES TO PROVIDE GRANT SERVICES FOR THE PREPARATION AND SUBMISSION OF A CAPE MAY COUNTY OPEN SPACE APPLICATION FOR PHASE II AND III OF THE ECO-PARK PROJECT**

**WHEREAS**, the Governing Body of the Borough of Woodbine entered into a Professional Services Agreement - General Services Contract on January 18, 2018 with Triad Advisory Services, Inc. (trading as Triad Associates) for ongoing professional services for obtaining grant money for the Borough; and

**WHEREAS**, the Borough is desirous of hiring Triad Associates to prepare and submit a Cape May County Open Space application for Phase II and III of the Eco-Park project; 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 \$4,800.00 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 as submitted; and

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

**RESOLUTION NO. 12-112-2018**

**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 2018 in the sum of \$150,000.00, which item is now available as a revenue from the New Jersey Department of Transportation.

Section 2.

**BE IT FURTHER RESOLVED** that a like sum of \$150,000.00 is hereby appropriated under the caption of Reconstruction of Sumner Avenue.

**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 Bennett to approve the foregoing resolution, unanimously carried.

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

#### **RESOLUTION NO. 12-113-2018**

#### **AUTHORIZING PROFESSIONAL SERVICE AGREEMENT BY AND BETWEEN THE BOROUGH OF WOODBINE AND DY CONSULTANTS FOR ENGINEERING SERVICES FOR THE CONSTRUCTION MANAGEMENT OF THE HELICOPTER PARKING APRON PROJECT**

**WHEREAS**, to meet the existing demand of the helicopter traffic on the airport, helicopter parking locations are required; and

**WHEREAS**, the Borough of Woodbine is looking to assign a designated helicopter parking area to provide adequate separation between fixed and rotary wing parking areas; and

**WHEREAS**, funding will be provided through FAA Entitlement Funds; and

**WHEREAS**, the Borough is desirous of hiring DY Associates to provide construction management services for the project; and

**WHEREAS**, the Governing Body of the Borough of Woodbine finds the scope of services to be provided by DY Consultants to be acceptable; and

**WHEREAS**, the Chief Financial Officer certifies that funds in the amount of \$95,737.43 are available to pay DY Consultants 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 DY Consultants as submitted; and

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of

Woodbine that the Mayor and Clerk are hereby authorized and directed to execute the proposal for same.

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**RESOLUTION NO. 12-114-2018**

**AUTHORIZATION TO ADVERTISE FOR BIDS  
SUMNER AVENUE RECONSTRUCTION**

**WHEREAS**, the Borough of Woodbine submitted Grant Applications for State Aid for the Reconstruction of Sumner Avenue between Tyler Road and Heilprin Avenue as part of FY 2018 Municipal Aid Funding and FY 2019 Local Aid Infrastructure Funding from the New Jersey Department of Transportation; and

**WHEREAS**, the Borough has been successful in obtaining funding from the New Jersey Department of Transportation in the total amount of \$325,000.00 for the construction of said project; and

**WHEREAS**, the Borough Engineer is in the process of preparing the bid documents to be used to competitively bid the work;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Woodbine, that the Borough Clerk is hereby authorized to place the appropriate advertisement for bids for said work in the Official Newspaper of the Borough and to receive said bids in accordance with the New Jersey Public Bidding Laws.

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

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

**RESOLUTION NO. 12-115-2018**

**A RESOLUTION AUTHORIZING THE BOROUGH CLERK TO  
ADVERTISE FOR PROPOSALS/QUALIFICATIONS FOR A  
REDEVELOPER FOR A SOLAR FIELD DEVELOPMENT AT THE  
WOODBINE MUNICIPAL LANDFILL REDEVELOPMENT AREA**

**WHEREAS**, the Council of the Borough of Woodbine passed Resolution 5-56-2003 requesting the Woodbine Planning Board undertake an investigation to determine if the Borough of Woodbine Landfill Area, Block 117 Lot 1 and a portion of Lot 2 met the criteria as an area in need of rehabilitation in accordance with N.J.S.A. 40A:12A-5; and

**WHEREAS**, on July 10, 2003 the Planning Board held public hearings and took testimony from expert planners after adequate notice was presented to the public for their input;

and

**WHEREAS**, after taking testimony, the Planning Board determined that the Woodbine Landfill Area met the criteria to be considered an area in need of redevelopment and recommended Borough Council adopt an Ordinance declaring the Woodbine Landfill Area be declared a Redevelopment Area; and

**WHEREAS**, on July 10, 2003 a Redevelopment Plan was presented by Peter P. Karabashian Associates, Inc. and introduced to the Planning Board dated December 2004 and the Planning Board recommended the Borough Council adopt the same; and

**WHEREAS**, the Borough Council of the Borough of Woodbine adopted Ordinance No. 465-2005 on May 19, 2005 declaring the Woodbine Municipal landfill an area in need of redevelopment in accordance with the findings and conclusions of the Woodbine Planning Board and in accordance with N.J.S.A. 40A:12A-6 and further adopted the Redevelopment Plan as recommended by the Planning Board; and

**WHEREAS**, the Borough Council finds it to be in the best interest of the Borough to request qualifications and proposals from potential Redevelopers to develop the Woodbine Landfill Redevelopment Area, Block 117 Lot 1 and a portion of Lot 2 as well as the potential development/redevelopment of an additional 200 acres of land at the Woodbine Municipal Airport so as to develop the same as a solar development project.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Woodbine that the Clerk is authorized to advertise for qualifications/proposals for qualified redevelopers to develop the Woodbine Landfill Area and potential development/redevelopment of an additional 200 acres of land at the Woodbine Municipal Airport in accordance with the Request for Qualifications and Proposals as is attached hereto and made a part hereof.

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

#### **RESOLUTION NO. 12-116-2018**

#### **A RESOLUTION AUTHORIZING THE MAYOR AND CLERK TO EXECUTE A THIRD AMENDMENT TO CONTRACT FOR SALE AND EXCHANGE OF REAL ESTATE BY AND BETWEEN THE BOROUGH OF WOODBINE AND ROMANO INVESTMENTS, LLC**

**WHEREAS**, the Borough of Woodbine (Borough) and Joseph Romano, Sr. and Sue Ann Romano (Romano) (collectively Parties) have heretofore executed a contract for Sale and Exchange of Real Estate Dated May 30, 2001 (Agreement), a First Amendment thereto and a Second Amendment thereto providing for extensions in the Closing Date on certain property to be transferred to Romano described in said Agreement as “a portion of property located at 608 DeHirsch Avenue, Block 65 part of Lot 1 (Exchange Property) due to on-going remediation in accordance with New Jersey Department of Environmental Protection (NJDEP) requirements;

and

**WHEREAS**, SueAnn Romano individually and as executrix of the Estate of Joseph Romano, Sr. executed an Assignment Agreement wherein Romano Investments, LLC came vested in the Agreement, First Amendment and Second Amendment thereto; and

**WHEREAS**, the Parties intend upon further amending the Agreement and its Amendments to provide for additional time to complete remediation of the property in accordance with the Third Amendment to Contract for Sale and Exchange of Real Estate as attached hereto.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Woodbine that the Mayor and Clerk are hereby authorized to execute a Third Amendment to the Contract for Sale and Exchange of Real Estate by and between the Borough of Woodbine and Romano Investments, LLC in the form and substance substantially similar to Exhibit A attached hereto.

Unfinished Business: Mayor Pikolycky questioned Mr. Gurdgiel, PW Department Supervisor, if all the light outages have been addressed. Mr. Gurdgiel indicated he has been in contact with Ronnie Town, ACE, to review. Mr. Gurdgiel was advised to keep up with the leaves so they do not affect the drainage system as there was a problem on Webster. Mayor Pikolycky directed Mr. Gurdgiel to contact the County regarding the issue on Webster. Mr. Gurdgiel updated Council on the status of the damage incurred during the Webster Avenue project. Mr. Gurdgiel indicated the Borough is waiting on the third (3<sup>rd</sup>) bill to turn into the County. Mr. Gurdgiel reported the snow plow equipment is ready.

New Business: Mr. Zumpino indicated the Hat Factory remediation may be able to be leveraged with HDSRF for an approximately one million dollar project.

Engineer's Report – None

Solicitor's Report: Mr. Tonetta reported that COAH is now complete.

Public Comment: Mr. Keenan wished everyone Happy Holidays.

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

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

Respectfully submitted,

Lisa Garrison

Borough Clerk