

**BOROUGH OF WOODBINE
REGULAR MEETING**

**DECEMBER 7, 2017
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 18, 2017 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, Engineer; and Lisa Garrison, Borough Clerk.

Mayor Pikolycky called for the approval of the November 2, 2017 minutes. On motion of Councilman Benson, seconded by Councilman Johnson to accept the minutes as received, carried with one (1) abstention by Councilwoman Perez.

Mayor Pikolycky called for the public hearing for Ordinance No. 570-2017, "An Ordinance Approving the Woodbine Borough Clerk as Issuing Authority for Bingo and Raffle Licenses".

ORDINANCE NO. 570-2017

**AN ORDINANCE APPOINTING THE WOODBINE BOROUGH
CLERK AS ISSUING AUTHORITY FOR BINGO AND RAFFLE
LICENSES**

WHEREAS, in accordance with N.J.A.C. 13:47-1.1, the Borough Council is the issuing authority for licenses to perform certain games of chance entitled raffle and bingo licenses; and

WHEREAS, in as much as Borough Council regularly meets bi-weekly and in summer months only once per month, formal action of the Borough Council is limited to those meetings and therefore requests for raffle and bingo licenses which are typically time-sensitive may not be considered and granted prior to the date set for the event; and

WHEREAS, N.J.A.C. 13: 47-1.1 authorizes the Borough Council to designate another individual as the issuing authority to approve and grant raffle and bingo licenses; and

WHEREAS, the Council of the Borough of Woodbine finds it to be in the best interest of the Borough to allow an individual to issue said licenses, thereby avoiding the necessity of special sessions of Borough Council to accommodate applicants and to consider the issuance of licenses in a timely manner.

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

1. Games of chance may be conducted in the Borough of Woodbine on the first day of the week commonly known and designated as "Sunday," in accordance with the provisions of N.J.S.A. 5:8-31 and N.J.S.A. 5:8-58, as may be permitted by N.J.S.A. 5:8-24 et seq. and N.J.S.A. 5:8-50 et seq., provided that the applicant for the license to conduct such game otherwise qualifies under the provisions of the aforementioned statutes of the State of New Jersey and

the rules and regulations of the Legalized Games of Chance Control Commission and, specifically, provided that the organization conducting the games is a charitable, religious or other organization specifically qualifying under the provisions of the aforementioned statutes.

2. The Clerk of the Borough of Woodbine is hereby designated as the issuing authority to approve and grant raffle and bingo licenses subject to compliance with N.J.A.C. 13:47-1 et seq.

All Ordinances or parts of Ordinances inconsistent with this Ordinance, to the extent of such inconsistencies only, are and the same are hereby repealed.

This Ordinance shall take effect immediately upon final passage and publication as provided by law.

Mayor Pikolycky opened the public hearing. There being no comment forthcoming the public hearing was closed. On motion of Councilwoman Perez, seconded by Councilman Cruz to approve the adoption of the foregoing ordinance, unanimously carried upon roll call vote. Ayes: Ortiz, Johnson, Bennett, Perez, Benson, Cruz Nays: None Abstain: None Absent: None

Mayor Pikolycky next called for the Introduction of Proposed Ordinance No. 571-2017, "An Ordinance Amending Chapter XXV Section 25-2 of the Code of the Borough of Woodbine Entitled Schedule of Fees and Escrow Deposits and Section 25-3 Entitled Escrow Accounts in Accordance with the Recommendations of the Planning/Zoning Board of the Borough of Woodbine". On motion of Councilman Benson, seconded by Councilman Bennett to approve the introduction of the following proposed ordinance, unanimously carried upon roll call vote. Ayes: Ortiz, Johnson, Bennett, Perez, Benson, Cruz Nays: None Abstain: None Absent: None

PROPOSED ORDINANCE NO. 571-2017

AN ORDINANCE AMENDING CHAPTER XXV SECTION 25-2 OF THE CODE OF THE BOROUGH OF WOODBINE ENTITLED SCHEDULE OF FEES AND ESCROW DEPOSITS AND SECTION 25-3 OF THE CODE OF THE BOROUGH OF WOODBINE ENTITLED ESCROW ACCOUNTS IN ACCORDANCE WITH THE RECOMMENDATIONS OF THE PLANNING/ZONING BOARD OF THE BOROUGH OF WOODBINE

WHEREAS, on November 30, 2017 the Planning/Zoning Board of the Borough of Woodbine (Board) considered a proposed amendment to Chapter XXV, Sections 25-2 and 25-3 which set forth the development fees and escrow requirements in the Borough; and

WHEREAS, after taking testimony from the Board Engineer and carefully considering the fees, it was determined by the Board that the present fee and escrow structure do not adequately cover the costs incurred by the Borough for consideration of development applications; and

WHEREAS, on November 30, 2017 the Board submitted a recommendation to Borough Council to amend Chapter XXV, Sections 25-2 and 25-3 and the Council adopts the findings of

the Board; and

WHEREAS, the Council of the Borough of Woodbine finds it to be in the best interest of the Borough to amend the fee and escrow structures in accordance with the recommendations of the Board.

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

1. Chapter XXV, Section 25-2 of the Code of the Borough of Woodbine be deleted in its entirety and replaced as follows:

§25.2 Schedule of Application and Escrow Fees

Application fees required as part of a development application for the purposes of covering technical, investigative and administrative expenses involved in processing the application and revision of Woodbine's taxes and Borough records:

Category	Application Fee	Escrow Fee
Planning/Zoning Board, if professional opinions are required for any application, including attendance by the professionals at all meetings, the applicant shall pay all of the costs incurred through the applicant's escrow account.		
25-2.11 Submission of amendments/revisions	\$400	\$1,800
Board approval of		
25-2.12 Request for extension of preliminary or	\$100	\$500
25-2.13 Requests to Planning Board for zone	\$400	\$1,000
25-2.14 Certified list of property owners	\$10 for 40 items or less, \$0.25 for each item over	None
25-2.15 Request for site	\$400	\$1,800
25-2.16 Conditional use	\$500	\$1,800

25-2.17 Submission of revised plan and/or application	\$400	\$600
25-2.18 Lot does not abut 40:55D-34)	\$300	\$1,000
25-2.19 Lot is in a street bed (N.J.S.A. 40:55D-	\$300	\$1,000
25-2.20 Stormwater review for a major		\$1,500
25-2.21 Zoning permit		
25-2.22 Zoning permit	\$50	
25-2.23 Tax Map changes	\$100 per lot for subdivisions, lot consolidations, street vacations and easements	None
25-2.24 Special Meetings requested by Applicant		\$2,500
		\$1,000
25-2.25 Pinelands Local	\$600	

§25.3 – Application and Escrow Fees

25.3.1 The application fees and escrow fees recited hereinabove are "minimums" which must accompany the application. An application shall not be deemed "complete" until the application fee and escrow fee required have been paid. The Planning/Zoning Board Secretary shall exercise his or her discretion in establishing the figure required for the escrow fund, in the event that the project will require more time for review than has been provided for the figures recited hereinabove, or the project is of a nature that is not expressly included in one of the aforementioned categories.

25.3.2 Application fees and escrow fees must be submitted in separate checks payable to Borough of Woodbine. The escrow fee shall be forwarded by the Planning/Zoning Board Secretary to the Treasurer of the Borough of Woodbine for deposit into a developer's escrow account. The application fees shall be deposited into the Planning/Zoning Board account until the end of the month, at which time the moneys shall be submitted to the Treasurer of Borough of Woodbine for deposit into the general account of the Borough of Woodbine.

25.3.3 Funds shall be applied to professional costs charged to the Borough by professional consultants (planner, engineer, attorney and any other consultant or specialist retained by the Board) for services or review regarding the development application. Additional funds may be required when the original amount is depleted by 60% and the development application is still in progress. The amount of additional funds needed shall be determined by the Planning/Zoning Board Secretary and the Borough Engineer.

25.3.4 All escrow amounts not actually used shall be refunded to the applicant upon applicant's request, provided that the Borough Engineer has certified that the project for which the escrow fees were deposited has been satisfactorily completed. Notwithstanding the foregoing, the Borough shall not be required to refund the monies in the escrow account when the project has been certified complete and the amount (principal and interest) then remaining in the escrow account is \$25 or less. In such cases, the Borough shall retain such monies to cover administrative expenses, and the escrow account shall be closed. The Planning/Zoning Board Secretary shall notify the Treasurer, who will transfer the monies from applicant's escrow account in to the Borough's general treasury. Further, the municipality shall not be required to refund an amount of interest paid on a deposit which does not exceed \$100 for the year. If the amount of interest exceeds \$100, that entire amount shall belong to the applicant and shall be refunded to him by the municipality annually or at the time the deposit is repaid or applied to the purposes for which it was deposited, as the case may be; except that the municipality may retain for administrative expenses a sum equivalent to no more than 33 1/3% of that entire amount for administrative expenses. A detailed accounting of all monies expended from the escrow fund shall be made available to the applicant upon request.

25.3.5 The applicant shall submit a bond for inspection fees in an amount totaling 5% of the total project cost for major subdivisions and 5% of the total project cost for major site plans.

25.3.6 The municipality shall make all the payments to professionals for services rendered to the municipality for review of applications for development, review and preparation of documents, inspection of improvements or other purposes pursuant to the Municipal Land Use Law. If the municipality requires of the developer a deposit toward anticipated municipal expenses for these professional services, the deposit shall be placed in an escrow

account pursuant to N.J.S.A. 40:55D53.1. The amount of the deposit required shall be reasonable in regard to the scale and complexity of the development. All payments charged to the deposit shall be pursuant to vouchers from the professional stating the hours spent, the hourly rate and expenses incurred. A municipality shall render a written final accounting to the developer on the uses to which the deposit was put. Thereafter the municipality shall, upon written request, provide copies of the vouchers to the developer. If the salary, staff support and overhead for a professional are provided by the municipality, the charge to the deposit shall not exceed 200% of the sum of the products resulting from multiplying the hourly base salary of each of the professionals by the number of hours spent by the respective professional on review of the application for development or the developer's improvements, as the case may be. For other professionals, the charge to the deposit shall be at the same rate as all other work of the same nature by the professional for the municipality.

25.3.7 In addition to all other application fees, the applicant shall be charged an administrative fee of \$5 with regard to every notice of incompleteness of application that is required to be sent to the applicant, the administrative fee to cover the Borough's costs of mailing and administrative costs associated with the sending of the notice. The fee of \$5 must be paid in order for any subsequent review of the application to be undertaken and in order for the application to subsequently be deemed complete.

25.3.8 Copies of the Woodbine Zoning Ordinance and of the Subdivision and Site Plan Ordinances and the Zoning Map are available on the Borough's website. Copies of the Borough's Master Plan may be purchased by payment of \$35.

BE IT FURTHER ORDAINED that all Ordinances or parts of Ordinances inconsistent with this Ordinance, to the extent of such inconsistencies only, are and the same are hereby repealed.

This Ordinance shall take effect immediately upon final passage and publication as provided by law.

Mayor Pikolycky called for the following resolutions:

RESOLUTION NO. 12-126-2017

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 AND AIRPORT ENGINEER

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 December 15, 2017.
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 29, 2017.
5. Commencing 3:01 p.m. on December 29, 2017, 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 Councilwoman Perez, seconded by Councilman Cruz to approve and adopt the foregoing resolution, unanimously carried.

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

RESOLUTION NO. 12-127-2017

AUTHORIZATION TO ADVERTISE FOR BIDS OPEN SPACE ECO-PARK

WHEREAS, the Borough of Woodbine submitted an application for Open Space funding from the County of Cape May for the project known as the Open Space Eco-Park to be located adjacent to the Woodbine Elementary School; and

WHEREAS, the Borough has been successful in obtaining the open space funding from the County in the amount of \$484,040.00 for the construction of said project; and

WHEREAS, the Borough has applied to the Pinelands Commission for a public development approval of said project which was approved by the Commission on November 3, 2017; and

WHEREAS, the bid documents are being prepared for this Project to be competitively bid;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Woodbine, that upon receipt of the bid documents, 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.

RESOLUTION NO. 12-128-2017

A RESOLUTION VACATING RESOLUTION 5-62-2017 AUTHORIZING THE POSTPONEMENT OF WATER UTILITY DEBT FOR THE WOODBINE BOARD OF EDUCATION AND AUTHORIZING THE EXECUTION OF A PAYMENT AGREEMENT BY AND BETWEEN THE WOODBINE BOARD OF EDUCATION AND THE BOROUGH OF WOODBINE

WHEREAS, on May 4, 2017 the Council of the Borough of Woodbine adopted Resolution 5-62-2017 authorizing the postponement of existing debt of the Woodbine Board of Education (WBOE) owed for water services to the Woodbine Municipal Utilities Authority, now the Borough of Woodbine, in the amount of \$11,186.75; and

WHEREAS, subsequent to the adoption of Resolution 5-62-2017, the Borough of Woodbine and the WBOE entered into additional negotiations regarding the payment of the past due amount and have negotiated an agreement for the payment of the outstanding debt and to assure the continued payment of future water bills.

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

1. Resolution 5-62-2017 shall be vacated in its entirety.
2. The Mayor and Clerk are hereby authorized to execute an Agreement for the payment of existing past due water bills in the form and substance as attached hereto and made a part hereof.

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

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

RESOLUTION NO. 12-129-2017

APPOINTMENT OF KIMBERLY GRAY TO THE RECREATION COMMISSION

WHEREAS, there are vacancies existing on the Recreation Commission; and

WHEREAS, the following nomination has been made by the Mayor for the appointment to the Recreation Commission subject to the advice and consent of Borough Council, **KIMBERLY GRAY** to serve as a member to the Recreation Commission for an unexpired term to expire on August 31, 2018; and

WHEREAS, Borough Council has duly considered the matter and wishes to express its advice and consent.

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. The allegations of the preamble are incorporated herein by this reference.
2. Kimberly Gray is hereby appointed to serve as a member to the Recreation Commission for an unexpired term to expire on August 31,

2018.

RESOLUTION NO. 12-130-2017

**RENEWAL OF PLENARY RETAIL CONSUMPTION AND DISTRIBUTION
LICENSES AND CLUB LICENSES FOR THE TERM FROM DECEMBER 7, 2017 TO
JUNE 30, 2018 FOR THE LICENSES HEREIN SPECIFIED PURSUANT TO N.J.S.A.
SPECIAL RULING 33:1-12.39**

WHEREAS, the holders of Plenary Retail Consumption Licenses, Plenary Retail Distribution Licenses and Club Licenses hereinafter indicated have made application to the Mayor and Council of the Borough of Woodbine, the issuing authority of the Borough of Woodbine, for the renewal of said licenses for the term commencing July 1, 2017 and ending June 30, 2018; and

WHEREAS, no written objections to the renewal of any of said licenses have been filed with the Borough Clerk necessitating a hearing thereon; and

WHEREAS, the Mayor and Council are satisfied that the licenses hereinafter specified should be renewed pursuant to N.J.S.A. Special Ruling 33:1-12.39 for the term indicated.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Woodbine, situated in the County of Cape May and State of New Jersey, the issuing authority thereof, as follows:

1. The allegations of the preamble are incorporated herein by this reference.
2. The application for renewal hereinafter designated have paid all required fees to the Borough Clerk.
3. The submitted application forms as to each of the hereinafter designated licensees are complete in all respects.
4. The hereinafter designated applicant for renewal is qualified to be a licensee according to all standards established by Title 33 of the New Jersey Statutes, regulations and promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33.
5. The applicant for renewal has heretofore disclosed the source of all funds used in the purchase of the license and licensed business and this issuing authority is satisfied with the disclosure and adequacy of that information.
6. The following license is hereby renewed for the license term commencing December 7, 2017 and ending on June 30, 2018 pursuant to N.J.S.A. Special Ruling 33:1-12.39.

Name of Licensees and Licensed Premises

License Numbers

DF Diesel LLC
2101 Dennisville Petersburg Rd
Woodbine, New Jersey 08270

0516-33-002-007
PRC

7. A certified copy of this Resolution shall be forthwith filed with the Director of Alcoholic Beverage Control of the State of New Jersey.

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

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

RESOLUTION NO. 12-131-2017

**A RESOLUTION AUTHORIZING THE BOROUGH OF WOODBINE TO
BE A TEAM MEMBER WITH THE COUNTY OF CAPE MAY AS
LEAD AGENCY AND AUTHORIZING THE EXECUTION OF A
MEMORANDUM OF AGREEMENT BETWEEN THE COUNTY OF
CAPE MAY AND BOROUGH OF WOODBINE FOR AN INTEGRATION
PILOT PROJECT FOR UNMANNED AIRCRAFT SYSTEM**

WHEREAS, the Federal Aviation Administration (FAA) has established a Integration Pilot Project (Project) to develop and innovate the safe operation of unmanned aircraft systems technologies (UAS) for their use in agriculture, commerce, emergency management and to promote continued technological innovation and growth to ensure U.S. global leadership in the emerging UAS industry and to safely integrate UAS into the National Airspace Systems; and

WHEREAS, the County of Cape May is the Lead agency for the implementation of the Project and requires the assistance of team members to accomplish the goals set forth in the Project; and

WHEREAS, the Borough of Woodbine is the owner and operator of an airport which would be an integral part of the implementation of the Project and therefore the County of Cape may has requested the Borough consider being a Team member for the Project; and

WHEREAS, in order to fulfill the requirements of a Memorandum of Agreement between the County of Cape May and the FAA, each team member is requested to execute a Memorandum of Agreement in the form and substance as is attached hereto; and

WHEREAS, the Council of the Borough of Woodbine finds that the Borough would benefit from becoming a team member by taking part in the study and implementation of

unmanned aircraft which would lead to a growth in economic development for the Borough, job creation and creation of tax ratables.

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

1. The Council of the Borough of Woodbine agrees in concept to be a Team Member with the County of Cape May being the Team Leader in the Integrated Pilot Project to develop and innovate the safe operation of unmanned aircraft systems technologies for their use in agriculture, commerce emergency management and to promote continued technological innovation and growth.

2. The adoption of this Resolution indicates that it is the intent of the Borough to authorize the Solicitor, Mayor and Clerk to negotiate and execute a Memorandum of Agreement with the County of Cape May in the form and substance similar to that which is attached hereto and made a part hereof, subject to and conditioned upon final approval by the Solicitor for the Borough of Woodbine and subject further to a determination by the Federal Aviation Administration or such other applicable Federal agency that the County of Cape May and its Team are chosen to implement the Integration Pilot Project.

RESOLUTION NO. 2-23-2015

APPROVING THE PERSON-TO-PERSON TRANSFER OF PLENARY RETAIL CONSUMPTION LICENSE NO. 0516-33-001-009 FROM MOUSE TRAP BOWLING ALLEY, LLC TO R&S WALTERS, LLC

WHEREAS, R&S Walters, LLC has made application to the Mayor and Council, the issuing authority of the Borough of Woodbine for a person-to-person transfer of Plenary Retail Consumption License No. 0516-33-001-009 heretofore issued to Mouse Trap Bowling Alley, LLC for premises situated on 2051 Route 610; and

WHEREAS, the licensed premises are known and described as Block 139 Lot 2 on the current Official Tax Map of the Borough of Woodbine; and

WHEREAS, notice of this person-to-person transfer was duly advertised as required by law, said advertisements having occurred in The Press of Atlantic City, a newspaper of general circulation within the Borough of Woodbine, on September 21, 2017 and September 28, 2017 as appears from the Proof of Publication duly filed with the Municipal Clerk of the Borough of Woodbine; and

WHEREAS, there have been no objections to this transfer filed with the Municipal Clerk of the Borough of Woodbine;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Woodbine, and the issuing authority thereof, in the County of Cape May and State of New Jersey, as follows:

The Mayor and Council makes the following findings of fact:

1. The application for the person-to-person transfer is complete in all respects. All required fees have been paid to the Borough of Woodbine and the State of New Jersey. Notice of the transfer application has been duly advertised as required by law and by the rules and regulations of the New Jersey Division of Alcoholic Beverage Control. No objections, written or otherwise, have been filed with the Municipal Clerk of the Borough of Woodbine.
2. The applicant, R&S Walters, LLC and it's officers, directors and stockholders, Shirley Ann Walters and Richard Arthur Walters, have previously submitted fingerprint cards to the New Jersey Division of Alcoholic Beverage Control for a criminal records check. Said investigation did not disclose any reason that would disqualify the applicant, its officers, directors or stockholders from holding a Plenary Retail Consumption License under the laws of the State of New Jersey.
3. All conditions precedent to the transfer of said license appear to have been complied with.

BE IT FURTHER 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. The statements of the preamble are incorporated herein by this reference.
2. The Borough Council does hereby approve the person-to-person transfer to R&S Walters, LLC of said Plenary Retail Consumption License and the Municipal Clerk be and she is hereby authorized to endorse the license certificate to the new ownership as follows: "This license, subject to all its terms and conditions, is hereby transferred to transferred to R&S Walters, LLC, effective January 2, 2018".

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

On motion of Councilwoman Perez, seconded by Councilman Ortiz to approve and adopt the following resolution, unanimously carried.

RESOLUTION NO. 12-133-2017

APPOINTMENT OF SUBSTITUTE CROSSING GUARD

WHEREAS, the Mayor and Council desires to provides safe crossings for school age children on designated public thoroughfares of the Borough of Woodbine; and

WHEREAS, there exists a need for a substitute crossing guard; and

WHEREAS, RICHARD CONGELOSI has successfully completed crossing guard training.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Woodbine that Richard Congelosi is hereby appointed as Substitute School Crossing Guard to be paid in accordance with the 2017 Salary Ordinance.

RESOLUTION NO. 12-134-2017

**APPROVAL OF CHANGE ORDER NO. 1
HEAD START BUILDING RENOVATIONS**

WHEREAS, Warriner's Construction, Inc. of Egg Harbor Township, New Jersey was previously awarded a contract in the amount of \$328,001.00 for the project known as Head Start Building Renovations; and

WHEREAS, during the course of work on the project certain additions and deletions to the scope of work were incorporated into the construction; and

WHEREAS, said additions and deletions are as shown on Change Order No. 1 increasing the contract amount by \$1,600.00 and making the total amended contract amount \$329,601.00; and

WHEREAS, the necessary funds for this contract modification are available through the previously approved NJDCA Small Cities Public Facilities Grant; and

WHEREAS, John W. Pedersen, Project Architect of J.W. Pedersen Architect, P.C. recommends approval of said Change Order No.1.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Woodbine, that Change Order No.1 for the Head Start Building Renovations in the amount of \$1,600.00 is hereby approved, subject to concurrence with the said approval by the New Jersey Department of Community Affairs.

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

On motion of Councilwoman Perez, seconded by Councilman Benson to approve and adopt the following resolution, unanimously carried.

RESOLUTION NO. 12-135-2017

**APPROVAL OF CHANGE ORDER NO. 2
HEAD START BUILDING RENOVATIONS**

WHEREAS, Warriner's Construction, Inc. of Egg Harbor Township, New Jersey was previously awarded a contract in the amount of \$328,001.00 for the project known as Head Start Building Renovations; and

WHEREAS, during the course of work on the project certain additions and deletions to the scope of work were incorporated into the construction; and

WHEREAS, said additions and deletions are as shown on Change Order No. 2 increasing the contract amount by \$1,100.00 and when combined with Change Order No. 1 making the total amended contract amount \$330,701.00; and

WHEREAS, the necessary funds for this contract modification are available through the previously approved NJDCA Small Cities Public Facilities Grant; and

WHEREAS, John W. Pedersen, Project Architect of J.W. Pedersen Architect, P.C. recommends approval of said Change Order No.2.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Woodbine, that Change Order No.2 for the Head Start Building Renovations in the amount of \$1,100.00 is hereby approved, subject to concurrence with the said approval by the New Jersey Department of Community Affairs.

RESOLUTION NO. 12-136-2017

APPROVAL OF CHANGE ORDER NO. 3 HEAD START BUILDING RENOVATIONS

WHEREAS, Warriner's Construction, Inc. of Egg Harbor Township, New Jersey was previously awarded a contract in the amount of \$328,001.00 for the project known as Head Start Building Renovations; and

WHEREAS, during the course of work on the project certain additions and deletions to the scope of work were incorporated into the construction; and

WHEREAS, said additions and deletions are as shown on Change Order No. 3 decreasing the contract amount by \$4,250.00 and when combined with Change Order Nos. 1 and 2 making the total amended contract amount \$326,451.00; and

WHEREAS, the necessary funds for this contract modification are available through the previously approved NJDCA Small Cities Public Facilities Grant; and

WHEREAS, John W. Pedersen, Project Architect of J.W. Pedersen Architect, P.C. recommends approval of said Change Order No.3.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Woodbine, that Change Order No.3 for the Head Start Building Renovations in the amount of \$4,250.00 is hereby approved, subject to concurrence with the said approval by the New Jersey Department of Community Affairs.

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

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

RESOLUTION NO. 12-137-2018

AUTHORIZATION TO ADVERTISE FOR BIDS PEDESTRIAN AND BIKEWAY SAFETY IMPROVEMENTS

WHEREAS, the Borough of Woodbine previously submitted an application for New Jersey Department of Transportation (NJDOT) funding for the project known as the Pedestrian and Bikeway Safety Improvements to be located along Webster Avenue near the Woodbine Elementary School; and

WHEREAS, the Borough has been successful in obtaining the funding from NJDOT in the amount of \$240,000.00 for the construction of said project; and

WHEREAS, the Borough has applied to the Pinelands Commission for a public development approval of said project in conjunction with the County Open Space Eco Park Project which was approved by the Commission on November 3, 2017; and

WHEREAS, the bid documents are being prepared for this Project to be competitively bid;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Woodbine, that upon receipt of the bid documents, 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.

Unfinished Business: Mayor Pikolycky updated Council on the status of the new Comcast Televue channel which will provide Borough information to the residents. Said channel will be available December 20, 2017.

New Business: None

Engineer's Report: None

Solicitor's Report: None

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

Mr. Tonetta, at this time, indicated Resolution No. 12-138-2017 will not be necessary at this time as Mr. Kizner is awaiting a response from Traveller's Insurance Company.

Public Comment: None

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

Respectfully submitted,

Lisa Garrison
Borough Clerk