

**BOROUGH OF WOODBINE
REGULAR MEETING**

**DECEMBER 19, 2019
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 18, 2019 and posting a copy of said notice on the Clerk's bulletin board."

Those present were: Mayor Pikolycky; Councilpersons Ortiz, Johnson, Perez and Benson. Also present were: Bruce Graham, Borough Engineer; Kan Liu, Airport Engineer; and Lisa Garrison, Borough Clerk. Absent: Councilmen Bennett and Cruz.

The Pledge of Allegiance was led by Mayor Pikolycky.

Mayor Pikolycky called for approval of the minutes. On motion of Councilwoman Perez, seconded by Councilman Johnson to approve the minutes of December 5, 2019, unanimously carried.

At this time Mayor Pikolycky called for resolutions and Ms. Garrison indicated there were additional resolutions not listed on the agenda.

RESOLUTION NO. 12-122 -2019

**APPROVING MEMBERSHIP INTO THE WOODBINE VOLUNTEER FIRE
DEPARTMENT AND SUBMISSION OF APPLICATION FOR MEMBERSHIP TO
THE NEW JERSEY STATE FIREMENS ASSOCIATION
FOR DAVID G WAGNER JR**

WHEREAS, David G Wagner Jr has been interviewed by the Woodbine Volunteer Fire Department Company #1's membership committee; and

WHEREAS, David G Wagner Jr has met the qualification requirements; and

WHEREAS, pursuant to New Jersey State Firemens Physical Rules and Regulations submission of application for membership to the New Jersey State Firemens Association must be approved by Mayor and Council;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Woodbine, County of Cape May, State of New Jersey that the submission of application for membership for David G Wagner Jr. to the New Jersey State Firemens Association are hereby approved.

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

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

RESOLUTION NO. 12-123-2019

**APPROVAL OF CHANGE ORDER NO. 2-FINAL
FOR RECONSTRUCTION OF
HEILPRIN AVENUE**

WHEREAS, Jerry & Son Excavating, Inc. was previously awarded a contract for the reconstruction of a portion of Heilprin Avenue in the amount of \$173,847.50 which was subsequently amended by Change Order No. 1 increasing the contract amount to \$195,022.50; and

WHEREAS, during the course of work on the project, various overages and underages in the bid quantities occurred and additional sidewalk was installed along the westerly side of the roadway to provide accessible pedestrian access between Webster Avenue and the existing developed properties along Heilprin Avenue; and

WHEREAS, the changes in the quantities and additional sidewalk resulted in a net increase in the contract amount of \$12,803.90 resulting in a total contract amount of \$207,826.40, all as shown on Change Order No. 2 Final; and

WHEREAS, via a letter dated April 24, 2019, NJDOT has approved the combining of funds between the Heilprin Avenue project and the adjacent Sumner Avenue project and also deemed the extra sidewalk work eligible for funding as part of utilizing these combined funds;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Woodbine, that Change Order No. 2-Final is hereby approved.

RESOLUTION NO. 12-124-2019

**RESOLUTION AUTHORIZING THE EXECUTION OF A LEASE MODIFICATION
AND SUBLEASE AGREEMENT BY AND BETWEEN THE BOROUGH OF
WOODBINE AS LESSOR, NICK HOLLAND AS SUBLESSOR AND NOBEL LEASING
COMMUNITIES INC AS SUBLESSEE**

WHEREAS, on July 1, 2013 the Woodbine Port Authority was the owner and operator of a municipal airport consisting of parcels of land and improvements thereon for lease to the general public; and

WHEREAS, on July 1, 2013 the Woodbine Port Authority entered into a Lease Agreement with Nick Holland for land upon which a Hangar was constructed in accordance with the Lease Agreement (Leased Premises); and

WHEREAS, the Woodbine Port Authority has assigned all of their rights and interest in the airport and related leases to the Borough of Woodbine and was thereafter dissolved; and

WHEREAS, Nick Holland has requested the Borough consider permitting a sublease of the Leased Premises to Nobel Leasing Communities, Inc. for a 6 months period and a one month subsequent extension; and

WHEREAS, the Borough Council of the Borough of Woodbine finds it to be in the best interest of the Borough to permit the sublease provided all parties agree to a modification of the Lease Agreement to be consistent with the terms of all new leases of land and improvements in the Woodbine Airport as well as requiring the sublessor to comply with all federal, state and local laws related to the construction and renovation of the improvements on the Leased Premises.

NOW, THEREFORE, BE IT RESOLVED by the Council of Borough of Woodbine, that the Mayor and Clerk are authorized to execute a Lease Modification and Sublease Agreement by and between the Borough of Woodbine as Lessor, Nick Holland as Sublessor and Nobel Leasing Communities, Inc as Sublessee in the form and substance substantially similar to the Agreement attached hereto and made a part hereof, subject to such modifications as approved by the Mayor and Solicitor.

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

Unfinished Business

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

County Road Projects – 550/638 Update -

Route 550 – receipt of bids has been delayed until January or February 2020. Mayor Pikolycky indicated there will be additional County Road projects forthcoming with Corson Tavern Road.

Roundabout Project – no change.

Open Space Eco-Park Replacement/Upgraded Items – work is continuing on the plans/specifications for the Bikeway with bidding anticipated for early spring construction. The Pathways will also be bid at the same time. Working on the Creative Placemaking items which would include benches, picnic tables, archways and fencing. The deadline for submission is January 15, 2020.

DEP Issues – Water Project - no change.

USDA Projects – Status –

Food Pantry III – Engineer is working on the specifications.

Head Start Roof Project - punch list items remaining.

Water/Sewer Project - Mr. Graham is working on the plans and specifications to include the larger building. A meeting had been held with DHS and we are very close to settling the agreement for the sewer project.

DOT Sumner/Heilprin Avenues Reconstruction Projects Status – Council approved a change order this evening to closeout Heilprin. Mr. Graham is working on Sumner. There are still funds remaining for signage. Mayor Pikolycky requested Mr. Gurdziel, Public Works Supervisor, review signs.

DCA Small Cities Sidewalks Project Status - Plans and specifications have been submitted to NJDCA for review.

Master Plan - waiting on the printing of the new master plan. Ms. Gallardo, Secretary to the Board, has sent out the required formal notices. There is no answer on the zoning ordinance application.

Clean Energy Program - Ms. Garrison had received an email from Ms. Town advising the engineer was on vacation and upon his return it will be addressed.

Medevac Lease Status - Mr. Tonetta indicated the agreement was revised to include the rental of a storage building.

Baker Study- The Borough is requesting the State review and provide the services of a contractual engineer to update the study.

New Business –

USDA ECWAG Application - Rubber/Hat Factory Property - TWT is preparing a narrative that will be submitted with the application which will substantiate the need as the property is located in close proximity to the water system.

Animal Control Contract - the current contract expires 12/31/2019. Ms. Garrison indicated Shore Animal Control submitted their proposal with a nominal increase of \$12/year. On motion of Councilwoman Perez, seconded by Councilman Johnson to approve the following resolution, unanimously carried.

RESOLUTION NO. 12-125-2019

A RESOLUTION AWARDING A CONTRACT FOR ANIMAL CONTROL SERVICES TO SHORE ANIMAL CONTROLS SERVICES, SEAVILLE, NEW JERSEY

WHEREAS, there exists a need for the services of an Animal Control Officer for the Borough of Woodbine, in the County of Cape May and State of New Jersey; and

WHEREAS, the Chief Financial Officer has certified the availability of funds; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq.) requires that a resolution authorizing the award of contracts for “professional services” without competitive bids and the contract itself must be available for public inspection.

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. Shore Animal Control Services, LLC with its principle offices located at Hope Corson Road, Seaville, New Jersey shall be awarded a one (1) year contract to provide animal control services for the Borough of Woodbine in the amount of \$8,988.00 at a rate of \$750.00 per month.
2. The term shall be for a period of one (1) year commencing January 1, 2020 and ending December 31, 2020 with two (2) additional one (1) year options in the amount of \$9,000.00 at a rate of \$750.00 per month.
3. The Mayor and Clerk are authorized to execute a Contract in accordance with the terms and conditions contained herein.

This Contract is awarded without competitive bidding as a “professional service” in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because the contract is for a service performed by a person authorized by law to practice a recognized profession that is regulated by law.

3. A notice of this action shall be printed once in the Herald.

Swearing In/Reorganization Meeting - January 2, 2020

2020 JIF Elected Officials Seminar - Ms. Garrison indicated there was a conflict of interested between the January 24, 2020 seminar and the CMC League of Municipalities meeting. She indicated there was another seminar to be held on March 24, 2020 both of which will be at the Savoy. She indicated to Council that a \$250 per each attendee was given which was applied towards our bill. She will send out an email for Council to choose which date they would attend.

Clean Communities Report - Mr. Gurdgiel indicated he is working to complete and submit. Also reported the Public Works Department is busy collecting leaves at this time.

Committee Reports:

Public Works/Buildings & Grounds: Chairman Bennett was absent.

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

Public Safety & Courts: Chairman Cruz had nothing to report.

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

Property & Small Business: Chairman Johnson had nothing to report.

Revenue & Finance: Chairwoman Perez had nothing to report..

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

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

1. Taxiway A Mill and Overlay State 2, Design – awaiting FAA Delphi system closeout before Woodbine can submit final invoice. Ms. Garrison will follow-up with FAA.
2. 20:1 TERP Surface Obstruction Removal - final invoice submitted and closeout of project is being processed.
3. Helicopter Parking Apron Design and Construction - Construction has begun.
4. Taxiway B Rehabilitation – Design – Awaiting NJDOT matching share award.

Solicitor's Report – Mr. Tonetta wished everyone a Merry Christmas.

Public Comment: None.

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

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

Respectfully submitted,

Lisa Garrison
Borough Clerk

