

**BOROUGH OF WOODBINE
REGULAR MEETING**

**DECEMBER 20, 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, Perez, Benson, and Cruz. Also present were: Richard Tonetta, Borough Solicitor; Lew Conley, Borough Engineer; Kan Liu, Airport Engineer; and Lisa Garrison, Borough Clerk.

The Pledge of Allegiance was led by Mayor Pikolycky.

Mayor Pikolycky called for approval of the minutes. On motion of Councilman Cruz, seconded by Councilman Benson to approve the minutes of December 6, 2018, carried with one (1) abstention by Councilwoman Perez.

At this time Mayor Pikolycky called for the following resolutions:

RESOLUTION NO. 12-117-2018

**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 \$44,800.00, which item is now available as a revenue from the United States Department of Agriculture.

Section 2.

BE IT FURTHER RESOLVED that a like sum of \$44,800.00 is hereby appropriated under the caption of USDA Fire Truck Acquisition.

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 Councilwoman Perez, seconded by Councilman Johnson to approve the foregoing resolution, unanimously carried.

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

RESOLUTION NO. 12-118-2018

RESOLUTION TO ESTABLISH A COMPLETE STREETS POLICY

WHEREAS, the Borough of Woodbine is committed to creating street corridors that safely accommodate all road users of all abilities; and

WHEREAS, the New Jersey Department of Transportation's Complete Streets policy states, "A Complete Street is defined as a means to provide safe access for all users by designing and operating a comprehensive, integrated, connected multi-modal network of transportation options."; and

WHEREAS, significant accomplishments have already been achieved by incorporating pedestrian safety and traffic calming measures when public streets are improved; and

WHEREAS, Borough Council supports this "Complete Streets" initiative and wishes to reinforce its commitment to creating a comprehensive, integrated, connected street network that safely accommodates all road users of all abilities and disabilities and for all trips;

WHEREAS, complete streets have the potential for improving physical and mental health either directly or indirectly in the following ways:

1. Incorporating physical activity into our daily lives by increasing pedestrian activity and bicycle use.
2. Reducing rates of several chronic diseases related to increases in physical activity from walking and bicycling. Key impacted diseases include diabetes, heart disease, depression, and some cancers.
3. Reducing rates of injury and death from decreased traffic crashes and improved road safety for all users.
4. Reducing rates of asthma and other respiratory issues due to improved air quality through emissions reductions and vegetative air filtration.
5. Multiplying health and wellness benefits resulting from improved access to necessary amenities for vulnerable populations.
6. Reducing the risk of illnesses related to water-borne pathogens resulting from improved stormwater infiltration.
7. Increasing the sense of social connectivity & sense of community belonging.
8. Improving aesthetics through decorative and functional vegetation.

NOW THEREFORE, BE IT RESOLVED that the Borough of Woodbine hereby endorses the principles contained in the New Jersey Department of Transportation's Complete Streets Policy (N.J.S.P. Title 27) and said principles are made part of Woodbine's Complete Streets policy adopted by the Borough as presented in this Resolution.

BE IT FURTHER RESOLVED by the Borough Council of the Borough of Woodbine, County of Cape May, State of New Jersey, that all new and retrofitted projects, including design, planning, construction, maintenance and operations undertaken by the Borough shall be designed and constructed

as “Complete Streets” whenever feasible to do so in order to safely accommodate travel by pedestrians, bicyclists, public transit, vehicle users and motorists of all ages and abilities, with special priority given to bicyclist and pedestrian safety subject to the following conditions:

1. Pedestrian and bicycle facilities shall not be required where they are prohibited by law.
2. Public transit facilities shall not be required on streets not serving as transit routes and the desirability of transit facilities will be determined on a project specific basis.
3. In any project, should the cost of pedestrian, public transit, and/or bicycle facilities cause an increase in project costs in excess of 5%, as determined by engineering estimates, that would have to be funded with local tax dollars, then and in that event, approval by Council must be obtained for same prior to bidding of the project.
4. Flexibility and community context is needed when addressing needs of streets and users.
5. Exceptions to the policy to be contingent upon the presence of specific safety concerns and will be reviewed by Council.

BE IT FURTHER RESOLVED that all initial planning and design studies of complete street infrastructure projects shall consider opportunities to improve public health.

BE IT FURTHER RESOLVED that the Mayor or his designee shall present this Resolution to the Commissioner of the New Jersey Department of Transportation for inclusion in the Department of Transportation file in recognition of the Borough’s efforts to adopt its Complete Streets Policy as it relates to the Borough’s participation in the Departments Local Aid programs and related state and federal programs.

RESOLUTION NO. 12-119-2018

TRANSFER OF 2018 BUDGET APPROPRIATIONS

WHEREAS, N.J.S.A. 40A:4-58 provides that appropriation transfers may be made for the budget year 2018.

NOW, THEREFORE BE IT RESOLVED BY THE Mayor and Council of the Borough of Woodbine, Cape May County and State of New Jersey that the following transfers be made:

FROM:

Legal Other Expenses	8-01- -108-271	\$ 6,700.00
Buildings & Grounds Other Expenses	8-01- -117-271	1,000.00
TOTAL		\$ 7,700.00

TO:

Administrative and Executive Prof. Services	8-01- -101-501	\$ 2,100.00
Planning/Zoning Board Other Expenses	8-01- -121-271	4,600.00
Tipping Fee	8-01- -153-241	1,000.00

TOTAL \$ 7,700.00

FROM:

Airport Utility Salaries & Wages 8-07- -182-111 \$ 300.00

TO:

Airport Utility Social Security 8-07- -211-309 \$ 300.00

TOTAL \$ 300.00

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

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

RESOLUTION NO. 12-120-2018

**AUTHORIZING THE TAX COLLECTOR TO PLACE A SPECIAL ASSESSMENT
AGAINST CERTAIN PROPERTIES**

WHEREAS, Ordinance No. 151 of the Borough of Woodbine requires that property owners maintain their property in accordance with said ordinance; and

WHEREAS, a Notice of Violation was served on the property owner of the property listed below, and they failed to correct the condition set forth in the Notice of Violation within the time specified; and

WHEREAS, the Code Enforcement Official authorized services to be performed to correct the condition at a cost to the Borough of Woodbine as hereinafter provided.

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

That the Tax Collector of the Borough of Woodbine is hereby authorized to record the following sums of money on the property listed below as a special assessment and municipal lien to be collected as required by law.

Block 25 Lot 6	
414 Jackson Ave	\$220.00

RESOLUTION NO. 12-121-2018

AWARD OF CONTRACT FOR 20:1 TERP OBSTRUCTION REMOVAL

WHEREAS, sealed bids were received on December 14, 2018 by the Borough for the 20:1 TERP Obstruction Removal project; and

WHEREAS, RPM Landscape Contractor, LLC of Galloway, NJ submitted the only bid which is summarized as follows:

Bidder	Bid
RPM Landscape Contractor, LLC	\$ 23,765.00

WHEREAS, the Chief Financial Officer certifies that funds are available for this Contract in accordance with N.J.A.C. 5:30-5.4; and

WHEREAS, the bid of RPM Landscape Contractor, LLC has been submitted in proper form and the contractor appears qualified to perform the work anticipated under this contract;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Woodbine, that the award of said contract is hereby made to RPM Landscape Contractor, LLC in the amount of \$23,765.00, subject to concurrence with said award by the New Jersey Department of Transportation, the agency funding this project; and

BE IT FURTHER RESOLVED that upon approval by the above noted funding agencies the Mayor and Clerk are hereby authorized to execute all documents necessary to effectuate a contract with RPM Landscape Contractor, LLC for this project.

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

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

RESOLUTION NO. 12-122-2018

AUTHORIZING THE FILING OF SUPPLEMENTAL APPLICATION MATERIALS FOR CAPE MAY COUNTY OPEN SPACE PROGRAM FUNDING FOR COMBINED PHASES 2 AND 3 TO THE WOODBINE ECO-PARK PROJECT

WHEREAS, in November of 1989, the voters of Cape May County approved by a two-to-one margin a ballot question endorsing the establishment of a trust fund to preserve open space and agricultural land; and,

WHEREAS, the trust is funded by a County property tax of one cent per \$100 assessed valuation, is known as the Open Space Preservation Tax, and currently generates approximately \$5 million annually; and

WHEREAS, pursuant to the approval of this ballot initiative the County established the Division of Open Space and Farmland Preservation (OSFP) to administer the program; and,

WHEREAS, since that time the State of New Jersey passed laws which expanded the potential function of the OSFP Trust Fund to include recreation and historic preservation; and,

WHEREAS, the Borough of Woodbine was awarded, based on a recommendation by the County Open Space Board, a total of \$700,000 from the Cape May County Board of Chosen Freeholders to carry out Phase 1 of this important project; and,

WHEREAS, the Borough of Woodbine submitted in April 2018 an application to complete this multi-phase project by combining Phases 2 and 3 into one final phase and by obtaining funding in an amount not to exceed \$1,500,000.00 from the Cape May County Open Space Program for the purposes outlined in the Borough's Open Space application; and,

WHEREAS, the aforementioned application was deferred for consideration until December 2018; and,

WHEREAS, the County Open Space Program has requested supplemental materials from the Borough of Woodbine to support the Phases 2 and 3 Open Space application; and,

WHEREAS, the revised total cost of these two phases of work is estimated to be an amount not to exceed \$1.2 million; and,

WHEREAS, the Borough of Woodbine is committed to the long-term maintenance associated with the improvements noted herein and outlined in the Borough's referenced application to the Cape May County Open Space Program;

NOW, THEREFORE, BE IT RESOLVED THAT the Mayor or the successor to the office of Mayor is hereby authorized to:

- (a) make application for such funding,
- (b) provide additional application information and furnish such documents as may be required, and
- (c) act as the authorized correspondent for the above-named applicant.

BE IT FURTHER RESOLVED

- (a) That the Mayor of the above-named body is hereby authorized to execute and agreement and any amendment thereto with the County for the project known as the Woodbine Eco-Park Project;
- (b) That, in the event the County's funds are less than the total project, the Borough has the balance of funding necessary to complete the project;
- (c) That the applicant agrees to comply with all applicable federal, state and local laws, rules and regulations in its performance of the project; and,
- (d) That this resolution shall take effect immediately.

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

RESOLUTION NO. 12-123-2018

**RESOLUTION APPROVING A MEMORANDUM OF UNDERSTANDING BY AND BETWEEN
THE BOROUGH OF WOODBINE AND THE AMERICAN RED CROSS**

WHEREAS, the Borough of Woodbine, working in conjunction with the The American Red Cross, has developed a Memorandum of Understanding (MOU), which defines the working relationship between both parties; and

WHEREAS, the MOU provides the broad framework for cooperation and support between the Borough of Woodbine OEM and The American Red Cross in assisting individuals, families and communities who have been or could be impacted by a disaster or an emergency;

WHEREAS, the MOU also provides the descriptions of readiness and response activities, such as planning, training, exercising and resourcing, and the clarification of roles and responsibilities of The American Red Cross and the Borough of Woodbine OEM to the community and other agencies.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Woodbine that the Memorandum of Understanding by and between the Borough of Woodbine and The American Red Cross is hereby in all respects approved and the Mayor is hereby directed to execute said MOU.

Unfinished Business:

Water Quality Management Plan (County) Status - the County Consultant will be in contact with Mr. Graham in regards to the build out.

County Road Projects – 550/638 Update - the contact information regarding the outstanding bill for the damaged water pipes was given to Mr. Graham for follow-up.

Open Space Eco-Park update – the application for Phases II & III has been filed. Mayor Pikolycky indicated DCA will be reviewing the Eco-Park for inclusion in the master plan.

DEP Issues – Asset Management Plan Status- no update.

USDA Projects – Status – Food Pantry – work ongoing. Head Start Roof Renovations – architect revising specifications for USDA review.

Sumner Avenue Reconstruction Project Status - no update.

DCA Planning Board Master Plan Status – the LPS planner is scheduled to tour the Eco-Park with Mayor Pikolycky, Councilman Bennett and Mr. Conley. The next meeting is scheduled on January 16, 2019 at 10:30 a.m.

Trash Contract - bid opening will be held on January 22, 2019 at 10:00 a.m.

Romano Amended Lease Agreement - Mr. Tonetta indicated changes are being made pursuant to Mr. Graham's comments.

Redevelopment RFQ - Three (3) RFQ/RFPs were received.
New Business –

Right of Way Permits Ordinance - Mr. Tonetta indicated there is an FCC directive which permits the 5g telecommunications system to be installed in the ROW. There will be penalties if disallowed. The municipalities will have some controls but advised to proceed carefully. Mr. Conley indicated the League of Municipalities released a report and draft ordinance. He recommended the Land Use Board review and formulate an opinion if this draft ordinance fits the Borough. Mr. Conley indicated he will review with Mr. Russell, LUB Solicitor. Mayor Pikolycky stated Pinelands has revisited their original opinion and now have an interest. On motion of Councilman Cruz, seconded by Councilman Bennett to refer a request to the Land Use Board to review the small cell 5g telecommunications installation in the right of way draft ordinance, unanimously carried.

Committee Reports:

Public Works/Buildings & Grounds: Chairman Bennett reported leaf collection is ongoing.

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

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

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

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

Revenue & Finance: Chairwoman Perez had nothing to report at this time.

Engineer's Report – None

Airport Utility Engineer's Report –

Taxiway A Mill and Overlay Stage 2, Design – reviewed payment schedule with the CFO and the close out documents will be sent to FAA shortly.

20:1 TERP Surface Obstruction Removal - award recommended to RPM Landscaping Contractor, LLC of Galloway in the amount of \$23,765.00.

Taxiway A Rehabilitation Stage II – Construction – reviewing with CFO.

Helicopter Parking and Apron Design and Construction – Working with FAA for payment of design work. Anticipate construction to begin in spring.

Proposed 2019 Projects –

Transient Apron Design - NJDOT will announce awarded airport by the end of February, 2019.

Taxiway B Rehabilitation – Design & Construction - Estimated cost of design and construction is \$1,740,510. This project would be 100% funded by FAA.

Runway 1-19 Taxiway B Connection – Design & Construction – Estimated cost of design and construction is \$550,000. This project would be 100% funded by FAA.

Solicitor's Report: None

Public Comment: None.

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

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

Respectfully submitted,

Lisa Garrison
Borough Clerk