

**BOROUGH OF WOODBINE
REGULAR MEETING**

**JUNE 16, 2016
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 27, 2016 and posting a copy of said notice on the Clerk’s bulletin board.”

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

Mayor Pikolycky led the flag salute.

Mayor Pikolycky called for the approval of the minutes of May 19, 2016. On motion of Councilman Bennett, seconded by Councilwoman Perez to approve the minutes as received, carried with one (1) abstention by Councilman Ortiz.

Resolutions:

RESOLUTION NO. 6-39-2016

**RENEWAL OF PLENARY RETAIL CONSUMPTION AND DISTRIBUTION
LICENSES AND CLUB LICENSES FOR THE TERM FROM JULY 1, 2016 TO JUNE
30, 2017 FOR THE LICENSES HEREIN SPECIFIED**

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, 2016 and ending June 30, 2017; 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 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 applications 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 applicants for renewal are qualified to be licensees 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 applicants for renewal have 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 licenses are hereby renewed for the license term commencing July 1, 2016 and ending on June 30, 2017.

| Name of Licensees and Licensed Premises | License Numbers |
|---|------------------------|
| Harsukh, LLC 1557 DeHirsch Ave Woodbine, New Jersey 08270 | 0516-44-007-003 PRD |
| Mouse Trap Lanes Bowling Alley, LLC 2051 Route 610 Woodbine, New Jersey 08270 | 0516-33-001-008 PRC |
| Maxs Woodbine House LLC 1563 DeHirsch Ave Woodbine, New Jersey 08270 | 0516-32-003-007 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 Councilman Bennett, seconded by Councilwoman Perez to approve and adopt the foregoing resolution, unanimously carried.

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

RESOLUTION NO. 6-40-2016

**ACCEPTANCE OF PROJECT
HEILPRIN AVENUE RECONSTRUCTION**

WHEREAS, RTW Construction, Inc. of Southampton, New Jersey was previously awarded a contract for the project known as Heilprin Avenue Reconstruction; and

WHEREAS, the Borough Engineer, Bruce S. Graham of Van Note-Harvey Associates, has determined that the work on this project has been substantially completed in accordance with the contract documents,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Woodbine, that the contract for the work be and same is hereby accepted as substantially complete, and

BE IT FURTHER RESOLVED that all remaining payments as previously authorized by contract through and including approved Change Order No. 1 Final be made thereon to RTW Construction, Inc.

RESOLUTION NO. 6-41-2016

**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 2016 in the sum of \$69,583.00, which item is now available as a revenue from the New Jersey Economic Development Authority.

Section 2.

BE IT FURTHER RESOLVED that a like sum of \$69,583.00 is hereby appropriated under the caption of 2016 HDSRF Hat Co. Grant.

BE IT FURTHER RESOLVED that two copies of the required certification, together with supporting documentation, be filed in the office of the Director of Government Services for his certification.

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

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

RESOLUTION NO. 6-42-2016

AUTHORIZING THE HIRING OF TAYLOR WISEMAN & TAYLOR FOR PROFESSIONAL REMEDIAL INVESTIGATION SERVICES UNDER A NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY GRANT FOR ADDITIONAL WORK AT THE FORMER WOODBINE HAT COMPANY SITE

WHEREAS, the Borough of Woodbine has and continue to perform Remedial Investigation (RI) work at the property known as the former Woodbine Hat Company site (Block 65, Lot 1) under several grants from the New Jersey Economic Development Authority (NJEDA);

WHEREAS, during the course of undertaking the current investigative work which is being performed by Taylor Wiseman Taylor (TWT), the need for services for soil and ground water testing has been identified by TWT to fully delineate the contamination and as the Borough has a need to acquire these remediation investigation services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44-20.5; and

WHEREAS, the Chief Financial Officer has determined the value of the acquisition will exceed \$17,500; and

WHEREAS, TWT on behalf of the Borough has submitted an application to the NJDEP and NJEDA for Hazardous Discharge Site Remediation Funds to provide these additional services in the amount of \$69,58.00; and

WHEREAS, NJEDA via a letter dated June 1, 2016 has approved a grant in the total amount of \$69,583.00 to perform the scope of services as identified by TWT; and

WHEREAS, TWT has completed and submitted a Business Entity Disclosure Certification which certifies that TWT has not made any reportable contributions to a political or candidate committee in the Borough of Woodbine with the Mayor or Borough Council in the

previous one year, and that the contract will prohibit TWT from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer certifies that funds are available to pay TWT for said services in accordance with N.J.A.C. 5:30-5.4; and

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Woodbine authorizes the Mayor to enter into a contract with TWT as described herein; and

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification be placed on file with this resolution; and

BE IT FURTHER RESOLVED a notice of this action shall be printed in The Herald newspaper.

RESOLUTION NO. 6-43-2016

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:

1. 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 9 Lot 13
742 Jackson Ave \$ 60.00

Block 17 Lot 15
634 Adams Ave \$ 60.00

Block 28 Lot 7
402 Washington Ave \$ 60.00

Block 29 Lot 1

| | |
|--|-----------|
| 400 Longfellow St | \$ 140.00 |
| Block 29 Lot 10 322 Washington Ave | \$ 140.00 |
| Block 30 Lot 10.01 341 Washington Ave | \$ 60.00 |
| Block 55 Lot 6 716 Webster St | \$ 60.00 |
| Block 57 Lot 9 716 Monroe Ave | \$ 60.00 |
| Block 66 Lot 4 309 Adams Ave | \$ 140.00 |
| Block 69 Lot 10 310 Madison Ave | \$ 220.00 |
| Block 70 Lot 5 509 Madison Ave | \$ 60.00 |

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

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

RESOLUTION 6-44-2016

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**RESOLUTION AUTHORIZING REDUCTION OF
PERFORMANCE BOND**

WHEREAS, 2101 Associates, LLC. obtained approvals from the Planning/Zoning Board of the Borough of Woodbine with respect to development on Block 139, Lot 1 on the Tax Map of the Borough of Woodbine; and

WHEREAS, a performance bond was posted in the amount of \$289,990.00 in accordance with the Engineer's estimate; and

WHEREAS, the owner has requested a reduction of the performance bond based upon completed work; and

WHEREAS, the Borough Engineer has inspected the work and determined that a reduction of the performance bond from \$289,990.00 to \$78,008.00 is warranted; and

WHEREAS, the Mayor and Council of the Borough of Woodbine has reviewed the Engineer's recommendation;

NOW THEREFORE, be it resolved by the Mayor and Council of the Borough of Woodbine that the performance bond currently in effect and posted with respect to infrastructure improvements on property known as Block 139, Lot 1 on the Tax Map of the Borough of Woodbine posted by 2101 Associates, LLC be and the same may hereby be reduced from \$289,990.00 to \$78,008.00; and

BE IT FURTHER RESOLVED by the Mayor and Council of the Borough of Woodbine that if the performance bond is in the form of a letter of credit, the developer may confirm the reduction of the performance guarantee with the lending institution and post a revised letter of credit or other performance guarantee acceptable to the Borough of Woodbine consistent with the foregoing.

RESOLUTION NO. 6-45-20-16

**A RESOLUTION AUTHORIZING THE BOROUGH OF WOODBINE
TO ENTER INTO A COOPERATIVE PRICING AGREEMENT**

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the Educational Services Commission of New Jersey, hereinafter referred to as the "Lead Agency " has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and services;

WHEREAS, on June 16, 2016 the governing body of the Borough of Woodbine, County of Cape May, State of New Jersey duly considered participation in a Cooperative Pricing System for the provision and performance of goods and services;

NOW, THEREFORE BE IT RESOLVED as follows:

TITLE

This RESOLUTION shall be known and may be cited as the Cooperative Pricing Resolution of the (CONTRACTING UNIT)

AUTHORITY

Pursuant to the provisions of *N.J.S.A. 40A:11-11(5)*, the (CHIEF EXECUTIVE OFFICER) is hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency.

CONTRACTING UNIT

The Lead Agency shall be responsible for complying with the provisions of the *Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.)* and all other provisions of the revised statutes of the State of New Jersey.

EFFECTIVE DATE

This resolution shall take effect immediately upon passage.

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

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

RESOLUTION NO. 6-46-2016

RESOLUTION ADOPTING THE CAPE MAY COUNTY MULTI-JURISDICTIONAL ALL HAZARDS MITIGATION PLAN UPDATE (MAY 2016)

WHEREAS the Borough of Woodbine, NJ, has experienced natural hazards that result in public safety hazards and damage to private and public property;

WHEREAS, the hazard mitigation planning process set forth by the State of New Jersey and the Federal Emergency Management Agency offers the opportunity to consider natural hazards and risks, and to identify mitigation actions to reduce future risk;

WHEREAS the New Jersey Office of Emergency Management is providing federal mitigation funds to support development of the mitigation plan;

WHEREAS a *Hazard Mitigation Plan* has been developed by the Mitigation Planning Committee;

WHEREAS the *Cape May County Multi-Jurisdictional All Hazards Mitigation Plan Update (May 2016)* includes a prioritized list of mitigation actions including activities that, over time, will help minimize and reduce safety threats and damage to private and public property, and

WHEREAS the draft plan was provided to each participating jurisdiction and was posted on the County Hazard Mitigation Plan Update website so as to introduce the planning concept and to solicit questions and comments; and to present the Plan and request comments, as required by law, and

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

1. The *Cape May County Multi-Jurisdictional All Hazards Mitigation Plan Update (May 2016)*, as submitted to the New Jersey Office of Emergency Management and the Federal Emergency Management Agency on June 7, 2016 by Cape May County is hereby adopted as an official plan of the Borough of Woodbine; minor revisions recommended by the Federal Emergency Management Agency and/or the New Jersey Office of Emergency Management may be incorporated without further action.
2. The Borough of Woodbine departments identified in the Plan are hereby directed to pursue implementation of the recommended high priority activities that are assigned to their departments.
3. Any action proposed by the Plan shall be subject to and contingent upon budget approval, if required, which shall be at the discretion of the Mayor and Council, and this resolution shall not be interpreted so as to mandate any such appropriations.
4. The Emergency Management Coordinator is designated to coordinate with other offices and shall periodically report on the activities, accomplishments, and progress, and shall prepare an annual progress report to be submitted to the Cape May County Office of Emergency Management. The status reports shall be submitted on a yearly basis by a predetermined date as agreed upon by all stakeholders.

RESOLUTION NO. 6-47-2016

**AUTHORIZATION TO ADVERTISE FOR BIDS
MUNICIPAL BUILDING EMERGENCY GENERATOR**

WHEREAS, the Borough of Woodbine submitted a Grant Application for Hazard Mitigation Grant Program funding through the State of New Jersey Office of Emergency Management (NJOEM) for the purchase and installation of a new Emergency Generator at the Borough's Municipal Building; and

WHEREAS, the Borough has been successful in obtaining this funding through NJOEM in the total amount of \$75,000.00 for the construction of said project; and

WHEREAS, the design and bid documents have been prepared for this Project to be competitively bid;

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

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

RESOLUTION NO. 6-48-2016

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

WHEREAS, the Borough of Woodbine submitted a Grant Application for State Aid for the Reconstruction of DeHirsch Avenue between Adams Avenue and Monroe Avenue as part of FY 2015 Municipal Aid Funding as well as the Local Aid Infrastructure Fund Program 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 \$295,000.00 for the construction of said project; and

WHEREAS, the design and bid documents have been prepared for this Project to be competitively bid;

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 Bennett, seconded by Councilman Johnson to approve and adopt the following resolution, unanimously carried.

RESOLUTION NO. 6-49-2016

**AWARD OF BID
WOODBINE STATE POLICE BARRACKS BALLISTICS UPGRADE**

WHEREAS, the Borough of Woodbine has and continues to lease the Borough owned Building located at 809 Franklin Street to the State of New Jersey for use by the State Police (Lease #4227); and

WHEREAS, the State Police through the Department of the Treasury, Division of Property Management & Construction has requested that certain Ballistic Upgrades be made to the lobby of this Borough Building; and

WHEREAS, bids for the project were advertised in accordance with the Public Contracts Law and the following bid proposals were received on June 15, 2016:

| Bidder | Base Bid | Alt. No. 1 | Total |
|-------------------------|-----------------|-------------------|--------------|
| BWM Construction | \$38,200.00 | \$12,700.00 | \$50,900.00 |
| Aliano Construction | \$40,500.00 | \$18,700.00 | \$59,200.00 |
| Archetto Construction | \$55,158.00 | \$16,895.00 | \$72,053.00 |
| R. Maxwell Construction | \$54,900.00 | \$28,900.00 | \$83,800.00 |

WHEREAS, the bid of BWM Construction 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 BWM Construction in the amount of \$50,900.00 comprising the Base Bid and Alternate No. 1, subject to concurrence with said award and authorization of funding for said project by the State Police through the Department of the Treasury, Division of Property Management & Construction, the agency funding this project; and

BE IT FURTHER RESOLVED that the Municipal Clerk is hereby authorized and directed to return the certified checks or bid bonds for the following unsuccessful bidders:

Archetto Construction
R. Maxwell Construction

and that the certified checks or bid bonds of the successful bidder (BWM Construction) and the next lowest bidder (Aliano Construction) are to be returned upon receipt of a fully executed Contract and other required documents.

BE IT FURTHER RESOLVED that upon approval by the above noted funding agency the Mayor and Clerk are hereby authorized to execute all documents necessary to effectuate a contract with BWM Construction for this project.

Unfinished Business: None

New Business: None

Engineer's Report:

Mr. Graham reported on the following:

Open Space Project - Mr. Graham reviewed the Open Space Plans with Council. It was decided the Borough will pursue all three (3) phases when applying for Pinelands permits. Mr. Zumpino, Triad Associates, indicated Phase II could be applied for at the end of this year.

USDA Food Bank Phase II - Mr. Zumpino indicated the Borough had applied for \$41,000 in grant funds. The application is currently under review.

Water Improvements - Mr. Zumpino indicated an application had been submitted for \$4 million and it was suggested the project be in phases due to the availability of funding. The application is currently under review. It has been requested 50%-75% be grant funding with the balance to be a loan.

Head Start Center - Mr. Zumpino indicated the application will be refiled for Gateway in September.

Solicitor's Report: None

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

Public Comment: None

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

Respectfully submitted,

Lisa Garrison
Borough Clerk

