

MINUTES
JANUARY 24, 2011
7:30 p.m.

The Meeting was opened with the Pledge of Allegiance.

President Sloane requested a Moment of Silence.

The Open Public Meeting Statement was read by the Clerk/Administrator, Mr. Thomas B. Bowe.

Roll Call

Present: Pottillo, Carter, Brown, Fleming, Louis, Tierney, Trout, Connor, Sloane,
Mayor Riskie

Absent: No One

President of Council

President Sloane advised that Ronda Abbruzzese would be giving an update on the status of Woodbury Main Street this evening; this was not currently on the agenda.

Also, State Senator Norcross' Office has advised President Sloane, that the City would be receiving funds to proceed with Phase 3 of the Delaware Street Repaving Project. Later in the meeting Council will be authorizing the City Engineer to proceed with said project.

President Sloane advised that this is Mr. Bowe's last Council Meeting prior to his retirement effective February 1, 2011; and he would like to personally wish him the very best and thank him for his service to the City.

Approval of Minutes:

On motion of Councilwoman Tierney, seconded by Councilman Fleming, the Minutes of January 10, 2011 approved as submitted.

Public

On motion of Councilman Fleming, seconded by Councilwoman Tierney, the Regular Order of Business was suspended and the floor was opened to the Public for Agenda Items Only.

Brendon Chiesa, 36 Rugby Place, approached Council to ask for an explanation of S-1 as referred to in Resolution #11-43.

President Sloane stated that his best explanation would be that the resolution calls for a simplification of the COAH regulations.

RESOLUTIONS AND ORDINANCES

FINANCE & ADMINISTRATION

#11-43 - Resolution of the City of Woodbury Calling on the Governor to Sign S-1

Councilman Fleming presented the above-entitled resolution.

The City Clerk read the title of the resolution.

On motion of Councilman Fleming, seconded by Councilman Louis, the resolution was adopted by a voice motion.

#11-44 - Resolution Appointing Contact Person for the Employment Practices Liability Helpline Gloucester, Salem, Cumberland Counties Municipal Joint Insurance Fund

Councilman Fleming presented the above-entitled resolution.

The City Clerk read the title of the resolution.

On motion of Councilman Fleming, seconded by Councilman Louis, the resolution was adopted by a voice motion.

#11-45 - Resolution of the City Council of the City of Woodbury, County of Gloucester, New Jersey, Authorizing the Preparation and Submission of an Application to the New Jersey Environmental Infrastructure Trust and the New Jersey Department of Environmental Protection

Councilman Fleming presented the above-entitled resolution.

The City Clerk read the title of the resolution.

Councilman Fleming stated that no costs were available at this time.

The City Engineer, Ted Wilkinson, stated that he will submit the application this week and preliminary plans will be included which indicates the preliminary costs of about \$3.5 million. Mr. Wilkinson explained why the costs are where they are due to having to close our old wells on Woodbury Glassboro Road. This must be done to comply with state guidelines before we can proceed.

There was some conversation regarding the two wells and the replacement of the main along Woodbury-Glassboro Road..

On motion of Councilman Fleming, seconded by Councilwoman Tierney, the resolution

was adopted by a voice motion.

Mr. Bowe asked the City Engineer if he would address the issue of handicapped parking spaces in our public parking lots.

Mr. Wilkinson explained how he will proceed to show all the parking markings on City lots.

Mrs. Wipf, Library Director, stated that regarding the City Parking Lot behind City Hall she is concerned because of the seniors and young children who come into the Library. At any given time between the handicapped spots and the municipal cars occupying parking spaces there just aren't enough spaces. She has requested and suggested that all employees park away from the building just as she has instructed her Library staff to do. She is asking Council to consider her request again.

#11-47 - Resolution Authorizing the Mayor and Clerk/Administrator to Execute a Lease Agreement with Main Street Woodbury Inc. for the Purpose of Conducting the Woodbury Farmers Market

Councilman Fleming presented the above-entitled resolution.

The City Clerk read the title of the resolution.

On motion of Councilman Fleming, seconded by Councilman Louis, the resolution was adopted by a voice motion.

Councilman Fleming requested that a resolution previously adopted be rescinded (Res. #11-40) and Council consider adopting another resolution naming the original vendor who was Hardenburg Insurance.

Councilwoman Tierney inquired why this was being done, considering the current vendor is a Woodbury tax payer.

Councilman Fleming stated that Hardenburg was named on the original resolution; however another resolution was presented after the original was withdrawn naming Cettei and Connell, as the City's Insurance Agent even though Cettei and Connell's fee was in excess of the Hardenberg fee by \$9,300.00. However, since that time Cettei and Connell has agreed to reduce their fee, is this ethical?

Councilwoman Tierney advised that Council Personnel had a opportunity to review the proposals submitted and adopted the resolution when it was presented. Also, Mr. Strout has two properties within the City and is paying taxes to the City for both businesses. This is not a good move that Council is now considering.

Councilman Fleming stated that since a resolution was adopted, the current firm can serve for a 90 day period without any consequence.

Councilwoman Tierney strongly objected to this change and inquired if Council was at risk for a potential lawsuit?

Mr. Pierson, City Solicitor, advised that the contract is a standard contract and allows for cancellation. It is Council's option to terminate the contract. A simple majority vote would be sufficient to do so.

Mayor Riskie stated that he had signed the contract and recommends that we keep the existing contract in place until the end of the year. Any change is strictly being done as a political move, nothing more.

Councilman Pottillo stated that he would like to respond to the Mayor and Councilwoman's Tierney's opinion, that he respects their views, but to indicate that this is a political move is somewhat incorrect.

Councilman Louis stated that he disagrees with Councilman Pottillo's remarks. The resolution was voted on at the Reorganization and apparently something else has occurred since that time; it is very disappointing to put Council in this position.

Councilman Fleming advised that he is just making the playing field fair. He understands the views and has a great deal of respect for Dave Strout of Cettei and Connell.

Councilwoman Tierney stated that she respectfully disagrees, the original circumstances could not have been more fair, this is emphatically being done for political reasons.

Mayor Riskie advised that this is coming out of nowhere and was not even on the agenda; therefore, he is requesting that this request be put in writing so that Council has the opportunity to discuss it further.

Councilwoman Tierney requested that the action be tabled, this was seconded by Councilman Louis. A vote to table the resolution. was taken by roll call.

Ayes	3	Louis, Tierney, Connor
Nays	5	Pottillo, Carter, Brown, Fleming, Sloane
Abstain	1	Trout

The motion to table the resolution did not pass.

A roll call vote was taken to name a new vendor as the City's Insurance Agent.

Ayes	5	Pottillo, Carter, Brown, Fleming, Sloane
Nays	3	Louis, Tierney, Connor
Abstain	1	Trout

PRESENTATION BY MAIN STREET

Main Street Director, Ronda Abbruzzese, advised that she met with Main Street, New Jersey this past week along with Councilman Trout and Mayor Riskie. This was the first of monthly meetings that will be held in the upcoming years and the first was in Woodbury. There were nine (9) other communities represented and issues such as updates on funding and DRMI were discussed. Also, ways to have Main Street become self-sufficient were discussed by providing training and recruitment techniques to help.

Mayor Riskie advised that he was extremely encouraged by the information given us and he is a strong supporter of economic development within the City of Woodbury.

Mr. Abbruzzese further elaborated on what the Dollar Sea Store is intending to do with their business whereby they will be housing fourteen different businesses located within that one building.

Vouchers

On motion of Councilman Fleming, seconded by Councilwoman Tierney, the vouchers as listed and certified were authorized paid.

Public Safety

#2129-11 - Ordinance Amending Chapter 114 Landlord Licensing of the Code of the City of Woodbury (1st Reading) (By Title Only)

Councilman Louis presented the above-entitled ordinance.

The City Clerk read the title of the ordinance.

On motion of Councilman Louis, seconded by Councilman Fleming, the ordinance was placed on first reading, to be advertised according to law, come up for second reading and final adoption at the next regularly-scheduled meeting of Council on February 14, 2011.

#11-46 - Resolution Authorizing the Person-To-Person Transfer of Liquor License #0822-33-007-003 from John W. Hargrave, Chapter 7 Trustee for Woodbury Country Club to PB Woodbury Liquor License, LLC

Councilman Louis presented the above-entitled resolution.

The City Clerk read the title of the resolution.

There was some discussion regarding the purpose of the resolution.

Mr. Bowe commented on the advantage of selling the Country Club property along with the license.

On motion of Councilman Louis, seconded by Councilman Fleming, the resolution was adopted by a voice motion.

Relating to Mr. Bowe's pending retirement, Councilman Louis stated that he had the pleasure of not only working with Tom Bowe during his tenure here as Clerk/Administrator but also as a student of Mr. Bowe's at the Woodbury High School; Mr. Bowe has never wavered from having the City's best interest at heart.

Public Works/Utilities

Councilwoman Tierney advised that a Pre-Construction meeting was held by the City Engineer and all the appropriate officials. The topic of the meeting was Phase 3 of the Delaware Street Water Main Replacement Project. Councilwoman Tierney explained that the project will take about 3 months and at times may be inconvenient for Delaware Street residents; we will do our best to work with them and they will be constantly advised during the process.

The City Engineer, Ted Wilkinson, stated that the contractor intends to do one block at a time and residents will be notified when their block will be closed prior to the actual date.

Councilwoman Tierney also extended her appreciation to Mr. Bowe not only his services to the City, but also with the City and High School's Athletic Programs; his knowledge of the City's history has been shared by him with many.

Economic Development

Councilman Trout did advise that he has attended four Main Street Meetings and one Gloucester County Chamber Meeting and will continue to do so to keep Council informed of what is going on.

Personnel

Councilman Pottillo advised that he has met with President Sloane and Councilmen Louis and Trout to discuss three soon-to-be vacant positions. It appears that everyone is in agreement that we should confer with an outside consultant to see what would be the best way to go.

Councilwoman Tierney inquired regarding the time frame before a decision to hire is made. It appears that during this process our Deputy Administrator will be taking on many of the Administrator's duties and this is a very busy time for his own duties.

Councilman Pottillo stated that he is aware of this and we will do our utmost to see this is done as soon as possible.

President Sloane stated that we will be talking to our current staff to get their input; however, Council will ultimately make the decision.

Councilwoman Tierney inquired who makes the final decision, Council of the Mayor.

Mr. Pierson stated he was not absolutely sure, but would include the Mayor on the Committee if he is not the final one to appoint.

Environmental

Councilman Connor had nothing to report.

Community Development

Councilwoman Brown stated that she would also like to express her well wishes to Mr. Bowe for all that he has done for the City. Many people are not even aware of all he has done.

#2128-11 - Ordinance Creating the Woodbury Municipal Alliance Commission (2nd Reading)

Councilwoman Brown presented the above-entitled ordinance.

The City Clerk read the title of the ordinance.

On motion of Councilwoman Brown, seconded by Councilman Fleming, the ordinance was ordered opened for Public Hearing.

On motion of Councilwoman Brown, seconded by Councilman Pottillo, the Public Hearing was ordered closed.

On motion of Councilwoman Brown, seconded by Councilman Pottillo, the ordinance was passed on second and final reading by a roll call vote.

Ayes	9	Pottillo, Carter, Brown, Fleming, Louis, Tierney, Trout, Connor, President Sloane
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Nays	0	
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Green Acres Program

Nothing to report.

Report of Mayor

Mayor Riskie stated that he agrees with Councilman Pottillo and his comments about government working together. Much has occurred over the past several months and he still has hope that we can still keep the door open to all considerations.

Mayor Riskie then thanked Mr. Bowe for all his years of dedication to the City wishing him well in his new endeavors.

Report of Clerk

Mr. Bowe advised that he has distributed the most recent report on the complaints submitted by Officer Pitzo regarding the property on Franklin Street.

Mr. Pierson, City Solicitor, stated that the City must appoint a Hearing Officer that was discussed earlier in the meeting. After some discussion, it was decided that Brian Bosworth would be appointed Hearing Officer for the Landlord/Tenant complaint currently in question.

Mr. Bowe read a prepared statement where he identified all the places that he had lived during his lifetime in Woodbury and referenced his 32 year of active service to the City beginning with his coaching career in Woodbury. Mr. Bowe acknowledged his shortcomings while serving as Clerk/Administrator and stated he was sorry and asked for forgiveness from his peers and family.

Public

On motion of Councilman Louis, seconded by Councilwoman Tierney, the Regular Order of Business was suspended and the floor was opened to the Public for Non-Agenda Items.

Mr. David Strout, 135 S. Broad Street and 430 N. Broad Street, owner of two Woodbury businesses came forward to ask Councilman Pottillo and Councilwoman Brown why they changed their vote regarding the appointment of the Insurance Agent for the City of Woodbury.

Councilman Pottillo stated that he did not care to respond to the question; Councilwoman Brown responded in kind.

Mr. Strout stated that as a taxpayer he felt that he was due a response from both Council Members who should realize that they represent the City when they cast their vote. His only conclusion was their change of vote must have been for political reasons.

Mr. Strout stated that as a taxpayer, who pays the City \$18,000.00 for two properties, he deserves a response.

Councilman Pottillo advised Mr. Strout that he defined Mr. Strout's approach this evening as threatening.

Mr. Strout responded that he was simply asking a question, not putting forth a threat, and should be taken in that fashion. Mr. Strout further stated that he himself has served as a Councilmember and when he was asked a direct question from a taxpayer, he would have responded accordingly, unlike Councilman Pottillo.

Mr. Paul Bunn, 18 E. Packard Avenue, thanked Councilwoman Tierney for requesting the handicapped parking spots be handled by the City.

Also, Mr. Bunn did not understand why the bidding process is not handled more fairly. Mr. Bunn continued by stating that Mr. Strout lowered his price only after he found out what the other Insurance Agent submitted. This does not seem to be above-board.

Councilman Louis advised Mr. Bunn that is what the public was told but that is not what really occurred.

Councilman Fleming expanded on the situation by saying that the process should have been handled as it appeared on the agenda. Apparently, something was going on beforehand and the resolution should probably have been tabled. Instead, the action to overturn the original resolution should have been tabled. Yes politics probably did play a part in all of this.

Mr. Strout finally stated that his objection to the handling of this entire situation was that, as a taxpayer, he only asked that his services be considered. A resolution was adopted naming him the Agent; now for whatever reason, that resolution is being overturned; he only is asking "why", nothing more.

Mr. Borrell, owner of the gas station on N. Broad Street., has been asking for help in having his sewer blockage taken care of. When he did not receive any help from the City, he tried to do it himself. He even wrote a certified letter to the Mayor of the City in March.

President Sloane advised that he has been in contact with Mr. Borrell for almost a year by e-mail and the City Engineer has also been involved along with the City Clerk.

Mr. Borrell asked that he be allowed to explain in more detail because President Sloane has only been aware of his problem for 3 weeks, not the entire year.

Mr. Borrell continued by saying that the Public Works Department came by and spoke with his neighbors and not directly to him stating the problem was due to the County working in that area.

Mr. Bowe stated that when he became aware of the situation, the question involved a problem with locating the sewer lateral on the property.

Mr. Wilkinson, the City Engineer, advised that he and Mr. Leidy have been at the location and it appears that DEP possibly was responsible for covering up a vent; however, it probably was done years ago when permits were not required; that is why there is no record.

More conversation continued regarding what can be done to solve this problem.

The conclusion was to have the City Engineer look further into the situation.

Mr. Victor Brown, 31 Nelson Avenue, came forward to say that if he were a professional looking to start a business here in Woodbury that he would be apprehensive coming into Woodbury after listening to the way the Risk Management choice was handled.

Mr. Brown, then thanked Mr. Bowe for his service as Administrator and as a teacher who always showed respect and treated his student with respect.

Brendon Chiesa, 36 Rugby Place, thanked Mr. Bowe for his service to the City.

Mr. Chiesa requested that the drainage problem be addressed in front of their property; this has been requested before.

Mr. Chiesa asked Councilman Fleming to explain what he referred when he referred to ductile vs. PVC.

Councilman Fleming explained the difference.

As no one else desired to address Council, on motion of Councilman Louis, seconded by Councilman Trout, the Public Portion was closed and the Regular Order of Business was resumed.

CHIEF FINANCIAL OFFICER

Mr. Law stated for clarity purposes, that Gail Scheffler, will be signing as the Clerk, until such time as a new Clerk is chosen.

Mr. Law then inquired if we would be re-advertising for the Risk Management Agent, since this conflict has been challenged.

Councilman Fleming advised that we do have to have an Agent named; however, in the interim we may have to pay someone an hourly rate, not to exceed the 6% rate.

On motion of Councilman Louis, seconded by Councilman Trout, there was a five minute recess before Council went into Executive Session (approximately 9:36 pm).

EXECUTIVE SESSION

On motion of Councilman Trout, seconded by Councilman Louis, the Regular Order of Business was resumed at 10:03 pm.

There being no further business, on motion of Councilman Trout, seconded by Councilwoman Tierney, the meeting was adjourned at 10:05 pm.

THOMAS B. BOWE
Clerk/Administrator

OTHER OFFICIALS PRESENT

Assessor: Roy Duffield
Chief Financial Officer: Robert Law
City Engineer: Ted Wilkinson, PE
Deputy Clerk: Gail Scheffler
Librarian: Jean Wipf
Main Street Director: Ronda Abbruzzese
NPP Coordinator: Virginia Horn
Police Chief: Reed Merinuk
Solicitor: James Pierson, Esq.