

February 26, 2007

The Regular Meeting of the Mayor and Council of the City of Woodbury held on the above date was called to order by President C. Barry E. Sloane at 7:30 p.m.. The meeting was held in Council Chambers located at Woodbury City Hall, 33 Delaware Street, Woodbury, N.J.. The Clerk/Administrator, Thomas B. Bowe, stated that it was a Regular Meeting of the Mayor and Woodbury City Council and due notice had been given to both the press and the public by reason of a resolution for Regular Meetings adopted January 4, 2007.

President Sloane requested a Moment of Silence.

ROLL CALL

Present: Riskie, Schreyer, Villari, President Sloane, Fleming, Louis, Tierney, Belko, Mayor Curtis

Absent: Brown

President Sloane stated that Councilwoman Brown is not present this evening due to a recent illness and asked everyone to remember her in their prayers.

CHANGES TO THE AGENDA

President Sloane advised that resolution #07-68 listed on the agenda will be removed and not action will be taken.

MINUTES

On motion of Councilman Riskie, seconded by Councilwoman Tierney, the minutes of February 12, 2007 were approved as submitted.

PUBLIC

On motion of Councilman Louis, seconded by Councilman Belko, the Regular Order of Business was suspended and the floor was open to the Public for Agenda Items Only.

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

FINANCE & ADMINISTRATION

RESOLUTION #07-64 – RESOLUTION TO REFUND OVERPAYMENT OF WATER CHARGES – 554 COOPER STREET

Councilman Fleming presented the above-entitled resolution.

The City Clerk read the title of the resolution.

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

RESOLUTION #07-65 – RESOLUTION TO REFUND OVERPAYMENT OF WATER CHARGES – 68 SMALLWOOD PLACE

Councilman Fleming presented the above-entitled resolution.

The City Clerk read the title of the resolution.

On motion of Councilman Fleming, seconded by Councilwoman Tierney, the resolution was adopted by a voice vote.

RESOLUTION #07-69 – CITY OF WOODBURY RESOLUTION APPROVING THE APPLICATION FOR A 2007-2008 PARIS GRANT

Councilman Fleming presented the above-entitled resolution.

The City Clerk read the title of the resolution.

On motion of Councilman Fleming, seconded by Councilwoman Tierney, the resolution was adopted by a voice vote.

Councilman Fleming advised that he will also be discussing the JIF Program later on in the meeting.

VOUCHERS

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

PUBLIC SAFETY

Councilman Louis advised that he had no business under Public Safety, but he would like to wish Tom Bowe and the Woodbury Boys Basketball Team good luck on their game in the state basketball tournament.

PUBLIC WORKS/UTILITIES

RESOLUTION #07-67 – RESOLUTION AUTHORIZING REPAIRS IN AGREEMENT WITH JET-VAC INC. FOR THE CITY OF WOODBURY’S JET RODDER TRUCK

Councilman Belko presented the above-entitled resolution.

The City Clerk read the title of the resolution.

Councilman Belko explained why this resolution was necessary.

On motion of Councilman Belko, seconded by Councilwoman Tierney, the resolution was adopted by a voice vote.

ECONOMIC DEVELOPMENT

RESOLUTION #07-70 – RESOLUTION OF THE CITY OF WOODBURY REAFFIRMING REQUEST TO NJDOT FOR CERTAIN IMPROVEMENTS FROM THE NEW JERSEY DEPARTMENT OF TRANSPORTATION

Councilman Villari presented the above-entitled resolution.

The City Clerk read the title of the resolution.

President Sloane stated that this same type of resolution was brought before Mayor and Council about a year ago regarding having the NJDOT look into traffic calming on Broad Street and this is just a reiteration of our position and hopefully they will look upon this favorably.

On motion of Councilman Villari, seconded by Councilwoman Schreyer, the resolution was adopted by a voice vote.

Councilman Villari advised of a meeting scheduled to be held on Wednesday, February 28, 2007 at 7:00 PM in Council Chambers for Economic Development.

Mr. Bowe advised that the public is invited and he is also asking that no more than four (4) council members attend the meeting because of the Sunshine Laws.

PERSONNEL

Councilman Riskie advised that the Personnel Committee Council members along with the President of Council met on Tuesday, February 20, 2007 to look over the sample forms provided by other municipalities pertaining to employee evaluation forms and job descriptions.

Councilman Riskie stated that a packet will be distributed to each Council member at the next meeting for their review and recommendations so that a finalized form can be agreed upon.

ENVIRONMENTAL

Councilwoman Schreyer stated that she wanted to discuss what she along with the Chemical Free Lawn Initiative Program members have put together a brochure. Councilwoman Schreyer then thanked all the people who had helped her with this work naming everyone individually. The brochure is still a work in progress so any comments are welcomed before it goes to final print.

Councilman Riskie inquired about the Master Gardener program.

Councilwoman Schreyer advised that classes are offered to all residents at Rutgers University and when this course is completed this group of students are part of a non-profit organization who volunteer their services to any organization free of charge and educate residents on producing a chemical free lawn.

COMMUNITY DEVELOPMENT

RESOLUTION #07-66 – RESOLUTION AUTHORIZING THE USE OF NEIGHBORHOOD PRESERVATION PROGRAM FUNDS FOR BLOCK 67, LOT 11 A/K/A 315 LINCOLN STREET

Councilman Belko presented the above-entitled resolution.

The City Clerk read the title of the resolution.

On motion of Councilman Belko, seconded by Councilman Riskie, the resolution was adopted by a voice motion.

Councilman Belko asked Mrs. Horn what was the status of the proposed RCA Agreement with Mantua since her presentation to Council last year.

Mrs. Virginia Horn, NPP Director, stated that she been told that Council will not be getting involved at this time and she has not pursued the matter any further.

President Sloane elaborated on the decision advising that there is presently a court case that has put the RCA Program on hold. There is also still much to be done as far as legislation goes that would limit the City and President Sloane suggested that until these issues are resolved it is in the City's best interest to wait and see the outcome of the legislation.

Councilman Riskie inquired if this court case was relatively new?

President Sloane replied it was.

Councilman Belko stated that he was under the impression that this case does not put a freeze on the program as it now stands.

Councilwoman Schreyer stated that she also heard the same views; however, she also heard that the State indicated that it will take away 50% of a municipalities credits that already exist and she does agree with the decision to wait until we have a clearer understanding.

Councilman Belko asked for the Solicitor's opinion.

Mr. Pierson stated that because he is the City Solicitor for Mantua as well as the City of Woodbury he will not be able to participate in any legal involvements with an RCA Program between the two municipalities. Mr. Pierson suggested any future legal questions be referred to another solicitor, possibly the City's Labor Counselor.

Councilwoman Tierney inquired regarding the City's COAH credit situation.

Ms. Horn responded that she was not clear on some issues but as far as the credits earlier referred to she responded that it would not affect the City's current credits.

Councilman Louis inquired if Mantua is actively seeking other towns to become involved with them and the RCA Agreement or was it restricted to just the City of Woodbury.

Ms. Horn advised that they have reached out to other municipalities as well.

Councilman Belko inquired what would be the next step.

Ms. Horn advised that Council would have to approve a resolution to enter into the agreement, considering if the offer still exists, since she has not proceeded any further since the last time she brought it up to Council.

Councilman Fleming inquired if there was a list of applicants waiting for Council to make their decision.

Ms. Horn stated that there are three (3) applicants on a waiting list who will be processed when the next allotment from Harrison Township is received because we only have limited funds for rehabilitation.

Councilman Belko suggested that Council put this topic on the agenda for the next meeting so Council has an opportunity to vote on whether they want to move forward or not.

President Sloane stated that he would recognize the request and it will be on the next meeting's agenda; however, he highly cautions Council not to be too eager to enter into the RCA program until all the legislation has been decided on.

Councilwoman Tierney inquired if Ms. Horn had a contact to come out to explain to Council by way of a presentation to answer some of Council's concerns.

Ms. Horn stated originally Jim Bell, a planner with Kernan & Melvin, was in agreement to do this; however, since time has passed she cannot guarantee the individual is still available.

Councilman Fleming asked how and why we have not applied for the round 3 COAH application.

Ms. Horn responded that she was not involved in that process and could not answer that question.

Councilman Riskie stated that if this court case was just a month old as President Sloane indicated then how long would it be before a decision is made.

President Sloane advised that there was a six (6) month deadline and it has been thrown back to the legislature.

PUBLIC WORKS

Councilman Belko stated that at the last Council meeting it was discussed that a resolution would be prepared showing what percentage of the taxes collected from the Rowan University Property on Cooper Street would be going towards school taxes; and he did not see it on the agenda this evening.

Councilman Fleming apologized stating that he was not able to address that subject for this Council meeting.

OLD BUSINESS

Councilman Belko stated he was following up with 2 separate items:

- 1) He had asked the Mayor about getting a copy of his letter to the DEP Commissioner Regarding the parking garage; (which he has not received yet);
- 2) Councilman Belko also requested a copy of the County's Analysis of why the parking garage could not be moved to behind the jail; (which he also has not received).

Councilman Belko stated that he was very concerned how the County intended to move their offices and in what type of time frame and if there was a analysis report to indicate their intentions if they do move forward.

Councilman Belko also stated that he hopes that the County is factoring in all of the costs involved if they intend to relocate the facilities out of Woodbury

FINANCE & ADMINISTRATION

Councilman Fleming advised that he attended the JIF Safety Meeting and although he was not responsible for the 2006 calendar year, he was, however, very surprised to learn that the City of Woodbury received the Gold Safety Award and received \$2,725 monetary award. Our Police Department won a first time Departmental Award. Councilman Fleming then invited Chief Merinuk , Lieutenant Cope and Captain Sheehan to come forward to explain how this was accomplished.

Chief Merinuk stated that basically about 6 years ago the City of Woodbury first entered into the JIF program with municipalities from three (3) other counties and over these 6 years have made great strides in improving all aspects of safety within our various departments.

President Sloane also added that the Woodbury Police Department having become certified, was ranked 2nd in the Tri-County Area which includes 35 other towns to be accredited and fourth in the State, which is a great accomplishment.

Councilman Fleming advised that the JIF will be requiring some additional requirements for the City's compliance regarding the Fireworks display as indicated in the MEL Bulletin that they publish.

Councilman Fleming announced that also pertaining to JIF he read in the same Bulletin that there will be offered through JIF a training program for the operation of the jet-vac which we should look into.

Councilman Fleming also advised that there will be a training session scheduled for April 2, 2007 for Council members and department heads which can be accomplished at your own schedule through the internet.

Councilman Belko indicated that during a break at the last meeting the Mayor made two statements concerning the downtown area.

The first statement was that the Woodbury Schools should be closed and the second remark was "have you ever driven down Broad Street at 3:00 pm"?

The Mayor stated that he was misquoted. What he said in fact was that the high school should be closed because he has heard from the merchants and several residents the same sentiment. He then read a letter from the manager of the Dollar General Store whereby it was indicated that people do not want to come out to shop in the downtown area especially when

school lets out because they are fearful to shop and because of the amount of shoplifting that occurs.

Councilwoman Tierney stated that in a newspaper article the reason Dollar General was closing was because their headquarters decided to down size and were closing several stores.

Mayor Curtis advised that when the headquarters makes a decision on what stores should be closed it is based on specific reasons, and the reasons stated above involved their decision on the Woodbury store.

Councilwoman Tierney inquired if the Police were aware of these complaints regarding the shoplifting issues.

Chief Merinuk stated they have had some complaints; however; the number is relatively low and not a reason to close the store. He continued by saying that the Police have a call into the store management now inquiring why more complaints had not been lodged if the problem was that intense.

Chief Merinuk stated that they have increased police traffic along Broad Street and does not agree with the letter the Mayor read pertaining to the reasons Dollar General is leaving the City.

Mayor Curtis stated that was one of the reasons he wanted to make the Elkins property a community center so the students have somewhere to go.

Councilman Belko continued by stating that a remark such as made by the Mayor at the last meeting about one of the ways to revitalize the downtown area is to close the high school is reprehensible; indicating that the Mayor's remarks were "tinged with racism".

President Sloane stated that Councilman Belko was "out of order" and stated his remarks were unacceptable and inappropriate; therefore closing the floor to any further discussion on the topic.

Councilwoman Tierney inquired if there was going to be a closed session at the end of the meeting as indicated on the agenda.

Mr. Pierson, City Solicitor, stated that there is a resolution for an "Executive Session" if it should be needed.

President Sloane advised this was a last minute item that was added to the agenda and in no way was done to "try to pull a fast one" as seemed to be indicated.

MAYOR CURTIS

Mayor Curtis thanked Councilman Fleming for his update on all the JIF information he shared with Council members this evening.

Mayor Curtis also thanked all the department heads for attending the Budget Workshop and working so hard to make the cut backs they did to keep the budget at a minimum.

The Mayor stated that this evening there was a DOT Meeting in Bellmawr concerning plans for I295, R42 and I76 and how plans are in the works to upgrade the interchange of all those roads. Currently there is an issue at hand whereby a developer is trying to hold up the project because of his fight to still have access to his property; therefore, the Mayor is urging all residents to contact their legislature to move this project forward.

CLERK/ADMINISTRATOR

The City Clerk requested a motion to have the City Engineer move forward in developing plans and specifications and going out to bid on the project to Reconstruct West Centre Street. On motion of Councilman Louis, seconded by Councilwoman Tierney, the City Engineer was authorized to move forward on the West Centre Street Project.

TREASURER'S REPORT

President Sloane presented the Treasurer's Report which was received as filed.

PUBLIC

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

Dave Jenkins, 345 Glover Street, came forward to express his objection to Woodbury bringing another RCA Project into the City especially one that has so many uncertainties.

Councilman Louis stated that he doesn't totally agree with Mr. Jenkins; however, if the City can get \$2 million to help improve our housing situation we should take advantage of it.

Mr. Jenkins continued saying that let Mantua worry about Mantua and Woodbury should not get involved; instead we should be writing to the State and have them do away with programs that encourage other towns getting involved in other neighboring towns housing issues.

Mr. Jenkins inquired about Mayor Curtis' stand on performing wedding ceremonies until hearing from Trenton, could he elaborate on that.

Mayor Curtis advised that he will not be performing any weddings at this point.

Dr. Rogers, 130 Rugby Place, asked if there were any other materials available that substantiate the program for having chemical free lawns because of the cancer causing effects. Dr. Rogers stated that in his opinion many of the products currently being used have been approved by the state and he is not convinced that the products are as hazardous as the Councilwoman is indicating.

Councilwoman Schreyer stated she did have other materials just not with her this evening.

Mayor Curtis thanked the group who put the chemical free lawn material out. Being in the industry as part of his profession, he knows all too well that products and information are consistently changing making the public more aware of what was safe and maybe is now no longer as safe as what first thought. All of these materials we use are being deposited in our stormwater systems and recycled into our drinking water which should be a concern to all of us.

RESOLUTION #07-71 – RESOLUTION AUTHORIZING CLOSED SESSION FOR CONTRACT NEGOTIATIONS

President Sloane presented the above-entitled resolution.

The City Clerk read the title of the resolution.

Councilman Riskie objected to the way it which this resolution was presented. It was his opinion that this should have been stated at the beginning of the meeting that an Executive Session resolution would be added to the agenda.

Mr. Pierson, City Solicitor, reassured Councilman Riskie that the Sunshine laws have been adhered to even though the Resolution was not listed on the agenda this evening.

On motion of Councilman Fleming, seconded by Councilwoman Schreyer, the resolution was adopted by a voice vote.

President Sloane stated that action may be taken as a result of the Closed Session when Council resumes the Regular Order of Business.

On motion of Councilman Villari, seconded by Councilwoman Tierney, the Regular Order of Business was suspended and Council went into Executive Session (approximately 8:40 pm).

EXECUTIVE SESSION

On motion of Councilman Villari, seconded by Councilwoman Tierney, Council resumed the Regular Order of Business at 9:33 pm.

There being no further business, on motion of Councilman Riskie, seconded by Councilman Louis, the meeting was adjourned at 9:35 pm.

THOMAS B. BOWE
CLERK/ADMINISTRATOR

OTHER OFFICIALS PRESENT

Assessor: Roy Duffield
Chief Financial Officer: Robert Law
City Engineer: Ted Wilkinson, PE
Deputy City Clerk: Gail R. Scheffler
Emergency Mgmt Officer: Lieutenant Cope
Librarian: Jean Wipf
NPP Coordinator: Virginia Horn
Police Chief: Chief Reed Merinuk
Public Works: Rick Leidy, Supervisor
Bill Lynch
Solicitor: James Pierson, Esq.