

March 27, 2003

The Regular Meeting of the Mayor and Council of the City of Woodbury held on the above date was called to order by President Curtis 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 and 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 2, 2003.

The Invocation was delivered by the Reverend Margaret Cousins of Colonial Manor United Methodist Church in Woodbury.

ROLL CALL

Present: Riskie, Schrock, Schreyer, Brown, Louis, Graziani, President Curtis and Mayor Clark

Absent: Sloane, Grebb
President Curtis indicated that Councilman Sloane is out of the country; and Councilman Grebb is ill.

MINUTES

On motion of Councilman Riskie, seconded by Councilman Louis, the minutes of the meeting of March 13, 2003 were approved as submitted.

PUBLIC HEARING PRESENTED BY TRIAD ASSOCIATES REGARDING 'TEA 21 GRANT APPLICATION

President Curtis introduced Kathy O'Callaghan from Triad Associates who answered questions from the Public regarding the Transportation Enhancement Grant for which the City is applying and which will be used for brick sidewalks and other amenities along Broad Street from the Woodbury Creek to Dare Street. Ms. O'Callaghan explained that this would be Phase 3 of the program that the City initiated some eight years ago.

Councilman Riskie inquired about the State's criteria for continuing this work.

Mr. Bowe explained that every application is reviewed each year on its own merits and in competition with other submissions. The best applications get funded.

Ms. O'Callaghan stated that she would encourage the City to apply each year, even if the City had been denied the previous year.

There were some other questions regarding the program which Ms. Callaghan answered.

As no one else desired to address Council, on motion of Councilman Graziani, seconded by Councilman Schrock, the Public Hearing was closed for questions on the TEA'21 Grant Application.

PUBLIC HEARING, NPP PROGRAM

Ms. Virginia Horn, Neighborhood Preservation Program Director, explained the primary focus of the NPP Program and where funds are allocated and how a determination is made as to where they will be applied. Ms. Horn further explained the terms when a homeowner does receive funding to rehab a property.

Mr. Bowe explained how the City intended to request an extension to the existing program stating that there were no guarantees it would be approved.

Mayor Clark complimented Ms. Horn and all of the members her committee for working so diligently in making the program such a success.

Mr. Bowe reiterated the Mayor's comments by stating that Ms. Horn has been a welcomed addition to the City Hall family and how easy she was to work with.

Councilwoman Brown echoed the same sentiments.

As no one had any further questions, on motion of Councilman Graziani, seconded by Councilman Louis, the floor was closed to the public for any further questions regarding the NPP Program.

PUBLIC

On motion of Councilman Graziani, seconded by Councilman Schrock, the Regular Order of Business was suspended and the floor was opened to the Public for Agenda Items only.

Seeing no one, on motion of Councilman Louis, seconded by Councilwoman Schreyer, the Public Portion for Agenda Items was closed and the Regular Order of Business was resumed.

ORDINANCES

PUBLIC SAFETY

ORDINANCE #1953-03 – ORDINANCE AMENDING CHAPTER 167, ARTICLE I OF THE WOODBURY MUNICIPAL CODE: REMOVAL OF SNOW, ICE AND OBSTRUCTIONS

Councilman Schrock presented the above-entitled ordinance.

The City Clerk read the title of the ordinance.

Councilman Graziani inquired about the non-reference to disabled persons.

Mr. Hasbrouck advised that that issue could be taken into consideration at the discretion of the prosecutor or the judge at the time of a hearing before the Court.

On motion of Councilman Schrock, seconded by Councilwoman Schreyer, the ordinance was placed on first reading, to be advertised according to law, come up for second reading, public hearing and final passage at the next Regular Meeting of Council on April 10, 2003.

ORDINANCE #1954-03 – ORDINANCE AMENDING CHAPTER 35-1A (5) OF THE MUNICIPAL CODE OF THE CITY OF WOODBURY

Councilman Schrock presented the above-entitled ordinance.

The City Clerk read the title of the ordinance.

On motion of Councilman Schrock, seconded by Councilman Riskie, the ordinance was placed on first reading, to be advertised according to law, come up for second reading, public hearing and final passage at the next Regular Meeting of Council on April 10, 2003.

RESOLUTIONS

FINANCE & ADMINISTRATION

RESOLUTION #03-68 – RESOLUTION TO REIMBURSE TAX OVERPAYMENTS

Councilman Schrock presented the above-entitled resolution.

The City Clerk read the title of the resolution.

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

RESOLUTION #03-69 – RESOLUTION TO APPLY CERTAIN TAX OVERPAYMENTS

Councilman Schrock presented the above-entitled resolution.

The City Clerk read the title of the resolution.

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

RESOLUTION #03-70 – RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT BETWEEN THE CITY OF WOODBURY AND TRIAD ASSOCIATES FOR GENERAL COMMUNITY AND ECONOMIC DEVELOPMENT SERVICES NOT TO EXCEED THE AMOUNT OF \$15,000.00

Councilman Schrock presented the above-entitled resolution.

The City Clerk read the title of the resolution.

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

RESOLUTION #03-71 – RESOLUTION TO REIMBURSE TAX OVERPAYMENTS

Councilman Schrock presented the above-entitled resolution.

The City Clerk read the title of the resolution.

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

RESOLUTION #03-72 – RESOLUTION TO REIMBURSE TAX OVERPAYMENTS

Councilman Schrock presented the above-entitled resolution.

The City Clerk read the title of the resolution.

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

RESOLUTION #03-73 – RESOLUTION TO APPLY CERTAIN TAX OVERPAYMENTS YEAR TO YEAR 2002 TO 2003

Councilman Schrock presented the above-entitled resolution.

The City Clerk read the title of the resolution.

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

RESOLUTION #03-80 – RESOLUTION APPROVING AN APPLICATION FOR ATRANSPORTATION (TEA-21) GRANT

Councilman Schrock presented the above-entitled resolution.

The City Clerk read the title of the resolution.

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

RESOLUTION #03-81 – RESOLUTION AUTHORIZING CLOSED SESSION TO DISCUSS PERSONNEL AND REAL ESTATE MATTERS

Councilman Schrock presented the above-entitled resolution.

The City Clerk read the title of the resolution.

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

President Curtis advised the public that no action would be taken this evening when Council resumed the Regular Order of Business after the Closed Session.

RESOLUTION #03-82 – RESOLUTION AUTHORIZING THE TRANSFER OF APPROPRIATIONS IN THE LOCAL BUDGET OF THE CITY OF WOODBURY FOR THE FISCAL YEAR 2002

Councilman Schrock presented the above-entitled resolution.

The City Clerk read the title of the resolution.

Mr. Law explained the purpose of the resolution as well as the following resolution.

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

RESOLUTION #03-83 – RESOLUTION TO ADOPT EMERGENCY TEMPORARY APPROPRIATIONS FOR THE YEAR 2003

Councilman Schrock presented the above-entitled resolution.

The City Clerk read the title of the resolution.

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

RESOLUTION #03-84 – RESOLUTION IN SUPPORT OF THE ECO LIVING FOUNDATION GRANT APPLICATION

Councilman Schrock presented the above-entitled resolution.

The City Clerk read the title of the resolution.

Tom Bowe, City Clerk, explained that the purpose of this resolution was to support the Eco Living Fellowship and its application for a grant for environmentally educational purposes. The grant would be for a building in which an electric vehicle would be energized through solar power. No figures for the project have been determined; all of the funds necessary will be derived from the grant funds. The location of the project will be near the High School.

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

RESOLUTION #03-85 – RESOLUTION AUTHORIZING A CHANGE IN CONTRACT PRICE FOR THE WEST STREET RECONSTRUCTION PROJECT AND MOUNT CONSTRUCTION

Councilman Schrock presented the above-entitled resolution.

The City Clerk read the title of the resolution.

Councilman Louis explained how the original estimate to pulverize the road was inconclusive and how a situation in the roadway changed those figures. Councilman Louis stated that the figure agreed upon was within a reasonable amount.

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

PUBLIC SAFETY

APPLICATION FOR MEMBERSHIP TO FRIENDSHIP FIRE COMPANY

Councilman Schrock presented an application for membership to the Friendship Fire Company from Amanda J. Theodore, 383 Florence Avenue, Westville Grove, New Jersey. On motion of Councilman Schrock, seconded by Councilman Riskie, the application was approved as submitted.

VOUCHERS

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

ECONOMIC DEVELOPMENT

Councilwoman Brown advised that on Saturday, March 22, 2003, a CEDS Conference was held at which Mr. Stanley El, the City's Economic Development Director, functioned as the conference facilitator. A great amount of information was shared among the City's various stakeholders. Councilwoman Brown commended Mr. El for a job well done.

ENVIRONMENTAL

Councilwoman Schreyer inquired if Mr. Law was aware of the funding that was available for emergency snow removal. Mr. Law stated that he has had a conversation with Sergeant Cope, Emergency Management Coordinator for the City, and was advised that the City could possibly be reimbursed up to 75% of the cost incurred for two days of the storm only. Mr. Law advised that the City had submitted for not only costs incurred for the entire week for snow removal but also cost incurred by the Fire Department when they went out to several locations to pump out flooded basements.

RESOLUTION #03-74 – RESOLUTION APPROVING THE YEAR 5 NEIGHBORHOOD PRESERVATION PROGRAM WORK PLAN AND BUDGET

Councilwoman Brown presented the above-entitled resolution.

The City Clerk read the title of the resolution.

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

RESOLUTION #03-75 – RESOLUTION AUTHORIZING THE USE OF NEIGHBORHOOD PRESERVATION AND NEIGHBORHOOD PRESERVATION HOME PROGRAM FUNDS FOR BLOCK 114 LOT 29 A/K/A 46 HOPKINS STREET

Councilwoman Brown presented the above-entitled resolution.

The City Clerk read the title of the resolution.

On motion of Councilwoman Brown, seconded by Councilman Graziani, the resolution was adopted by a voice vote. Councilman Riskie abstained from the vote.

RESOLUTION #03-76 – RESOLUTION AMENDING RESOLUTION #02-192 AUTHORIZING THE USE OF NEIGHBORHOOD PRESERVATION FUNDS FOR BLOCK 63 LOT 27 A/K/A 104 WEST STREET

Councilwoman Brown presented the above-entitled resolution.

The City Clerk read the title of the resolution.

On motion of Councilwoman Brown, seconded by Councilman Graziani, the resolution was adopted by a voice vote. Councilman Riskie abstained from the vote.

RESOLUTION #03-77 – RESOLUTION AUTHORIZING THE USE OF NEIGHBORHOOD PRESERVATION HOME PROGRAM FUNDS FOR BLOCK 69 LOT 10 A/K/A 131 WEST BARBER AVENUE

Councilwoman Brown presented the above-entitled resolution.

The City Clerk read the title of the resolution.

On motion of Councilwoman Brown, seconded by Councilman Graziani, the resolution was adopted by a voice vote. Councilman Riskie abstained from the vote.

RESOLUTION #03-78 – RESOLUTION AMENDING RESOLUTION #03-57 AUTHORIZING THE USE OF NEIGHBORHOOD PRESERVATION HOME PROGRAM FUNDS FOR BLOCK 69 LOT 10 A/K/A 131 WEST BARBER AVENUE

Councilwoman Brown presented the above-entitled resolution.

The City Clerk read the title of the resolution.

On motion of Councilwoman Brown, seconded by Councilman Graziani, the resolution was adopted by a voice vote. Councilman Riskie abstained from the vote.

RESOLUTION #03-79 – RESOLUTION AUTHORIZING THE USE OF NEIGHBORHOOD PRESERVATION PROGRAM FUNDS FOR BLOCK 63 LOT 28 A/K/A 102 WEST STREET

Councilwoman Brown presented the above-entitled resolution.

The City Clerk read the title of the resolution.

On motion of Councilwoman Brown, seconded by Councilwoman Schreyer, the resolution was adopted by a voice vote. Councilman Riskie abstained from the vote.

MAYOR CLARK

Mayor Leslie Clark advised that the gentleman who runs the antique store on Broad Street (Posh Pomegranate) is planning early retirement. As a result of this, the dealers who rent space from him were advised that they must vacate the property by Easter. Mayor Clark stated that a meeting was arranged at the renters' request along with John Beal, the Merchants Association's President; Jim Watson, Main Street Member and Stanley El, Woodbury's Economic Development Director. A temporary 90-day lease agreement extension was discussed. Mayor Clark stated that another meeting will be held sometime next week and hopefully a permanent solution can be agreed upon at that meeting.

Mayor Clark also advised that St. Patrick's School is having an Annual Fund Raiser on April 5th, the proceeds of which will benefit Ranch Hope. The fund raiser will include many activities for the entire family as well as an Easter Egg Hunt; all are encouraged to attend.

CITY CLERK

Mr. Bowe stated that anyone interested in filing petitions for the upcoming county and/or city positions can do so by returning all petitions to his office NO LATER than 4:00 P.M., Monday, April 7th.

Mr. Bowe requested authorization to advertise for bids to be received for the Purchase of Cold Water Meters. There was some discussion regarding how often water meters are purchased.

Mayor Clark inquired as to who determines what residents get new meters. Mike Walsh, Public Works Director, stated that a determination is made based on the list of names that the Public Works Department keeps.

On motion of Councilman Riskie, seconded by Councilman Graziani, the request to receive bids for new water meters was approved.

Mr. Bowe brought up another issue regarding the City of Woodbury conducting a Farmer's Market at the location of the City's Train Station along Railroad Avenue. A meeting was held by Virginia Horn with several local groups in attendance. Mr. Bowe then asked Gail Scheffler, Deputy Clerk, to explain what would be required if such a market was to materialize. Ms. Scheffler explained that as the current ordinance reads, there is no consideration given to what the fees would be for a vendor under this category. At the moment, the only option is that a vendor be issued an extended seasonal license which is usually for a six month period, such as what is issued to Mister Softee.

Along with the licensing issues, there was conversation pertaining to how the vendor would present his product and what type of actual products would be sold. Mr. Bowe stated that another meeting will be held on Wednesday, April 16th at 7:00 p.m. to further discuss the details of the Farmers' Market.

Councilwoman Brown suggested that all Committees involved with the Farmers' Market issue meet on Tuesday, April 8th at 6:00 p.m..

Mr. Bowe invited Mr. Law to explain a situation which concerned the School Board. Mr. Law stated that because of the delay of the June State Aid payment, the School anticipates a cash flow shortage at the end of June. Mr. Law requested Council's approval for an advance of the July school levy payment.

Mr. Law also advised that the City's debt service has been reduced by \$1.8 million because the City has refinanced our 1991 and 1993 Early Retirement Incentive Pension.

Councilman Riskie inquired as to the status of the situation referenced in a letter from Craig Klayman, Esq. who is representing Bob's Fireside. Mr. Bowe stated that he did speak to Mr. Klayman regarding the issue, and Mr. Klayman seemed satisfied with Mr. Bowe's response.

PUBLIC

On motion of Councilman Schrock, seconded by Councilwoman Schreyer, the Regular Order of Business was suspended and the floor was opened for Non-Agenda Items

Mr. Bill Snyder, 536 King Street, approached Council to commend the Public Works Director for the efficient snow removal during the recent storms.

Bill Fleming, 61 N. Bayard Avenue, came forward to ask Council to keep in mind the local taxpayers such as Red Eagle when considering the Farmers' Market program.

Dave Jenkins, 345 Glover Street, inquired about the Woodbury Mews Project. Mr. Bowe stated that the Opening Day for the Independent Living section is June 1st and July 15th for the opening for the Nursing Section.

Mr. Jenkins also inquired if street clean-up is scheduled for the West Street area. Mr. Fleming advised that because of price increases, the project may be a delayed; however, Mr. Walsh was instructed to have the City Street Sweeper keep a closer eye on that area until such time as the project is completed.

As no one else desired to address Council, on motion of Councilman Louis, seconded by Councilwoman Schreyer, the floor was closed to the public and the Regular Order of Business was resumed.

Mr. Bowe referred any engineering questions to Mr. Fleming regarding the Engineer's Report. Councilman Schrock inquired if the Dubois Avenue Project is totally completed. Mr. Fleming advised it was.

On motion of Councilman Schrock, seconded by Councilman Louis, there was a five minute recess before going into Executive Session (9:00 p.m.).

E X E C U T I V E S E S S I O N

On motion of Councilman Schrock, seconded by Councilman Louis, Council resumed the Regular Order of Business after the Executive Session at 9:35 p.m..

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

THOMAS B. BOWE
Clerk/Administrator

OTHER OFFICIALS PRESENT

Deputy Clerk: Gail R. Scheffler
Chief Financial Officer: Robert Law
City Assessor: Roy Duffield
City Engineer: William Fleming
Librarian: Jean Wipf
Neighborhood Preservation Director: Virginia Horn
Solicitor: Bruce Hasbrouck, Esq.
Police Chief: Reed Merinuk
Public Works Manager: Mike Walsh