

**MINUTES**  
**March 28, 2011**  
**7:30 p.m.**

The Meeting was opened with the Pledge of Allegiance.

The Invocation was delivered by Lay Leader Roberta Smith.

The Open Public Meeting Statement was read by the Acting Clerk, Gail R. Scheffler.

**Roll Call**

**Present:** Carter, Brown, Fleming, Louis, Tierney, Trout, Connor, President Sloane, and Mayor Riskie

**Absent:** Pottillo

**Minutes**

On motion of Councilman Louis, seconded by Councilwoman Tierney, the minutes of March 14, 2011 were approved as submitted.

**Open to the Public for Agenda Items**

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

Lee Weatherby, 303 W. Centre Street requested that additional agenda's be made available to the Public for future meetings.

Brendon Chiesa, 36 Rugby Place, inquired about Resolution #11-71 and Resolution #11-73 pertaining to the Change Order request. Mr. Wilkinson, City Engineer, explained that this would allow to extend the Delaware Street Project further.

Mr. Chiesa also inquired about Ordinance #2137-11, James Pierson, Esquire responds.

Joanne Fitzgerald, 33 Lupton Avenue, approached Council to thank them for looking into her request regarding her water readings. Also Ms. Fitzgerald asked if the software vendor could look into the red flag alert.

Shawn Walker, 474 Cooper Street, came forward to question Resolution #11-67A inquiring how he could get on the list of residents that had their meters re-checks. Mr. Walker stated that he had his meter checked by a plumber and he does not have any leaks, yet he was

billed for 142,000 gallons of water. Mr. Walker also checked with EPA to obtain statistics regarding the average usage per household which according to their figures, he was well over the average usage per day.

Councilwoman Tierney advised Mr. Walker that just based on the information he is providing we cannot answer his questions; however, Ms. Lorraine Roberts will definitely look into the property in question and advise him of the findings.

There being no one else, on motion of Councilwoman Tierney, seconded by Councilman Trout, the Public Portion was closed and the Regular Order of Business was resumed.

## **Resolutions and Ordinances**

### **Finance & Administration**

#### **#11-67A - Resolution Authorizing Adjustment to 3<sup>rd</sup> Quarter 2010 Water Billing for Certain Accounts**

Councilman Fleming presented the above-entitled resolution.

The Acting City Clerk read the title of the resolution.

Councilman Fleming stated that for the public's knowledge he would like to explain that there were concerns by the residents who contacted the City and based on the findings it was clear that some bills had to be adjusted.

Councilwoman Tierney stated that she would like to make it perfectly clear that the same due process would be extended to anyone who contacts the water and sewer department if they notice that significant changes have occurred to their water bills.

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

#### **#11-70 - Resolution Authorizing Water and Sewer Account Billing Adjustments**

Councilman Fleming presented the above-entitled resolution.

The Acting City Clerk read the title of the resolution.

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

#### **#11-71 - Resolution Authorizing the Acceptance of a Proposal From Signature Information Solution for the City of Woodbury to Provide a Weekly Transmission of**

**City Tax Records**

Councilman Fleming presented the above-entitled resolution.

The Acting City Clerk read the title of the resolution.

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

**#11-73 - Resolution Authorizing Change Order No. 1 to Delaware Street Sanitary Sewer Improvements Contract No. 2**

Councilman Fleming presented the above-entitled resolution.

The Acting City Clerk read the title of the resolution.

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

**Vouchers**

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

**Public Safety**

**#2135-11 - Ordinance Amending Chapter 59 “Animals” Section 31 Violations and Penalties of the Code of the City (2<sup>nd</sup> Reading)**

Councilman Louis presented the above-entitled ordinance.

The Acting City Clerk read the title of the resolution.

On motion of Councilman Louis, seconded by Councilman Trout, the ordinance was opened for Public Hearing.

On motion of Councilman Louis, seconded by Councilman Trout, the Public Hearing was closed.

On motion of Councilman Louis, seconded by Councilwoman Tierney, the ordinance was placed on second and final adoption.

On motion of Councilman Louis, seconded by Councilwoman Tierney, the ordinance was adopted by a roll call vote.

Ayes 8 Carter, Brown, Fleming, Louis, Tierney, Trout, Connor, President Sloane  
Nays 0

Absent 1 Pottillo

**#2136-11 - Ordinance Amending Chapter 167 “Removal of Snow, Ice and Obstruction”  
Section D of the Code of the City of Woodbury (2<sup>nd</sup> Reading)**

Councilman Louis presented the above-entitled ordinance.

The Acting City Clerk read the title of the resolution.

On motion of Councilman Louis, seconded by Councilman Trout, the ordinance was opened for Public Hearing.

An unidentified woman approached Council inquiring what were the reasons for this ordinance.

President Sloane advised that this ordinance, along with the previous ordinance were amended to include a specified penalty fee for a first-time violation. By doing this, it will eliminate the individual’s need to appear in municipal court. When Violations have been written, a court appearance as required because the Judge would have to decide which penalty would be imposed. This is a waste of the court’s time as well as the defendant’s.

On motion of Councilman Louis, seconded by Councilman Trout, the Public Hearing was closed.

On motion of Councilman Louis, seconded by Councilwoman Tierney, the ordinance was placed on second and final reading.

On motion of Councilman Louis, seconded by Councilwoman Tierney, the ordinance was adopted by a roll call vote.

Ayes 8 Carter, Brown, Fleming, Louis, Tierney, Trout, Connor, President Sloane  
Nays 0  
Absent 1 Pottillo

**Raffle License**

Councilman Louis presented two raffle applications; one from the Underwood Memorial Auxiliary Board, raffle to be held on May 13, 2011, seconded for approval by Councilman Fleming. The other application was from the Woman's Club of Woodbury, raffle to be held on June 6, 2011, seconded for approval by Councilman Trout.

**Public Works/Utilities**

Councilwoman Tierney advised that the complaint regarding the alley behind the Brown and Connery Building has been resolved.

Councilwoman Tierney stated that she along with Councilman Fleming, Mr. Law, Mr. Leidy, and Ms. Roberts all met this morning to discuss what can further be done to avoid future problems with water meters.

Some of the changes discussed were as follow; our software will be adjusted to alert the City with a red flag notice when a meter is recording an unusually large amount of water usage at a residence whereby the City will then notify the homeowner.

Also, there are about 700 water meters that still need to be replaced and we will need the cooperation of the homeowners to get into the house and replace the old water meter.

Another problem was there were still faulty transmitters that needed to be replaced that were not working properly.

### **Economic Development**

#### **#11-72 - Resolution Authorizing Closed Session for the Purpose of Discussing Real Estate Purchase Regarding #1 Chinese Restaurant**

Councilman Trout presented the above-entitled resolution.

The Acting Clerk read the title of the resolution.

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

Councilman Trout advised that he and Councilwoman Brown attended the Woodbury Child Development Fund Raiser held at Adelphia's Restaurant. He stated it was well attended.

Councilman Trout also advised that he along with Mayor Riskie attended the Grand Opening of Sparkles & Lashes .

### **Personnel**

Councilman Louis advised that the City is still receiving resumes for the three positions that were advertised and they are all being reviewed individually. The Personnel Committee has not yet met as a group, until such time they have had time to review all resumes.

President Sloane stated he would like to take a little extra time to ensure the correct choice is made on how the positions will be filled.

**Environmental**

Councilman Connor had nothing to report.

**Community Development**

**#2134-11 - Ordinance of the City of Woodbury Authorizing the City of Woodbury to Execute an Agreement to Transfer and to Transfer Real Property to Gloucester County Habitat for Humanity (2<sup>nd</sup> Reading)**

Councilwoman Brown presented the above-entitled ordinance for final adoption.

The Acting City Clerk read the title of the ordinance.

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

Brendon Chiesa, 36 Rugby Place, came forward to inquire what type of housing is actually being considered.

President Sloane stated it would be single-family dwellings with home ownership.

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

On motion of Councilwoman Brown, seconded by Councilwoman Tierney, the ordinance was placed on second and final reading.

On motion of Councilwoman Brown, seconded by Councilwoman Tierney, the ordinance was adopted by a roll call vote.

Ayes 8 Carter, Brown, Fleming, Louis, Tierney, Trout, Connor, President Sloane  
Nays 0  
Absent 1 Pottillo

**#2137-11 - Ordinance Amending Chapter 167 Section 25.1 A “Variances” of the Code of the City of Woodbury to Provide that an Application for a Variance in Connection with the Installation, Repair or Replacement of a Sidewalk to be Treated as a “C” Variance (1<sup>st</sup> Reading)**

Councilwoman Brown presented the above-entitled ordinance.

The Acting Clerk read the title of the ordinance.

On motion of Councilwoman Brown, seconded by Councilman Connor, the ordinance was placed on first reading, to be advertised according to law, come up for Public Hearing

and final adoption at the next regular scheduled meeting of Mayor and Council to be held on April 11, 2011.

**Green Acres Program**

Councilwoman Carter had nothing to report.

**Report of Mayor**

Mayor Riskie advised that he met with the Chief and Captain of the Woodbury Police Department to discuss the City purchasing the Goodwill Fire Department building on N. Broad Street.

Lee Weatherby, one of the former members of the Goodwill Fire Company, and also one of the trustees who have ownership of the building, approached Council and suggested the City contact the other members and advise them of the City's intentions for the ownership of the building. President Sloane acknowledged the recommendation.

Mayor Riskie also advised that he met with representatives from Parke Bank to discuss preparing a Maintenance Agreement for the Woodbury Country Club property.

The Mayor suggested that the Economic Development Committee look into placing the County Club property in a redevelopment zone status.

President Sloane stated that this topic was discussed with our professionals before and have been advised that the City should not take that approach.

Mayor Riskie announced Opening Day for Little League will be this Saturday, April 2, 2011 and all are welcomed to attend.

**Report of Clerk**

The Acting Clerk requested that all officials return their Financial Disclosure Forms to her as soon as possible.

**Public**

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

Toni Benecke, 1108 Tatum Street, came forward to advise Council of a missing street sign at Progress and Broad Streets. Mr. Leidy made note of the location.

George Kemery, 29 S. Davis Street, stated he would like to first thank Mayor Riskie and Councilman Trout for addressing his concerns regarding a complaint he had with traffic. However, he is still concerned regarding the detour of Delaware Street coming down Centre Street and the lack of concern for the residents in the area.

Mr. Kemery continued stating that his main concern was how the Police Department responded to his complaint when he went there to notify them of his concerns. Mr. Kemery stated that the Officer he spoke with dismissed his complaint advising him to go talk to someone at City Hall. Mr. Kemery was very discouraged with the manner in which the Officer handled the situation, with very little regard or concern.

Ms. Linda Farrell, 225 Delaware Street, came forward and read a prepared statement addressing the Delaware Street project and the lack of concern for the residents affected by the detour. Ms. Farrell touched on other areas of concern; such as lack of communication to notify the residents regarding the detour, traffic control throughout the entire city, and city services as well as how the redevelopment of the City is going.

John Schottenfeld, 123 S. Horace Street, addressed Council regarding a request he made at the last meeting concerning the amending of the ordinance prohibiting chickens. Mr. Schottenfeld specifically was interested in keeping egg-laying hens on his property.

Mr. Schottenfeld then listed other major cities that allow the keeping of such animals citing the positives and advising of the misconceptions people have regarding the upkeep and health issues of such animals. Further, if Council does decide to not allow the practice he would request that Council provide a detailed study as to why they prohibit such an activity.

Maria Gastner, 110 S. Davis Street, stated that even prior to the Delaware Street detour the corner of S. Davis and W. Centre Street has been a problem and is requesting that there be a four-way stop sign at that location on a permanent basis.

Councilwoman Tierney stated that she has observed a large tree at the corner of that location which is also adding to the safety issues of that corner.

Chief Merinuk advised that the tree in question is coming down on Wednesday for those reasons. Chief Merinuk stated that he was approached by the owner of the property where the tree is located and they are in agreement to have it removed.

Councilman Louis inquired if the City can notify a resident and make them remove something like that advising the homeowner that there is a safety hazard on their property.

Lynn Dennen, 37 S. Davis Street stated she was also in favor of the four-way stop sign at the corner of S. Davis and W. Centre Street. Ms. Dennen commented that this intersection has been a problem area long before the Delaware Street detour, but it is now worse. However, the tree has always been an obstacle blocking a driver's view. It is unfortunate that it took an accident to bring this to everyone's attention before doing anything.

Linda Farrell, 225 Delaware Street, advised that many residents are upset with the way they were notified of the detour situation, which was the morning of the change.

Councilwoman Tierney stated that she was at a pre-construction meeting with Pipeline Construction and was told that the residents would be notified in sufficient time prior to closing the section of the street in advance. This obviously hasn't been happening.

President Sloane invited the City Engineer to come forward to report on the Delaware Street Project.

Ted Wilkinson, City Engineer, advised that he could address the four-way stop sign without a traffic study, but he feels strongly that the removal of the tree will make a very big difference.

Mayor Riskie stated that he was not in favor of moving forward prior to a traffic study being conducted.

The Engineer then reported on the Progress and Broad Streets project advising that it is near completion.

Mr. Wilkinson then addressed questions from the audience.

Brendon Chiesa, 36 Rugby Place, inquired if the Country Club paid their grass cutting fees from the last cutting. Response was "no".

Brendon then inquired why the Woodbury Country Club was not being considered as a redevelopment zone. President Sloane stated he would respond to the question after the meeting.

Mr. Chiesa commented on the changing of the ordinance to include chickens, stating if it were changed, could there be a restriction to the number of animals permitted.

Regarding the four-way stop signs he does not feel that is the solution to add more; but to enforce the existing ones.

Mr. Chiesa inquired if a manhole at the "y" on East Rugby Street be addressed. Mr. Leidy so noted the location.

Lee Weatherby, 303 W. Centre Street, approached Council again to respond to President Sloane's manner of response to Mr. Chiesa's remarks reminding him that City Officials are elected to represent the residents, regardless of the question.

Mr. Weatherby commented that people are complaining about the intersection at S. Davis and W. Centre Streets; but many of the people who are not coming to a complete stop, are City residents who should be familiar with the stop sign being there. The detour is now coming down his section of W. Centre Street and the Woodbury Police Department and he has seen the Police have been ticketing people and have responded to complaints. In his opinion they are doing an excellent job, people have to start taking responsibility for their actions.

George Kemery, 29 S. Davis Street, came back again to respond to the residents concerns and would like to clarify a couple of remarks made. Mr. Kemery is more concerned about the way this situation was handled; and the manner he was dismissed with no regard for the complaint. In the past he has been satisfied with the Woodbury Police Department however; this was an isolated incident and should not had to get to this point. Courtesy should be shown to every resident who has a legitimate complaint; and there should be a Chain of Command to be followed when a resident has concerns, asking for assistance.

Councilman Fleming responded by saying that for future projects, he does agree communication could be improved. But, on projects involving City Streets, the City Engineer is probably the best contact person because he has direct contact with all individuals involved in a project, such as the Police, Fire, and Street Depts., including the Contractor on site.

Mr. Wilkinson made is very clear that his phone number was listed on the correspondence sent to each household and never received any phone calls.

Tom Gastner, 110 S. Davis Street approached Council to add that he would like to commend the Public Works Department for their services during the winter months for snow removal and also for trash pick-up. He would also like to publicly thank the Police and Fire Departments for all their help when the accident occurred to his property at S. Davis and W. Centre Streets. The presence of area residents at tonight's council meeting was not to come down on our departments but to come together to express some of their concerns for better communication.

On motion of Councilman Trout, seconded by Councilwoman Tierney, the Public Portion was closed, and there was a five minute recess before coming went into Executive Session (approximately 9:08 pm).

## **EXECUTIVE SESSION**

On motion of Councilman Trout, seconded by Councilwoman Tierney, the Regular Order of Business was resumed (approximately 9:40 pm).

There being no further business, on motion of Councilman Fleming, seconded by Councilwoman Brown, the meeting adjourned at 9:42 pm.

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**GAIL R. SCHEFFLER**  
Acting City Clerk

### **OTHER OFFICIALS PRESENT**

Assessor: Roy Duffield

Chief Financial Officer: Robert Law

Collector of Taxes: Lorraine Roberts

Librarian: Jean Wipf

Main Street Director: Ronda Abbruzzese

Police: Chief Merinuk

Solicitor: James Pierson, Esq.

Streets: Rich Leidy