

The Regular Meeting of the Mayor and Council of the City of Woodbury held on the above date was called to order by President Harry R. Riskie 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 5, 2004.

President Riskie requested a Moment of Silence and asked everyone to keep Councilwoman Brown in their prayers as she is having surgery this Friday.

ROLL CALL

Present: Curtis, Louis, Sloane, Schreyer, Grimming, Tierney, President Riskie, Mayor Clark

Absent: Brown, Graziani

MINUTES

On motion of Councilman Louis, seconded by Councilwoman Tierney, the minutes of May 10, 2004 and May 17, 2004 were approved as submitted.

Councilman Sloane abstained from the vote for the meeting of May 17, 2004 as he was not present at that meeting.

PRESENTATION OF AWARDS

Mr. Thomas Dukelow, Public Works Supervisor for Parks and Recreation, presented awards to winners of a Essay Contest that was conducted through the Community Forestry Program. The contest was open to all fifth grade students in both Woodbury's Pubic Schools and St. Patrick's School. The only schools who participated were Walnut Street School and Evergreen Ave. School. The subject of the essay was "How Trees Benefit the City of Woodbury". The winners were:

City Wide Winner: - \$100 Savings Bond - Evergreen School - Donte Polimeni.

Evergreen Avenue School - 1st Place Winner - \$75 Savings Bond - Donte Polimeni;
Evergreen Avenue School - 2nd Place Winner - \$50 Savings Bond - Cherrisse Lundy; and
Evergreen Avenue School - 3rd Place Winner - \$25 Savings Bond - Donte Clemmons.

Walnut Street School - 1st Place Winner - \$75 Savings Bond - T. J. Morris;
Walnut Street School - 2nd Place Winner - \$50 Savings Bond - John Knoeller; and
Walnut Street School - 3rd Place Winner - \$25 Savings Bond - Janiya Little.

PUBLIC

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

Susan Anderson, 220 S. Jackson Street, addressed Ordinance #1973-04 giving her background as a massage therapist as well as her involvement in community/school activities. Mrs. Anderson stated she was offended with the wording in Ordinance #1973-04 especially the section of the ordinance that associated massage with "adult entertainment". As a registered massage therapist, Mrs. Anderson stated she was offended because she considers her profession anything other than "adult entertainment".

President Riskie stated that the ordinance was just setting guidelines and not necessarily initiated to prohibit a business such as a professional therapist from operating in Woodbury.

Councilman Louis explained the intent of the ordinance, i.e., to regulate businesses in the City of Woodbury.

Councilman Sloane stated that he had a problem with the vagueness of the language in the ordinance and maybe it should be looked at more closely before final adoption.

Mrs. Anderson stated that she agreed with Council's intention of keeping certain businesses out of Woodbury, such as prostitution; however, to lump her profession into this category is offensive to her.

Linda Ake, 33 S. Broad Street, inquired if the restrictions contained in Ordinance #1793-04 were city wide or did they only pertain to the downtown area. Councilman Louis responded that the restrictions applied to the entire City. Ms. Ake stated that if all requirements were met as appear in the ordinance such as certifications and licenses, and the City monitors these requirements, then there is no need to lump all businesses in the same category. Ms. Ake continued to express her concerns regarding "blackballing" certain business when people are not even knowledgeable about the operation of these businesses, specifically the tattoo business. Ms. Ake then inquired as to the last time anyone on Council visited a Tattoo Parlor. She went on to say that times have changed and tattoo parlors are not the type of places that attract the kind of people Council is attempting to keep out of their town.

President Riskie stated that recommendations from a study by the Panning/Zoning Board helped put this ordinance together.

Councilman Grimming stated that the decision came about after reviewing the existing tattoo ordinance banning their operation in the historic district.

Councilman Sloane agreed in some part with the issues being raised regarding the restriction of certain business within the entire City and the vagueness of the wording.

In conclusion, Ms. Ake stated that Council should think about what they are doing before signing and adopting the ordinance; times have changed; we should take a look at the types of people that are now getting tattoos.

Councilwoman Tierney inquired if this ordinance had the support of the businesses in the area.

Ms. Ake stated that she was involved with the business group but was not aware of their opinion.

Kevin Wallace, 47 S. Broad Street, landlord for the Lingerie Shop, also expressed his concern with the ordinance. As a landlord, he did not want to lose a tenant. Mr. Wallace stated that he agreed with Council's intent of keeping certain businesses out of Woodbury; but to ban all businesses, just because they might offend someone, is not correct either.

Brendan Chiesa, 36 Rugby Place, stated that he was in favor of the restriction of tattoo parlors and does not think that the lingerie store that is on Broad St. should be there either, especially with the manner in which the window is set up displaying their product. Mr. Chiesa also stated that he thought only retail businesses should be along Main Street; service-oriented businesses should not be permitted.

Reverend Andrew Barton, who resides at 232 Delaware Street, and is also Pastor of the Presbyterian Church, encouraged the City to continue their pursuit to restrict certain types of businesses because of the heavy traffic of children in the downtown area.

Barbara Cooper, 39 S. Broad Street, also a message therapist, agreed that massage parlors do not belong in Woodbury; however, massage therapy is a totally different service and she wanted everyone to know the differences.

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

ORDINANCES

ORDINANCE #1973-04 - ORDINANCE AMENDING CHAPTER 202-57 OF THE WOODBURY MUNICIPAL CODE: USE REGULATIONS IN C-1 COMMERCIAL DISTRICT

Councilman Louis presented the above-entitled ordinance.

The City Clerk read the title of the ordinance.

On motion of Councilman Sloane, seconded by Councilman Curtis, the ordinance was requested "tabled" until the language was reviewed. Councilman Sloane stated that it is his understanding that there is enough concern to make sure that the best interests of the business district will always be considered; however, it appears that the ordinance as now presented needs to be addressed relative to clarity.

There was a roll call vote to table the ordinance.

Ayes	7	
Nays	0	
Absent	2	Brown, Graziani

On motion of Councilman Louis, seconded by Councilman Sloane, it was requested that the City Solicitor review the language of the ordinance especially with regards the clarification of certain classifications.

ORDINANCE #1974-04 - AN ORDINANCE TO FIX AND ESTABLISH SALARIES AND RATE OF COMPENSATION ON THE VARIOUS OFFICERS AND EMPLOYEES OF THE CITY OF WOODBURY IN THE COUNTY OF GLOUCESTER, AND TO PROVIDE THE MANNER OF PAYMENT THEREOF AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT HERewith

Councilman Louis presented the above-entitled ordinance for final adoption.

The City Clerk read the title of the ordinance.

On motion of Councilman Louis, seconded by Councilman Sloane, the ordinance was ordered opened for public hearing.

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

Councilman Curtis inquired about the title "Ceremonial Director" and how long it has been in the ordinance.

The Clerk/Administrator stated that the position has been included in the ordinance for as long as he could remember, and it is for the handling of the parade events each year under Parks and Recreation.

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

Ayes	7	Curtis, Louis, Sloane, Schreyer, Grimming, Tierney, President Riskie
Nays	0	
Absent	2	Brown, Graziani

RESOLUTIONS

RESOLUTION #04-87 - RESOLUTION AUTHORIZING ASSIGNMENT OF TAX SALE CERTIFICATE #1288 AT PRIVATE SALE PURSUANT TO N.J.S.A. 54:5-113

Councilman Louis presented the above-entitled resolution.

The City Clerk read the title of the resolution.

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

RESOLUTION #04-88 - RESOLUTION AUTHORIZING EXECUTIVE SESSION (Litigation)

Councilman Louis presented the above-entitled resolution.

The City Clerk read the title of the resolution.

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

RESOLUTION #04-89 - RESOLUTION AUTHORIZING PERMIT FOR FIREWORKS DISPLAY AND AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH FIREWORKS PRODUCTIONS, INC. FOR THE FOURTH OF JULY PUBLIC FIREWORKS DISPLAY

Councilman Louis presented the above-entitled resolution.

The City Clerk read the title of the resolution.

Councilman Sloane inquired as to who was actually sponsoring the fireworks this year. Mr. Aimino responded that the City is sponsoring the events; however, the Jaycees will be handling all the arrangements and proper insurance certifications have been obtained accordingly.

On motion of Councilman Louis, seconded by Councilwoman Schreyer, the resolution was adopted by a voice vote. Councilwoman Tierney abstained from the vote because of a conflict of interest.

RESOLUTION #04-90 - RESOLUTION TO REIMBURSE TAX OVERPAYMENTS

Councilman Louis presented the above-entitled resolution.

The City Clerk read the title of the resolution.

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

RESOLUTION #04-91 - RESOLUTION AUTHORIZING WAIVER OF PERMIT FEE TO THE CITY OF WOODBURY

Councilman Louis presented the above-entitled resolution.

The City Clerk read the title of the resolution.

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

RESOLUTION #04-92 - RESOLUTION DECLARING EMERGENCY CONDITION ON WICK BOULEVARD FROM EDITH AVENUE TO DRISCOLL STREET

Councilman Louis presented the above-entitled resolution.

The City Clerk read the title of the resolution.

Mr. Weir, City Engineer, explained that several sink holes have developed on Wick Boulevard and the street is collapsing and is a safety hazard to the public. Mr. Weir stated that Mount Construction is prepared to start work within 10 days.

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

RESOLUTION #04-93 - RESOLUTION TO REIMBURSE TAX OVERPAYMENTS

Councilman Louis presented the above-entitled resolution.

The City Clerk read the title of the resolution.

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

RESOLUTION #04-94 - RESOLUTION RECOGNIZING WILLIAM WAKEMEN'S RETIREMENT AND ESTABLISHING HEALTH BENEFITS

Councilman Louis presented the above-entitled resolution.

The City Clerk read the title of the resolution.

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

VOUCHERS

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

PUBLIC SAFETY

APPLICATION FOR MEMBERSHIP TO FRIENDSHIP FIRE COMPANY

Councilman Sloane introduced Kevin Lonabaugh, his student counterpart from the high school, who presented two applications for membership into the Friendship Fire Company. The applicants were: Randy M. Ballinger of 132 Leona Avenue, and Kyle A. Gotthardt of 26 N. Horace Street.

On motion of Councilman Sloane, seconded by Councilwoman Schreyer, both applications were approved as submitted.

Councilman Sloane referenced a letter from the Woodbury Heights Solicitor dated May 20, 2004 advising that Woodbury Heights will not be renewing their trash collection agreement with the City of Woodbury.

ENVIRONMENTAL

Councilwoman Schreyer's student counterpart, Angela Diggs, read a letter thanking Councilman Curtis for his donation of trees that have already been planted.

Councilwoman Schreyer thanked Mr. Dukelow for handling the Arbor Day contest.

Councilwoman Schreyer advised that the fish ladder project has been completed by PSE&G at the Police Station.

Councilwoman Schreyer invited Mr. Dukelow to come forward to make a presentation on behalf of the Environmental Committee.

Mr. Dukelow advised Council that the Morning Rotary Club had adopted Rotary Park as their project and would like to make some changes to the existing park. The Club will be raising funds to have pavers and additional landscaping added to the park and would need Council's approval.

On motion of Councilwoman Schreyer, seconded by Councilman Sloane authorization was granted to have the Morning Rotary Club raise funds to make the changes to Rotary Park as presented to Council.

MAYOR CLARK

Mayor Clark welcomed all the high school students who were present at tonight's meeting and who were participating in the "Students in Government" program. Mayor Clark then requested that each Councilmember introduce their respective replacement:

Councilwoman Schreyer - Angela Diggs
Councilwoman Tierney - Alicia Hunter
Councilman Louis - Zoe Crum
Councilman Curtis - Rebecca Wisely
Councilman Sloane - Kevin Lonabaugh
President Riskie - Katie Walsh
Mayor Clark - Christina Vogt

The Mayor congratulated Woodbury Junior/Senior High School on its selection as a NASA Explorer School. Along with this honor comes additional benefits such as a visit by the Assistant Director of NASA along with an astronaut who will attend a assembly for the students on Friday, June 4th. Other dignitaries who will possibly attend are: Governor McGreevey and Education Commissioner Librera. The Mayor continued by stating that she has learned that Woodbury High School could become the only high school in the nation to be a global information system center and a training hub for homeland security training center for Gloucester County emergency management personnel.

The Mayor's student counterpart, Christina Vogt read from the Mayor's notes advising that the Woodbury Police Department has received a \$5,000.00 grant under the "Click It or Ticket" Grant program.

Student Mayor Vogt welcomed everyone to attend this year's grand opening of the Farmers Market.

The Mayor also welcomed everyone to the Annual Woodbury Memorial Day Parade and ceremonies.

Mayor Clark commented on the retirement of William Wakemen, Construction Code Official, who had also played such a significant role in our inter-local program and wished him nothing but the best for his many years of dedicated services to the City

CLERK/ADMINISTRATOR

Mr. Bowe requested authorization to accept bids which were received for equipment which had been held by the Police Department and which totaled \$20.00. On motion of Councilwoman Schreyer, seconded by Councilman Sloane, the bids were accepted as received.

Mr. Bowe also announced that there were two Planning Board Notices given to Council which are self-explanatory.

PUBLIC

On motion of Councilman Curtis, seconded by Councilman Sloane, the Regular Order of Business was suspended and the floor was opened to the Public for Non-agenda Items.

Susan Anderson, 220 S. Jackson Street, requested that Council look into penalty fees for non-compliance of completion dates for construction projects especially since Wick Boulevard is being started. Mrs. Anderson advised that while living on S. Jackson St., a street reconstruction seemingly ran on well past its scheduled completion date.

Mrs. Anderson also stated she would be available to answer any questions and work with anyone who was interested in further discussing the therapeutic massage profession.

In another matter, Brendan Chiesa referenced the situation his father, Anthony Chiesa, had addressed at the last Council meeting in which the State of New Jersey had begun a practice whereby the State did not send to the Woodbury School System its final aid payment for 2002-2003. This figure was in the amount of approximately \$400,000.

Anthony Chiesa, 36 Rugby Place, again addressed Council reiterating that he is fearful that the school will never receive that money and will possibly lose subsequent yearly deferrals that the State is planning.

Councilman Sloane inquired as to the status of the lawsuit brought by the school against the State. Mr. Chiesa stated that the school had received a favorable opinion but would not receive any practical compensation.

Cathy Beech, 82 Hopkins Street, came forward to discuss the street cleaning policy changes that have occurred and how it is affecting Hopkins Street. Ms. Beech advised that because of the high volume of traffic, the diverse housing conditions and various businesses, etc. something has to be done to have Hopkins Street cleaned on a regular basis.

Councilman Louis addressed the overall changes by advising that these changes were made at the request of the public because of the residents not being able to find alternative parking when it was their night for street cleaning.

Mr. Dukelow explained to Ms. Beech why these changes were also made because of Public Works being short-handed.

There was much dialogue about the pros and cons of the hazards of putting the street cleaner back on a regular basis.

President Riskie recommended that Councilwoman Tierney along with the Public Works/Utilities Committee review the request and make a recommendation at a future meeting.

Cathy Beech then raised the issue of a possible city wide revaluation of assessed values to address what she considers an unfair taxing situation whereby there are too many under-valued properties adding to her tax burden.

President Riskie advised that the City was not ready for another revaluation at this time.

Mr. Robert Law, Chief Financial Officer, advised that the rate right now is at 84% and stated that the tax rate does not have a direct affect on the tax increase. Mr. Law advised that now is not the right time to do a revaluation and explained that although property values are high now owing to the low interest rates, this situation could change dramatically in a short period of time.

Ms. Beech also inquired about the status of the E. Barber Avenue/Hopkins Street Redevelopment Area.

Mr. Bowe explained that specifications are now being developed for the demolition of 33, 35, 37, and 39 Hopkins Street as well as 26 and 28 E. Barber Avenue. These properties will be demolished sometime in the summer and five new single family homes will be constructed.

Ms. Beech questioned who was responsible for the registering properties, the landlord or the tenant and who was in charge of high grass.

Ms. Beech was advised that the landlord was responsible. Councilwoman Tierney then explained the process for high grass complaints.

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

On motion of Councilman Sloane, seconded by Councilwoman Schreyer there was a five minute recess before going into Executive Session. President Riskie advised that action may be taken when Council resumes the Regular Order of Business.

Council went into Executive Session at 9:20 p.m.

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

On motion of Councilman Sloane, seconded by Councilwoman Tierney, the Regular Order of Business was resumed.

On motion of Councilman Sloane, seconded by Councilwoman Tierney, the City Solicitor was authorized to proceed with the action discussed in Executive Session.

Mr. Bowe discussed some additional information he had on Wick Boulevard advising that ultimately a new storm sewer would have to replace the lines that now exist in certain back yards.

Mr. Bowe also advised of a new sewer problem that occurred on the Park Avenue five days after the Contractor's, Maussner & Sons, maintenance bond had elapsed.

The Clerk also advised that Deptford Township will be proceeding with work to be done on Park Avenue; they still want us to help with the project. The City's position is that we want to wait to do the project until after hopefully receiving State grant money.

There being no further business, on motion of Councilman Sloane, seconded by Councilman Louis, the meeting was adjourned at 9:40 p.m..

THOMAS B. BOWE
Clerk/Administrator

OTHER OFFICIALS PRESENT

Assessor - Roy Duffield
Chief Financial Officer - Robert Law
City Engineer - Joseph Schiavo
Deputy Clerk: Gail R. Scheffler
Librarian - Jean Wipf
NPP Coordinator - Virginia Horn
Police: Sgt. Thomas Cirone
Public Works - Thomas Dukelow
Solicitor: Michael Aimino, Esq.