

May 26, 2009

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 pm. The meeting was held in Council Chambers located at Woodbury City Hall, 33 Delaware Street, Woodbury, NJ. 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, 2009.

President Sloane opened the meeting with the Pledge of Allegiance, followed by a Moment of Silence.

ROLL CALL

Present: Pottillo, Brown, Fleming, Louis, Tierney, Trout, President Sloane and Mayor Curtis

Absent: Villari, Croce

MINUTES

On motion of Councilman Louis, seconded by Councilwoman Tierney, the minutes of May 11, 2009 were approved as submitted.

PUBLIC

On motion of Councilman Louis, seconded by Councilman Fleming 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 Councilman Trout, the Public Portion was closed and the Regular Order of Business was resumed.

MAYOR PRESENTED A PROCLAMATION IN RECOGNITION OF WOODBURY ATHLETE

Mayor Curtis read a Proclamation for a local athletic from the Woodbury High School Boys' Basketball Team, Mark Di Rugeris. Mark graciously accepted the proclamation and introduced his family members and friends who were present.

The Mayor advised that Mark was the Captain of the Woodbury Boys' Basketball Team and this was one of their best years ever where they won the Colonial Conference and the South Jersey Group 1 Championships.

PRESIDENT SLOANE PRESENTED A PLAQUE IN RECOGNITION OF DON HALL

President Sloane read a plaque which was to be presented to Mr. Don Hall on the occasion of his retirement as Community Service Director for the City of Woodbury. Mr. Hall was not present to receive the plaque, but President Sloane recognized Mr. Hall's many years of dedicated service to the City.

PUBLIC HEARING ON THE INTRODUCED MUNICIPAL BUDGET

On motion of Councilman Fleming, seconded by Councilman Louis, the Regular Order of Business was suspended and the floor was opened to the Public for any question pertaining to the 2009 Municipal Budget.

Councilman Fleming advised that no action would be taken as far as the adoption of the budget as Council was still trying to make additional cuts.

Anthony Chiesa, 36 Rugby Place, came forward to inquire if Council will continue to look at all possibilities to contain any increases especially because of the economic crunch.

On motion of Councilman Fleming, seconded by Councilman Trout, the Public Hearing was closed and the Regular Order of Business was resumed.

FINANCE & ADMINISTRATION

ORDINANCE #2102-09 – ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK

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

The City Clerk read the title of the ordinance.

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

On motion of Councilman Fleming, seconded by Councilwoman Tierney, the public hearing was ordered closed.

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

Ayes	7	Brown, Fleming, Louis, Tierney, Pottillo, Trout, President Sloane
Nays	0	

Absent 2 Villari, Croce

ORDINANCE #2103-09 – 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 Fleming presented the above-entitled ordinance for first reading.

The City Clerk read the title of the ordinance.

On motion of Councilman Fleming, seconded by Councilwoman Tierney, the ordinance was placed on first reading.

Councilwoman Tierney inquired if the position of Community Service Director was being offered at a different salary than what Mr. Hall received..

Mr. Law explained that the numbers on the ordinance indicated a range of pay within which that salary would fall.

On motion of Councilman Fleming, seconded by Councilwoman Tierney, the ordinance was passed 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 June 8, 2009.

RESOLUTIONS

FINANCE & ADMINISTRATION

RESOLUTION #09-116 – RESOLUTION AUTHORIZING THE CANCELLATION OF A SMALL BALANCE ON REAL ESTATE TAXES IN THE CITY OF WOODBURY

Councilman Fleming presented the above-entitled resolution.

The City Clerk read the title of the resolution.

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

RESOLUTION #09-117 – RESOLUTION OF THE CITY OF WOODBURY CANCELING LIEN FOR PROPERTY MAINTENANCE PURSUANT TO MUNICIPAL CODE 162-4

Councilman Fleming presented the above-entitled resolution.

The City Clerk read the title of the resolution.

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

RESOLUTION #09-119 - RESOLUTION TO REIMBURSE TAX PAYMENT

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 motion.

RESOLUTION #09-120 – RESOLUTION OF THE CITY OF WOODBURY IMPOSING LIEN(s) FOR PROPERTY MAINTENANCE PURSUANT TO MUNICIPALITY CODE § 162-4

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 motion.

RESOLUTION #09-121 - RESOLUTION ESTABLISHING A “CHANGE FUND”

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 motion.

RESOLUTION #09-122 – RESOLUTION FOR APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR FY 2010, ROADWAY PRIORITY NO. 1, THE RESURFACING AND SAFETY IMPROVEMENTS TO DELAWARE STREET, PHASE II, FROM THE MUNICIPAL BOUNDARY TO SOUTH JACKSON STREET PROJECT

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 motion.

RESOLUTION #09-123 – RESOLUTION OF THE CITY OF WOODBURY AUTHORIZING EXECTION OF CONSENT ORDER REGARDING MD SASS VS. THREE AND FOUR WOODBURY MEWS

Councilman Fleming presented the above-entitled resolution.

The City Clerk read the title of the resolution.

President Sloane asked James Pierson, Esq. to explain the basis of this resolution.

Mr. Pierson stated that this resolution memorializes an agreement between the principals mentioned in the title which validates past liens and extends the time to next February that the property owner has to refinance and pay off the liens.

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

RESOLUTION #09-124 – RESOLUTION FOR APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR FY 2010, BIKEPATH PROJECT, PRIORITY NO. 1, THE WOODBURY BIKEPATH PROJECT, PHASE II

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.

RESOLUTION #09-125 – RESOLUTION FOR APPROVAL TO SUBMIT A DISCRETIONARY AID APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR FY 2010, FOR THE RESURFACING AND SAFETY IMPROVEMENTS TO DELAWARE STREET, PHASE II, FROM THE MUNICIPAL BOUNDARY TO SOUTH JACKSON STREET, PROJECT

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 motion.

VOUCHERS

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

PUBLIC SAFETY

Councilman Louis proudly announced an action taken by one of Woodbury's Police Officers while off duty; his action helped in the capturing of burglary suspects. Captain Sheehan while in his home town of Mantua noticed the unusual behavior of an individual in a parked vehicle near a Heritage Farm Store and decided to investigate the situation further when an individual ran out of the store and entered said vehicle. After the vehicle left the scene, Captain Sheehan finally stopped the car. It was eventually determined that not only did the individuals in the car just rob that Heritage Store, but they

were responsible for several other burglaries that had occurred in the area. Congratulations go out to Captain Sheehan for a job well done.

PUBLIC WORKS/UTILITIES

Councilman Pottillo had nothing to report.

ECONOMIC DEVELOPMENT

Councilman Fleming, filling in for Councilman Villari, advised that last week he attended the annual Main Street Meeting where the City received a plaque presented by the Woodbury Old City Restoration Committee. There was a speaker at the meeting who discussed “light rail” which was very informative.

On another topic regarding “Redevelopment” Councilman Fleming discussed the issue regarding whether or not the City should send out notices to City residents in the proposed redevelopment area to make certain that the City is giving them the due process of notification regarding their properties and the possibility of condemnation. The notice also would mention that they had 45 days to object to any potential action. In Councilman Fleming’s opinion he thought the notice would create unnecessary confusion for the residents, whereby the City Solicitor expressed his opinion that the City should at least put people on notice of the possibility if there was the slightest chance of their property being taken by eminent domain.

President Sloane stated for clarification, that the redevelopment area could be amended minimizing the possibility of alarming the public unnecessarily.

Councilwoman Tierney inquired about the City’s legal responsibility to notify residents that they are in the Redevelopment Plan. She expressed that she would prefer that the residents be notified “sooner rather than later.”

Regarding other issues, Councilman Fleming advised that he along with Tom Bowe, and a consultant, and the owner of the Green Building walked through the building to determine just what would be necessary to rehab that building. Many areas of the buildings were found to be in an unsafe condition and it is the opinion of Councilman Fleming that the City hire a structural engineer to evaluate the building. Also, because of the building’s historical significance, the City should get the State’s Office of Historical Preservation involved in the study as well.

Councilman Fleming is requesting approval from Council to have the Clerk make arrangements to have said engineer move forward with an evaluation.

More conversation ensued regarding the possibility of the building's condemnation, the City's legal responsibility to even take an initiative, and the owner's role in this entire situation.

Mr. Kunkle, Code Enforcement Official, stated he was more concerned with the building that is next to the Green Building.

It was finally decided to have the City Administrator contact the owner to see if he would pay for a structural analysis, and if not, would he allow the City to have the study done. On motion of Councilman Fleming, seconded by Councilwoman Tierney, the Clerk was authorized to proceed with the above request.

Councilwoman Tierney requested that the State Historical Preservation Office also be notified of the situation regarding the Green Building. A positive voice motion followed her request.

PERSONNEL

Councilwoman Tierney stated that she was happy to see Mark Di Rugeris recognized tonight; she had watched his progress over the years and wished him the best.

Councilwoman Tierney also thanked Tom Dukelow of the Public Works Department and the Police Department for putting on another outstanding Memorial Day Parade.

ENVIRONMENTAL

Councilman Trout had nothing to report in Councilman Croce's absence.

COMMUNITY DEVELOPMENT

RESOLUTION #09-118 – RESOLUTION AUTHORIZING THE USE OF REGIONAL CONTRIBUTION AGREEMENT FUNDS FOR BLOCK 148.01, LOT 9 A/K/A 118 LAUREL 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 Louis, the resolution was adopted by a voice vote.

Councilwoman Brown thanked Ted Wilkinson, along with Gail Scheffler and Virginia Horn for finding her camera.

Also Councilwoman Brown commented on the excellent job Councilwoman Tierney did as the Master of Ceremonies for the Memorial Day Parade.

Councilwoman Brown personally thanked Rich Leidy for providing a ride for her at the parade. The Councilwoman further stated that for people such as herself, who have a difficult time getting around, it is very much appreciated when someone goes out of their way to make their journey easier.

In conclusion, Councilwoman Brown welcomed all to join her for a "picture taking" after she read the plaque that was presented to the Mayor and Council from Main Street for their continued support.

GREEN ACRES

Councilman Trout had nothing to report.

MAYOR CURTIS

Mayor Curtis also thanked Police Department, Public Works, and Fire Department for their participation in the parade. The Grand Marshall this year was Frank Evans, who is the Chaplain for the American Legion Post #133, and who has delivered many Invocations here at our Regular Council Meetings.

Also a special thank you to Councilwoman Tierney for being the MC and Councilmen Louis, Trout, Pottillo and family and Councilwoman Brown for their participation.

Mayor Curtis referenced an article designating CONRAIL as the official line for the "light rail" that has recently been discussed.

The Mayor stated that the Woodbury Fire Department has successfully been recruiting new members and during one of their training drills discovered a problem on the Sketch Club roof.

CLERK/ADMINISTRATOR

Mr. Bowe, Clerk/Administrator, addressed the following:

1. The Clerk/Administrator advised that the Habitat for Humanity Project on Hopkins Street is moving forward nicely and he would ask that Council consider them doing two more homes on Wallace Street, as well as the four already agreed to on E. Barber Avenue;

Councilwoman Tierney stated she was under the impression that we not do any additional homes under this program until the first home on Hopkins Street was completed. Mr. Bowe advised that there would be a dedication on Wednesday, June 3, 2009 at 1:00 pm for the Habitat house on Hopkins Street;

On motion of Councilman Fleming, seconded by Councilman Trout the request to move forward with two more lots on Wallace Street was approved;

2. Mr. Bowe reminded everyone that the Primary Election will be Tuesday, June 1, 2009 from 6:00 am to 8:00 pm.;

3. Mr. Bowe advised that an ad appeared in the newspaper today advertising for a "Redevelopment Solicitor" discussed at the last Council Meeting;

The Clerk/Administrator advised that we have received formal notice from the County that we need to move forward with a reval. Mr. Bowe then invited Mr. Duffield to expand on this situation;

Mr. Duffield stated yes, we have been ordered to proceed with the reval which is long overdue. However, Mr. Jerry White has advised Mr. Bowe that we should not do anything until the County hears about its pending Senate Bill as well as its own budget. President Sloane interjected that he has informed our Solicitor, Mr. Pierson, to proceed with possibly appealing the order for a reval;

Councilman Fleming stated that we should also keep in mind that funds were not appropriated for a reval in the budget for this year.

Mr. Law explained that even though the money was not budgeted, it could be done with an emergency appropriation to be paid back over a five-year period; no bonding would be required; and

4. Mr. Bowe invited the City Engineer, to respond to any questions pertaining to the Engineer's Report.

Mr. Wilkinson, City Engineer, approached Council to update Council on the Reservoir Project stating that he has worked very hard to keep the project under budget. Also the CDBG Project will be advertised on Friday.

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 Non-Agenda Items.

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

Councilwoman Tierney reminded everyone that Students in Government will be at the next Council Meeting on June 8, 2009 starting at 5:30 pm.

There being no further business, on motion of Councilwoman Tierney, seconded by Councilman Louis, the meeting was adjourned at 8:45 pm.

THOMAS B. BOWE
Clerk/Administrator

OTHER OFFICIALS PRESENT

Auditor: Michael D. Cesaro, Bowman & Company

Assessor: Roy Duffield
Chief Financial Officer: Robert Law
City Engineer: Ted Wilkinson, PE
Construction Code Official: Bob Kunkle, Brian Bosworth, John Leech
Emergency Mgmt Officer: Lieutenant Cope
Police: Sgt. Cirone
Streets: Rich Leidy
Solicitor: James Pierson, Esq.
Recording Secretary: Fran A. Nigro