

May 27, 2008

The Regular Meeting of the Mayor and Council of the City of Woodbury held on the above date was called to order by President Pro-Tempore William Fleming 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 2, 2008.

President Pro-Tempore Fleming called for a Moment of Silence.

ROLL CALL

Present: Riskie, Fleming, Louis, Tierney

Absent: Schreyer, Villari, Brown, Belko, Sloane, Mayor Curtis

The Clerk advised that there were not sufficient members to officially take any action because of the lack of a quorum. The City Solicitor suggested opening the floor to the Public in hopes that another Council Member would arrive so that the meeting could continue and action could be taken.

PUBLIC

President Pro-Tempore Fleming opened the floor to the Public for Non-Agenda Items only.

Steve Krauss, 213 S. Maple Avenue, came forward to ask what the progress was on the Green Block Building regarding the proper upkeep of the property and could the property owner be made to remove the boarded-up plywood and install windows.

Councilman Louis responded that the property owner has been cited for the condition of the building, but does not know the current status of the building.

Mr. Krauss also inquired as to the new restaurant, Crown Chicken, that recently opened up on Broad Street and their late hours of operation.

Councilman Louis stated that although their hours of being opened until early in the morning may be a safety concern, to his knowledge nothing has warranted any police activity.

Mr. Krauss stated that his concern was that this type of business has been known to attract drug activity.

President Pro-Tempore Fleming advised that as long as the business is complying with the law, which so far they are, there is no reason for action on the City's part; however, because of the location of this business, the Police will be monitoring it to make sure that there are no loitering problems which would be something they could enforce.

Seeing no one else, on motion of Councilman Riskie, seconded by Councilman Louis, the floor was ordered closed.

***COUNCILMAN BELKO ARRIVED AT 7:45 PM (to make a quorum).**

MINUTES

On motion of Councilman Louis, seconded by Councilwoman Tierney, the minutes of the meeting of May 12, 2008 were approved as submitted.

PUBLIC

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

FINANCE AND ADMINISTRATION

ORDINANCE

ORDINANCE #2080-08 – AN ORDINANCE OF THE CITY OF WOODBURY AMENDING CHAPTER 190-31 OF THE CODE OF THE CITY OF WOODBURY

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

The City Clerk read the title of the ordinance.

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

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

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

Ayes	5	Riskie, Fleming, Louis, Tierney, Belko
Nays	0	
Absent	4	Schreyer, Villari, Brown, Sloane

RESOLUTIONS

RESOLUTION #08-119 – RESOLUTION TO PARTICIPATE IN A FEASIBILITY STUDY TO FORM THE SOUTH JERSEY HEALTH INSURANCE FUND

Councilman Riskie presented the above-entitled resolution.

The City Clerk read the title of the resolution.

Mr. Law explained that this would be a no cost feasibility study that was requested of us to do. The study involves finding out if those municipalities involved in our Joint Insurance Fund were interested in a health insurance fund. A Steering Committee will then review the results after all the municipalities polled and make recommendations.

Mr. Law stated that in his opinion this type of coverage could save us significant money as the cost of health insurance continues to escalate; it is at least something we should consider to see if it would be beneficial for us in the long run.

VOUCHERS

On motion of Councilman Riskie, seconded by Councilman Belko, the vouchers as presented were authorized paid.

PUBLIC SAFETY

ORDINANCE #2081-08 – AN ORDINANCE PROHIBITING THE PLACEMENT OF GRAFFITI ON PUBLIC AND PRIVATE PROPERTY WITHIN THE CITY OF WOODBURY

Councilman Louis presented the above-entitled ordinance.

The City Clerk read the title of the ordinance.

Mr. Pierson, City Solicitor, advised that the County Prosecutor has been meeting with neighboring towns advising them to put some type of graffiti ordinance into place.

On motion of Councilman Louis, seconded by Councilman Belko, 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 9, 2008.

RESOLUTION #08-118 – RESOLUTION ACCEPTING AND ADOPTING THE GLOUCESTER, SALEM, CUMBERLAND COUNTIES MUNICIPAL JOINT INSURANCE FUND – LOSS CONTROL PROGRAM

Councilman Louis presented the above-entitled resolution.

The City Clerk read the title of the resolution.

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

MAYOR CURTIS ARRIVED AT 7:55 PM

Councilman Louis reflected on Mr. Pat McCutcheon's request at the last Council Meeting pertaining to what Mr. McCutcheon can do now that his variance request for a tattoo parlor had been denied by the City's Planning/Zoning Board.

Councilman Louis stated that in his opinion Council now has three options relative to responding to the resident's request: 1) send the request back to the Planning/Zoning Board; 2) the City could change the existing ordinance; or 3) stick with the Planning/Zoning Board's decision.

The reason Councilman Louis is bringing the issue up again is that Broad Street would possibly be able to fill more buildings if consideration is given to some of the requests that have been prohibited along that corridor of the City.

Councilman Belko stated that he agreed with Councilman Louis and maybe the City's Planner should review our zoning ordinance; the time has come to make some changes.

There was continued conversation amongst Council Members regarding the re-development issues being reviewed by the Planner, as well as how this current request could be handled.

City Solicitor, James Pierson, Esq. stated that the applicant would have to re-submit another variance application if he wanted to have the Zoning/Planning Board review his request again.

PUBLIC WORKS/UTILITIES

RESOLUTION #08-120 – RESOLUTION AUTHORIZING AWARD OF CONTRACT TO COLONIAL LANDSCAPE DESIGN FOR IRRIGATION WORK AT THE WOODBURY SOCCER COMPLEX

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 vote.

RESOLUTION #08-121 – RESOLUTION FOR NJDOT LOCAL APPLICATION FISCAL YEAR 2009 ROADWAY PROJECTS (CARPENTER STREET, LAKE AVENUE AND WOOD STREET)

Councilman Belko presented the above-entitled resolution.

The City Clerk read the title of the resolution.

Mr. Wilkinson, City Engineer, answered some questions regarding the funding for the project and some of the requirements needed to acquire said funding.

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

PERSONNEL

Councilman Riskie stated he had nothing to report. However, he did state that there was suppose to be a meeting this evening; but due to circumstances beyond his control it will have to be rescheduled.

COMMUNITY DEVELOPMENT

RESOLUTION #08-114 - RESOLUTION AUTHORIZING THE MAYOR AND CLERK/ADMINISTRATOR TO EXECUTE A LEASE AGREEMENT WITH MAIN STREET WOODBURY INC. FOR THE PURPOSE OF CONDUCTING THE WOODBURY FARMERS MARKET

Councilwoman Tierney presented the above-entitled resolution.

The City Clerk read the title of the resolution.

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

RESOLUTION #08-115 – RESOLUTION AUTHORIZING THE USE OF NEIGHBORHOOD PRESERVATION PROGRAM FUNDS FOR BLOCK 114, LOT 35 A/K/A 66 HOPKINS STREET

Councilwoman Tierney presented the above-entitled resolution.

The City Clerk read the title of the resolution.

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

RESOLUTION #08-116 – RESOLUTION AMENDING RESOLUTION #08-65 AUTHORIZING THE USE OF REGIONAL CONTRIBUTION AGREEMENT FUNDS FOR BLOCK 118, LOT 36 A/K/A 60 CURTIS AVENUE

Councilwoman Tierney presented the above-entitled resolution.

The City Clerk read the title of the resolution.

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

RESOLUTION #08-117 – RESOLUTION AMENDING RESOLUTIONS #08-45 AND #08-78 AUTHORIZING THE USE OF NEIGHBORHOOD PRESERVATION PROGRAM AND NEIGHBORHOOD HOUSING REHABILITATION PROGRAM FUNDS FOR BLOCK 116, LOT 5 A/K/A 65 HOPKINS STREET

Councilwoman Tierney presented the above-entitled resolution.

The City Clerk read the title of the resolution.

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

RESOLUTION #08-122 – RESOLUTION APPROVING EXTERIOR AESTHETIC DESIGN OF HABITAT FOR HUMANITY 37 HOPKINS STREET HOME

Councilwoman Tierney presented the above-entitled resolution.

The City Clerk read the title of the resolution.

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

GREEN ACRES

Councilwoman Tierney had nothing to report in Councilwoman Schreyer's absence.

MAYOR CURTIS

Mayor Curtis apologized for his lateness but stated that he was Councilwoman Schreyer's chauffer for her travel to and from chemo treatment tonight, and they were running a little late. Mayor Curtis stated that Councilwoman Schreyer is doing well and wants to thank everyone for keeping her in their thoughts and prayers. Also, Mayor Curtis advised that Councilwoman Schreyer is working on her "Students in Government" project which she has every year and will advise when that presentation will be. Also, anyone who would like to help this year, it would be most appreciated.

The Mayor reminded everyone that this Sunday, June 1st, is the Annual Main Street Block Party.

Mayor Curtis thanked all the Council Members who walked in the parade and he stated that this year's Grand Marshall was a remarkable one. Joanne Martindale is a Lieutenant Colonel, and has been a Chaplain in Iraq. She delivered three very moving speeches.

The Mayor also stated that while the parade was en-route it was pointed out that we were missing a plaque at one of the memorials. The Public Works Department is looking into finding out if there were any photos ever taken of it, so we can duplicate it.

Councilman Belko commended Tom Dukelow and the Public Works workers who cleaned up after the event; they did a great job.

Mayor Curtis thanked Council for adopting the Habitat for Humanity resolution and hopes that Council will continue to participate in the program, as there are other lots that may become available that they can build on and do as they are about to do on Hopkins Street.

CLERK/ADMINISTRATOR

Mr. Bowe advised that two of our neighboring municipalities, Woodbury Heights and Westville will be supplying us with a copy of their updated Master Plan. Currently, we have Woodbury Heights and are awaiting a copy of Westville.

Mr. Bowe stated that he has been asked by Councilwoman Brown to publicly thank Mr. Dukelow for providing her with transportation to drive her in the parade. Councilwoman Brown's driver was Mr. Rich Leidy, and she would like to thank him as well.

Last week Mr. Bowe stated he had the pleasure of meeting a descendant of Henry Wood. His name is Dennis Wood and he is a direct descendant to Mr. Wood.

ENGINEER

Mr. Ted Wilkinson, City Engineer, stated that the DEP has granted the Permit for the Court House Parking Garage Project. There will be conditions to the permit and as soon as the engineer receives them, he will advise Council, probably at the next Council Meeting.

President Pro-Tempore Fleming stated that he is meeting tomorrow morning with some of the City's professions to discuss the Capital Budget and to put together a list of possible projects which will eventually come before Council for their input.

Councilman Belko also reminded everyone about the Block Party on Sunday, and also about Woodfest which is held every Friday evening on Broad Street.

President Pro-Tempore Fleming advised that he has talked to the Historical Society about being open on Sunday for the Block Party for their sports memorabilia display.

President Pro-Tempore Fleming advised that tentatively the Philly Phanatic is scheduled to appear at the Gloucester County Historical Society on Sunday, July 20, 2008, between 1:00 pm and 2:00 pm.

PUBLIC

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

Pat McCutcheon, 11 Curtis Avenue, approached Council because he stated he was confused regarding the discussion earlier in the meeting concerning his past request for a variance before the Planning/Zoning Board regarding Tattoo Parlors.

James Pierson, Esq., City Solicitor, in answering Mr. McCutcheon's concern advised that neither he nor Council could give him any legal advice because Mr. Pierson would be the one to represent Council for any legal matters.

Mr. McCutcheon stated that he was confused because if he was denied the variance the first time, then why would anything change now if he re-applied.

President Pro-Tempore Fleming explained to Mr. McCutcheon that the City is currently considering revising the zoning ordinance and what is now illegal could change and become allowable; so it may benefit Mr. McCutcheon to reapply before the Planning/Zoning Board.

Mayor Curtis advised Mr. McCutcheon that "Spot Zoning" is illegal so at this point it would not benefit him to reapply at this time unless the ordinance itself is changed.

Councilman Louis then explained in more detail the process an ordinance goes through before it becomes law and can be enforced.

President Pro-Tempore Fleming stated that a special redevelopment meeting will be held where these matters will be addressed; it will be open to the public and will be held on Wednesday June 11, 2008.

Paul Bunn, 18 E. Packard Avenue, stated that he remembered when the ordinance involving Tattoo Parlors was adopted two years ago; most people sitting on Council then are the same as now. So why now does it appear that they would change their vote when they were so adamant about not having Tattoo Parlors in Woodbury two years ago?

Councilman Louis stated that two years ago Council may have felt a certain way and maybe their opinions have since changed.

President Pro-Tempore Fleming advised that the current idea is to have the Planner look at all areas dealing with the downtown business district which may cause Council to rethink our ordinances which may make Woodbury more economically desirable for future development.

Robert Killian, 164 Gantt Avenue, came forward to express concern regarding street flooding at the end of Gantt Avenue and the railroad. He has complained to Public Works in the past only to be told that they cannot do anything because the problem exists on the Conrail property; yet attempts to contact Conrail to rectify the problem have produced no results.

President Pro-Tempore Fleming stated that he would have the Clerk/Administrator write a letter to Conrail requesting them to respond to the problem. The City Engineer, Mr. Ted Wilkinson, stated he has recently acquired new contacts at Conrail and will be in touch with them.

Mr. Killian stated that another issue that was supposed to be resolved was the depth of the communication towers near his home. It was noted by the Engineer that they should be 6 feet deep when in fact they are only five feet and this has never been corrected.

Mr. Killian brought up a safety issue where old Broadway blends into N. Evergreen Avenue coming from Westville, and the lack of visibility at night at that intersection.

Mayor Curtis advised Mr. Killian that area is in Deptford Township. The Mayor stated that it is also a County Road so someone from the County or Deptford Township should be contacted to see about a traffic light being installed.

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

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

Chief Financial Officer: Robert Law

Deputy City Clerk: Gail R. Scheffler

Engineer: Ted Wilkinson, PE

NPP Coordinator: Virginia Horn

Solicitor: James Pierson, Esq.

Tax Assessor: Roy Duffield