

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 asked that everyone remember Edith Patterson, a well-known resident who dedicated many of her services to the City, as well as President Ronald Reagan, both of whom recently passed away.

ROLL CALL

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

Absent: Brown, *Graziani, Sloane, Grimming

CHANGES TO THE AGENDA

President Riskie stated that Ordinance #1973-04(A) should be renumbered Ordinance #1975-04; also on page seven of that same ordinance, the date of May 10, 2004 should be changed to June 14, 2004;, and the last page should have the adoption date as June 28, 2004.

MINUTES

On motion of Councilman Louis, seconded by Councilwoman Tierney, the minutes of May 24, 2004 were approved as submitted.

MAYOR SWEARS IN PATROLMAN

Mayor Leslie Clark read a letter from Chief Reed Merinuk listing background information on Patrolman Duffy and also recommending his promotion to Sergeant. Mayor Clark then administered the Oath of Office to Sergeant Duffy.

Sergeant Duffy introduced his family and friends.

***Councilman Graziani arrived at 7:38 p.m.**

PUBLIC

On motion of Councilman Curtis, seconded by Councilman Graziani, 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, stated that although there were changes in the wording of Ordinance #1975-04, the ordinance is still saying the same thing as before, i.e. still demeaning

massage therapy; the changes only defined each category. Mrs. Anderson went on to state that there exists a massage therapy center in the White House.

Councilman Graziani stated that this business was already established prior to this ordinance; therefore, its existence is grandfathered.

President Riskie also advised Mrs. Anderson that she could still apply before the Planning/Zoning Board if she was interested in opening up such a business and request a variance.

Mrs. Anderson expressed her concerns about being lumped into a category labeled “sexually oriented” businesses. As a professional she offers a worthwhile service.

Paul Bunn, 18 E. Packard, stated that he agreed with Mrs. Anderson’s comments regarding a “massage therapist” being lumped into this category.

Mr. Bunn also inquired if there was a nominal fee being charged to the applicants who were registering for the YMCA Program additionally sponsored by the City this summer. The response was “yes”.

Mr. Bunn further inquired about the inactive liquor license that is being approved this evening.

Mr. Bowe explained of the conditions when an owner of a liquor license holds a “pocket license”.

As no one else desired to address any other agenda items, on motion of Councilman Louis, seconded by Councilman Graziani, the floor was closed for Agenda Items 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

On motion of Councilwoman Tierney, seconded by Councilman Graziaini, the above-entitled ordinance was brought off the table by voice vote.

Councilwoman Schreyer inquired who on the Planning Board actually proposed this ordinance be brought before Council.

Mayor Clark advised that there was no one person responsible for the initial introduction. The Mayor continued that over the course of a series of events and at the request of Main Street along with the merchants there was a general consensus that there were gaps in the original ordinance for the business district and it was requested that the Planner, Matt Miller, take a look at the existing ordinance and confer with the City Solicitor to come up with stricter guidelines.

Councilwoman Schreyer stated that she has given this ordinance much thought and does not doubt that the intent was sincere to restrict certain businesses that no one wants to see along our business district. However, she is concerned that neither the old or the new ordinance has considered the constitutional aspect of these restrictions and how they may affect the City’s position if a lawsuit would result. Councilwoman Schreyer also referenced State Law and the restrictions implied by them because the State law supersedes local ordinances.

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

The City Clerk read the title of the ordinance.

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

On motion of Councilman Louis, seconded by Councilman Graziani, a roll call vote was requested.

Ayes	0	
Nays	6	Curtis, Louis, Graziani, Schreyer, Tierney, Riskie
Absent	3	Brown, Sloane, Grimming

The ordinance was defeated.

ORDINANCE #1975-04 - 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 Louis, seconded by Councilman Graziani, 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 28, 2004.

Councilman Graziani stated that although there is a State Statute that regulates the type of businesses being discussed in this ordinance, he also stated that sometimes the state does not make the best decision that is suitable for all municipalities. Councilman Graziani further stated that he would rather have the City adopt a stricter ordinance and have those interested parties seek a variance rather than have no restrictions at all.

Councilman Curtis stated that other than to give definitions for various types of businesses, nothing more was really changed from the original ordinance; and the one occupation, massage therapy, that is in question, was not even included in the original ordinance by definition.

Councilman Curtis also addressed the portion of the ordinance that prohibits "tattoo parlors" stating that Council should review this as well because long gone are the days when only "bikers" got tattoos.

Councilman Graziani stated that although he does understand that times have changed, he is just suggesting that everyone take a closer look at the bigger picture and what is best for the community.

RESOLUTIONS

RESOLUTION #04-95 - 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 motion.

RESOLUTION #04-96 - RESOLUTION TO ACCEPT AND AUTHORIZE A GRANT AGREEMENT WITH THE NEW JERSEY DIVISION OF HIGHWAY TRAFFIC SAFETY FOR THE CLICK IT OR TICKET PROJECT

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 motion.

RESOLUTION #04-97 - RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH THE YMCA OF GLOUCESTER COUNTY TO CONDUCT THE 2004 WOODBURY SUMMER CAMP PROGRAM

Councilman Louis presented the above-entitled resolution.

The City Clerk read the title of the resolution.

Councilwoman Schreyer inquired if this Summer Program at the YMCA would be replacing the old summer program that was under the direction of Gloria Holmes in previous years.

Mayor Clark indicated that when the budget cuts were made to the City's Park & Recreation Department, there was a small surplus in the budget. The YMCA approached the City to inquire if we would be interested in participating in a summer program for a nominal fee. Mayor Clark stated that after looking into this request, along with Ms. Virginia Horn, plus working with the School to make arrangements for cafeteria use for lunches and a craft program, it was decided that this would work to the benefit of all, mostly the children who would be participating.

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

RESOLUTION #04-98 - RESOLUTION AUTHORIZING THE RENEWAL OF ALCOHOLIC BEVERAGE LICENSES WITHIN THE CITY OF WOODBURY BEGINNING JULY 1, 2004 AND ENDING JUNE 30, 2005

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 motion.

RESOLUTION #04-99 - RESOLUTION AUTHORIZING ISSUANCE OF A TEMPORARY PERMIT TO UNDERWOOD MEMORIAL HOSPITAL FOR THE PLACEMENT OF A NONCONFORMING TRAILER ON THE HOSPITAL PREMISES

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 motion.

VOUCHERS

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

BINGO APPLICATION

Councilman Louis presented a Bingo License Application from Beth Israel Congregation for a bingo to be held for a six month period. On motion of Councilman Louis, seconded by Councilwoman Tierney the application was approved as submitted.

PUBLIC WORKS/UTILITIES

Councilwoman Tierney advised that she did resolve the problem President Riskie asked her to address concerning the street sweeper.

Councilwoman Tierney also thanked Tom Stone for putting the Memorial Day Parade together as well as thanking Public Works for attending to the preparation and clean-up after the event.

ENVIRONMENTAL

Councilwoman Schreyer stated that Redi Mix Concrete has applied to the State DEP for a Fresh Water Wetlands General Permit Authorization Application. Anyone who is interested in inspecting this permit, can do so in the City's Construction Office.

Councilwoman Schreyer advised that Councilwoman Brown is currently at Manor Care Rehabilitation Center after having surgery.

MAYOR CLARK

Mayor Leslie Clark began by recognizing that today was Flag Day and that each year the American Legion Post #133 conducts a flag burning ceremony for the retiring of old and worn out flags. The Mayor advised that the flags are collected during the year then on Flag Day a ceremonial burning of two to three flags is conducted with all the others being incinerated at Wheelabrator at no cost. If anyone has and knows someone who wants to dispose of flags, they can do so by dropping off the flags at Post #133 on at Washington Avenue.

The Mayor also thanked Tom Stone, Public Works, the Bonsal Blues Band, the Woodbury High School Marching Band, and anyone else who contributed to the Memorial Day Parade. The Mayor stated that the Grand Marshall this year was Bob Spies, and many elected officials were also in attendance.

Mayor Clark also mentioned the Annual Block Party that was organized by Main Street on June 6th; again it was a great success. The Mayor thanked everyone involved with the planning and participating in the event.

The Mayor recognized Woodbury resident, Ella May Wing, who will turn 100 on Wednesday. The Mayor stated that the Wing family has been living in Woodbury for several generations and we wish Ms. Wing health and happiness on her special day.

Mayor Clark stated our Fire Chief Drew Bain has been named as "Chief Fire Officer" by the Commission on Chief Fire Officer Designation located in Virginia. There were only eight candidates in the

state of New Jersey and he was the only one designated from Gloucester County. In total, there were 412 Fire Chiefs who received this distinction nationwide.

In conclusion, the Mayor wished all fathers present a "Happy Fathers Day".

CLERK/ADMINISTRATOR

Mr. Bowe requested authorization to have the Engineer amend the Wick Blvd. Storm Sewer Plan.

On motion of Councilman Curtis, seconded by Councilman Graziani, the Engineer was authorized to amend the existing plans pertaining to the Wick Boulevard Project.

PUBLIC

On motion of Councilman Graziani, seconded by Councilwoman Schreyer, the Regular Order of Business was suspended and the floor was opened to the public for Non-Agenda Items only.

Mrs. Susan Anderson, 220 Jackson Street, again came forward to address remarks made by Council whereby it was stated that the City would prefer to have stricter rules pertaining to allowing certain businesses the capability of operating within the City; however, no one on Council has recommended that special considerations be given to churches, schools, etc. which have experienced negative publicity lately. Mrs. Anderson questioned why her profession is being targeted. Is it because of the negative publicity associated with the relatively recent arrests at the massage establishment on Cooper Street?

Earl Fleming, 122 West Street, President of the West End Association, advised that his association received a letter from the President of the United States congratulating them on their fourteenth anniversary.

Paul Bunn, 18 E. Packer Avenue, came to Council several months ago stating he would donate his time and paint the shutters on the City Hall Building. Mr. Bunn stated that he has been working with the Public Works Department and thanked them for their cooperation. Mr. Bunn stated that he was here this evening to report that he has only been able to refinish two of the shutters thus far, and he is having a very difficult time trying to repair and restore the shutters due to their condition. Mr. Bunn inquired if there was any way City Council could apply for help by way of a grant so that these shutters could be totally replaced.

Mr. Bowe, Clerk/Administrator, stated that the City did apply to the NJ Historic Trust twice, but was denied both times.

Mr. Bunn advised that he would obtain quotes from various businesses for the rehabilitation of the shutters.

There being no further business, on motion of Councilman Graziani, seconded by Councilman Curtis, the Public Portion was closed and the Regular Order of Business was resumed.

On motion of Councilman Curtis, seconded by Councilman Graziani, the Regular Order of Business was suspended and there was a five minute recess before Council went into Executive Session.

President Riskie stated that possible action could be taken after coming back into the Regular Meeting after the Executive Session.

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

On motion of Councilman Curtis, seconded by Councilman Graziani, Council returned from Executive Session into the Regular Order of Business at 8:45 p.m. with no action being taken as a result of the Executive Session.

There being no further business, on motion of Councilman Curtis, seconded by Councilman Graziani, the meeting was adjourned at 8:45 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.