

June 28, 2004

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.

ROLL CALL

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

Absent: Brown, Curtis

MINUTES

On motion of Councilman Louis, seconded by Councilwoman Tierney, the minutes of June 14, 2004 were approved as submitted. Councilman Sloane abstained from the voice motion for approval.

CHANGES TO ORDINANCE #1975A-04

President Riskie advised that in Ordinance #1975A-04 on page #8 the introduction date should be June 28, 2004 with a possible adoption date of July 12, 2004.

PUBLIC

On motion of Councilman Sloane, 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, came forward to address Ordinance #1975A-04 stating that she did notice that a change was made to the section pertaining to massage parlors; however, her concern now was that after contacting the State Department of Licensing and Certifications she was informed that State Certifications would not be in effect until January 2005 for certified massage therapists.

Ms. Anderson stated that at the last Council Meeting, Councilwoman Schreyer informed everyone that this ordinance was brought to the attention of Council because of discussions at a Merchants Association Meeting. Ms. Anderson inquired if this was a formal request and exactly how many merchants were at that particular meeting.

Mayor Clark stated that there was no discussion at a particular meeting but that through conversations with City merchants, she was lead to believe that the Merchants Association and Main Street both supported the ordinance.

Ms. Anderson stated that she had spoken with the massage therapists who are located in the White House and who are also members in the Merchants Association and they were not aware of this ordinance.

Mayor Clark advised that the Merchants Association Executive Board sent a letter of support.

Ms. Anderson also inquired if massage and tattoo parlors were the only concerns mentioned in this letter.

Mayor Clark responded that it is a concern of everyone that a certain atmosphere be maintained in the downtown area which would attract the casual shopper; and it was their belief that the type of stores being addressed in the ordinance did not attract this type of shopper. In addition, another issue was that the children who attend Woodbury Schools walk through the downtown district.

Ms. Anderson referred back to the Mayor's remark regarding attracting the casual shopper, indicating that a massage therapist also does chair massages, and sells products such as oils, crystals and lotions which could accommodate the casual shopper.

The Mayor then stated that she really did not understand Ms. Anderson attempts to compare certain business with others. Some businesses just don't attract the type of foot traffic that both Main Street and the Merchants Association are attempting to attract to our downtown area. The Mayor also informed Ms. Anderson that Council is making an attempt to accommodate Ms. Anderson's profession, and certain references Ms. Anderson was using were a stretch.

Ms. Anderson continued asking questions about the language in the ordinance, and again brought up situations occurring within the church, schools, medical profession, etc.

Councilman Graziani finally asked Ms. Anderson, to identify her position, especially since the ordinance now allows for certified massage therapists, which is exactly what she initially wanted.

Ms. Anderson stated that she was still confused with the wording and explained her concerns regarding the empty storefronts.

Mayor Clark then briefed Ms. Anderson about the history of the downtown area and how it has much improved over the past several years and how the intent of this ordinance is to continue to bring the type of businesses that will help the business district in a positive way.

Mary Slowinski, 153 W. Barber Avenue, came forward advising that she is a long time resident of Woodbury and sees no growth and thinks Woodbury has to be more open-minded if we want to see the City to continue to grown.

Bob Ralph, 132 S. Columbia Avenue, came forward as a taxpayer, stating that he has chosen Woodbury as his retirement residence because of its hometown appeal. Mr. Ralph went on to say that he has looked all throughout the County and taxes are high everywhere. Mr. Ralph stated that if there are no guidelines, we will attract the kind of businesses that will move the good businesses out of town.

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

ORDINANCE #1975-04 - ORDINANCE AMENDING CHAPTER 202-57 OF THE WOODBURY MUNICIPAL CODE; USE REGULATIONS IN C-1 COMMERCIAL DISTRICT

Councilman Graziani presented the above-entitled ordinance for adoption.

The City Clerk read the title of the ordinance.

Councilman Graziani explained that the intent this evening was to pass this ordinance so that the restriction of the two businesses mentioned could be in place. Councilman Graziani advised that there would be another ordinance this evening, #1975A-04; that would amend the original ordinance and allow for certified massage therapy businesses to be permitted with a final adoption for July 12, 2004.

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

President Riskie read a Letter of Support he received from Reverend Barton and the Greater Woodbury Cooperative Ministries supporting this ordinance.

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

Ayes	6	Louis, Graziani, Sloane, Grimming, Tierney, Riskie
Nays	1	Schreyer
Absent	2	Brown, Curtis

Councilman Sloane stated that maybe this would be a good time to recommend that since we are restricting businesses then he is suggesting that another ordinance be introduced to include the restriction of bail bondsman, second hand stores, labor pool offices and the such.

Councilman Graziani advised Councilman Sloane to prepare such a list and his committee would take it under consideration.

ORDINANCE #1975A-04 - ORDINANCE AMENDING CHAPTER 202-57 OF THE WOODBURY MUNICIPAL CODE; USE REGULATIONS IN C-1 COMMERCIAL DISTRICT

Councilman Graziani presented the above-entitled ordinance.

The City Clerk read the title of the ordinance.

Councilman Graziani read from page 3 indicating the changes made that would include "certified massage therapy centers" .

On motion of Councilman Graziani, seconded by Councilman Louis, 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 July 12, 2004.

ORDINANCE #1976-04 - ORDINANCE AMENDING CHAPTER 84 OF THE WOODBURY MUNICIPAL CODE; FEES

Councilman Graziani presented the above-entitled ordinance.

The City Clerk read the title of the ordinance.

On motion of Councilman Graziani, seconded by Councilman Grimming, 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 July 12, 2004.

RESOLUTIONS

FINANCE & ADMINISTRATION

RESOLUTION #04-100 - RESOLUTION AUTHORIZING SOLICITOR FOR THE CITY OF WOODBURY TO INITIATE PROCEEDINGS FOR THE TAKING OF PROPERTY LOCATED IN REDEVELOPMENT ZONE #2

Councilman Louis presented the above-entitled resolution.

The City Clerk read the title of the resolution.

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

RESOLUTION #04-101 - 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.

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

RESOLUTION #04-102 - 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 Graziani, the resolution was adopted by a voice motion. Councilwoman Tierney abstained from the vote.

RESOLUTION #04-103 - RESOLUTION APPROVING THE EXTENSION OF AN INTERLOCAL SERVICES AGREEMENT BETWEEN THE CITY OF WOODBURY AND THE COUNTY OF GLOUCESTER FOR THE PARTICIPATION IN THE CDBG GRANT PROGRAM AND HOME INVESTMENT PARTNERSHIP PROGRAMS FOR FISCAL YEARS 2005-2007, INCLUSIVE

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 #03-104 - RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO NELSON TREE SERVICE FOR TREE TRIMMING AND REMOVAL

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 Councilman Sloane, the vouchers as listed and certified were authorized paid.

MAYOR CLARK

Mayor Clark advised of a grant the City received in the amount of \$2000 for the State's Domestic Violence Training Program to be used for mandatory police violence training.

The Mayor announced the Annual Fireworks Display to be held Monday, July 5, 2004. On Wednesday, July 7, 2004, the High School Seeds to Success Farm Stand will have its Grand Opening. This year the stand will be in front of the High School next to the Post Office.

CLERK/ADMINISTRATOR

Mr. Bowe invited questions pertaining to the Engineer's Report that was distributed.

President Riskie inquired when the Wick Blvd. Project would be going out to bid as it as been an ongoing project for the last year and a half.

Mr. Schiavo, City Engineer, explained that no definite date has been established because work is still going on at the other end of the street and we have experienced some unexpected problems along the way. The intent is to have the total project completed before the end of the year

Councilman Sloane stated that he did not receive the engineer's report and requested that all e-mails be sent to him at his personal e-mail address.

Mr. Bowe requested approval to accept two bids that were received for two pieces of equipment from the Streets Department: one was for a tractor, and the other for a mower. On motion of Councilman Louis, seconded by Councilwoman Tierney, the two bids received for the prices quoted were accepted.

TREASURER'S REPORT

On motion of Councilman Louis, seconded by Councilman Graziani, the Treasurer's Report was received as filed.

PUBLIC

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

Susan Anderson, 220 S. Jackson Street, returned to the podium to ask another question regarding the State requirements for certification for massage therapists not being available until January 2005, and if this prohibits her from operating with her massage therapy abilities before that time.

Councilman Sloane stated that this should be a matter for the Planning/Zoning Board to consider with recognition for a school certification in the interim and to do so by a resolution.

Councilman Graziani advised that this would not interfere with Ms. Anderson's ability to operate out of her home; however, if she decided to open up a store front business this may be a problem. Councilman Graziani then requested Mr. Aimino, City Solicitor, look how this should be handled in the interim until State Certifications are available.

Paul Bunn, 18 E. Packard Avenue, approached Council to consider putting a line item in the budget for the purchase of new shutters.

Mr. Robert Law, Chief Financial Officer, explained that there are certain items that are permitted under a "Dedication by Rider" item; however, he does not believe the purchase of shutters would be one of them. Mr. Law explained that this type of purchase would be handled under the Capital Budget and the State would not approve such a small purchase under the "Dedication by Rider" approach.

Mr. Bunn stated that he is still waiting for a response from Mr. North along with other contacts to whom he has reached out.

Mayor Clark advised Mr. Bunn that the City is hoping for donations to help defray some of the costs involved in purchasing new shutters.

Councilman Louis inquired if the money in the PSE&G fund could be used for this project.

Mr. Bowe stated that that money could only be used for Park & Recreation items only.

Ms. Anderson came forward again to inquire about the light rail situation in Woodbury.

Mr. Bowe responded that the light rail subject has been an on-going topic and that Woodbury and the rail line south of here had been considered early on. The State however, decided to build the Trenton/Camden line.

Councilman Sloane stated that sometime in the future Woodbury would still be a consideration along with two to three other possible routes. Councilman Sloane continued that it is his hope that Woodbury would be the chosen route based on its population and the location of the existing rails and the support of public opinion.

Mayor Clark stated that the City is keeping a file of all responses concerning the light rail topic in hopes that when the subject is discussed again the City can provide the State with support letters.

Ms. Anderson stated that she is very interested in the topic of light rail and would gladly volunteer her support if a committee is formed.

President Riskie advised that some twenty years ago he remembered participating in a light rail ride in what was then called a Bud Car which extended from Woodbury to Vineland; therefore, the idea has been around for many years. We now need the support of other neighboring towns.

Mary Slowinski, 153 W. Barber Avenue, came forward again to inquire if the City of Woodbury had a reciprocal agreement with other schools for busing. Mrs. Slowinski stated that she had noticed a bus from Gateway that picked up a student in her neighborhood every day.

Councilwoman Tierney explained that Woodbury does have a school bus but that it was used for transporting students for extra curricular activities. As far as the Gateway Bus picking up that student, it would be Councilman Tierney's guess that this student was a special-needs student and living in Woodbury attending another school. Councilwoman Tierney suggested that Mrs. Slowinski contact the school and ask them directly about their busing practices.

Mrs. Slowinski then inquired what exactly was Council doing to entice more businesses to come into Woodbury.

Councilman Graziani stated that with the help of Main Street, more advertising and applying for grant money to help the existing businesses become more successful is being implemented.

Dave Jenkins, 345 Glover Street, stated that he was here to remind Council that the area he usually keeps a watch over is again in need of grass cutting at the corner of High Street and West Barber Avenue.

Regarding another matter Mr. Jenkins addressed the unsightly appearance of Tatum Street and Red Bank Avenue especially referencing pot holes.

Mr. Walsh stated that unfortunately the area Mr. Jenkins is referring comes under West Deptford's authority.

Mrs. Sharon Edwards, 346 Morris Street, stated she was having a problem in her area with tenants in a rental problem. Mrs. Edwards stated she was a new homeowner in Woodbury and was concerned that the house at 348 Morris Street which is a rental and is for sale would simply continue to be a problem property even with a new owner.

Mayor Clark stated that many of the issues Mrs. Edwards brought up could be handled under the Landlord/Tenant Ordinance and suggested she speak with Lieutenant Sheehan after tonight's meeting.

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

There being no further business, on motion of Councilman Louis, seconded by Councilman Graziani, the meeting was adjourned at 8:30 p.m..

THOMAS B. BOWE
Clerk/Administrator

OTHER OFFICIALS PRESENT

Assessor: Roy Duffield

Chief Financial Officer: Robert Law

City Engineer: Joseph Schiavo

Deputy City Clerk: Gail R. Scheffler

Librarian: Jean Wipf NPP Coordinator: Virginia Horn

Police: Lieutenant Sheehan

Public Work Director: Michael Walsh

Solicitor: Michael Aimino, Esquire