

July 24, 2006

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 Deputy Administrator, Robert Law, 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 3, 2006.

Councilman Louis delivered the Invocation.

ROLL CALL

Present: Brown, Curtis, Louis, Sloane, Schreyer, Grimming, Belko, President Riskie and Mayor Clark

Absent: Tierney

MINUTES

On motion of Councilman Louis, seconded by Councilwoman Schreyer, the minutes of July 10, 2006 were approved as submitted.

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.

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

ORDINANCE #2031-06 – BOND ORDINANCE AUTHORIZING THE STEWART LAKE PARK DEVELOPMENT PROJECT (PHASE II) IN THE CITY OF WOODBURY, COUNTY OF GLOUCESTER, NEW JERSEY; APPROPRIATING THE SUM OF \$350,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE CITY OF WOODBURY, COUNTY OF GLOUCESTER, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$175,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

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

The Deputy Administrator read the title of the ordinance.

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

Alan Da Silva, 163 High Street, came forward to inquire why the agenda or ordinances on second reading were not posted on the website so one could see what topics were going to be addressed this evening.

President Riskie stated that notification was properly given by way of publication in the local newspaper and also posted on the bulletin board in City Hall.

Mr. Law, Deputy Administrator, stated that he normally does put the agenda on the website; however, that did not occur for this meeting.

Councilman Sloane suggested that the ordinances on second reading could be published on the web site.

Mr. Law stated that currently staffing is not available to do that; however, possibly sometime in the future this could be a consideration.

Anthony Chiesa, 36 Rugby Place, came forward to inquire if plans were available on the Stewart Lake Project as referred to in an ordinance being presented tonight.

Mr. Schiavo, City Engineer, explained the areas to be included in the project with a footpath along one side of the lake.

Mr. Chiesa stated that at one time the area in question was a walkable path; however, now it has become overgrown.

Mr. Dukelow stated that part of the problem is the type of soil that is in that area which makes it more difficult to maintain.

Mr. Da Silva returned to ask if provisions have been made to maintain that area after the project is completed. Increase in pedestrian and vehicular traffic could cause maintenance problems.

President Riskie stated that the maintenance issue would be looked into after the project is completed.

On motion of Councilman Louis, seconded by Councilwoman Schreyer, the public hearing was ordered closed.

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

Ayes	8	Schreyer, Louis, Sloane, Brown, Curtis, Grimming, Belko, President Riskie
Nays	0	
Absent	1	Tierney

ORDINANCE #2032-06 – ORDINANCE AMENDING CHAPTER 197 OF THE WOODBURY MUNICIPAL CODE ENTITLED: WATER

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

The Deputy Administrator read the title of the ordinance.

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

On motion of Councilman Louis, seconded by Councilman Grimming, the public hearing was ordered closed.

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

Ayes	8	Schreyer, Louis, Sloane, Brown, Curtis, Grimming, Belko, President Riskie
Nays	0	
Absent	1	Tierney

ORDINANCE #2033-06 – ORDINANCE REPEALING CHAPTER 165 (PREVIOUSLY ADOPTED AS CHAPTER 171) AND ADDING A NEW CHAPTER 165 OF THE WOODBURY MUNICIPAL CODE ENTITLED: STORMWATER CONTROL

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

The Deputy Administrator read the title of the ordinance.

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

On motion of Councilman Louis, seconded by Councilwoman Schreyer, the public hearing was ordered closed.

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

Ayes	8	Schreyer, Louis, Sloane, Brown, Curtis, Grimming, Belko, President Riskie
Nays	0	
Absent	1	Tierney

ORDINANCE #2035-06 – 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.

The Deputy Administrator read the title of the ordinance.

Councilwoman Brown requested that in section #3 the year be changed from 2005 to 2006. The correction was duly noted.

On motion of Councilman Louis, seconded by Councilwoman Schreyer, 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 August 14, 2006.

RESOLUTIONS

RESOLUTION #06-131 – RESOLUTION AUTHORIZING THE MAYOR AND CLERK/ADMINISTRATOR TO EXECUTE AN INTERLOCAL SERVICES AGREEMENT WITH THE COUNTY OF GLOUCESTER FOR THE PROVISION OF LANDSCAPE DESIGN SERVICES

Councilman Louis presented the above-entitled resolution.

The Deputy Administrator read the title of the resolution.

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

RESOLUTION #06-133 – RESOLUTION APPOINTING CONFLICT PUBLIC DEFENDERS FOR THE CITY OF WOODBURY (Malignaggi, Silvanio, Iannelli, Roldan)

Councilman Louis presented the above-entitled resolution.

The Deputy Administrator read the title of the resolution.

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

Councilwoman Brown inquired who the Conflict Public Defenders were at this time.

Mr. Aimino explained that the names are listed in the body of the resolution and that these individuals are used by the Court if the City Public Defender has a conflict with a particular case.

For the record, Mr. Law read the names of the appointments: Carmen Malignaggi, Esq. Michael Silvanio, Esq., John Iannelli, Esq. and Rex Roldan, Esq.,

RESOLUTION #06-134 – RESOLUTION APPOINTING CONFLICT PROSECUTOR FOR THE CITY OF WOODBURY (Adams)

Councilman Louis presented the above-entitled resolution.

The Deputy Administrator read the title of the resolution.

Mr. Law recorded the name of John Adams, Esq.

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 Schreyer, the vouchers as presented were authorized paid.

PUBLIC SAFETY

ORDINANCE #2034-06 – ORDINANCE AMENDING CHAPTER 20 OF THE WOODBURY MUNICIPAL CODE ENTITLED: FIRE DEPARTMENT

Councilman Sloane presented the above-entitled ordinance.

The Deputy Administrator read the title of the ordinance.

On motion of Councilman Sloane, seconded by Councilwoman Schreyer, 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 August 14, 2006.

Councilman Sloane stated that this ordinance is being introduced to better serve the citizens of Woodbury and to help the Fire Department run smoother. Monies have been made available to allow this to happen.

PUBLIC WORKS

Councilwoman Belko advised that sometime in late August the Public Works Committee will be meeting with the Recycle Bank people and will advise Council if their program will be beneficial to the City.

ECONOMIC DEVELOPMENT

Councilman Louis stated that at the last Council meeting, a Resolution was adopted requiring a letter attachment to be sent to the Department of Transportation. Councilman Louis stated that the letter was sent. When he hears back from the DOT he will make Council aware of the response.

COMMUNITY DEVELOPMENT

RESOLUTION #06-132 – RESOLUTION AMENDING RESOLUTION #06-121 AUTHORIZING THE USE OF REGIONAL CONTRIBUTION AGREEMENT FUNDS FOR BLOCK 138 LOT 7 a/k/a 433 HESTER AVENUE

Councilwoman Brown presented the above-entitled resolution.

The Deputy Administrator 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 Councilman Louis for delivering the Invocation this evening and then introduced her son Cleatous. She also thanked her son for being here this evening and for bringing her to the meeting.

MAYOR CLARK

Mayor Clark reminded everyone that National Night Out would be held at the Frances Avenue Field on Tuesday, August 1st from 6:00 to 9:00 pm., please try to come out and enjoy the fun.

The Mayor also reminded everyone that on Friday, August 4th, the Prosecutor's Luncheon for this summer's interns would be held at Masso's in Glassboro at noon.

All Council members are invited to attend both functions. The Mayor mentioned that she along with Councilwoman Brown always make it a point to attend both events.

DEPUTY ADMINISTRATOR

Mr. Law, the Deputy Administrator, requested approval to have the City Engineer prepare specs and advertise to receive bids for the Demolition of the Structures at the Soccer Fields.

On motion of Councilman Sloane, seconded by Councilman Curtis, the City Engineer was authorized to move forward with the bid specs for the Soccer Field Demolition.

Councilman Louis inquired if there was an estimate for said bid.

Mr. Schiavo stated that the estimate would hopefully be under \$21,000.00.

Mr. Law referenced a letter of which each Council member had a copy, requesting the use of the newly-renovated football field by the Woodbury Midget Football Team for four home games this fall.

On motion of Councilwoman Schreyer, seconded by Councilman Belko, the request was granted for the use of the field.

Mr. Law also referenced a letter from the City Solicitor and invited questions for the City Engineer as may apply to his report of which everyone received a copy.

Councilman Sloane inquired if a meeting has been scheduled with Woodbury Heights concerning the reservoir.

Mr. Schiavo stated that a meeting had been scheduled for July 27, 2006.

President Riskie referenced a letter distributed this evening from the City Solicitor stating that several options were being suggested to Council, please review this correspondence and if anyone has any comments to contact Mr. Aimino.

Councilman Belko stated that last Thursday the Police Department held a meeting and made some recommendations regarding the Lupton Avenue street traffic. One suggestion heard over and over was that Police presence in the area would greatly control the traffic. Councilman Belko is requesting that a formal analysis be conducted to see just how many tickets are issued.

President Riskie stated Councilman Belko's request would be referred to the Police Chief for consideration.

TREASURER'S REPORT

President Riskie presented the Treasurer's Report which was received as filed.

COMMUNITY DEVELOPMENT

Councilwoman Brown publicly thanked Tom Dukelow for the fine job he did putting the fireworks display together this year. Since Councilwoman Brown was not present at the last meeting, she did not get the opportunity to thank Mr. Dukelow publicly.

Councilwoman Brown also thanked the Woodbury Police Department for everything with which their department has to deal; they very often deal with many issues the public never hears about.

Mayor Clark requested Council take the opportunity to review the memorandum before them from the Solicitor and comment now, as this issue should be addressed ASAP.

The response from several Council members was that they would like an opportunity to review all the options recommended before commenting.

Councilman Louis stated that he was in agreement with the Solicitor's recommendation providing that it does not interfere with public safety.

President Riskie stated that he would invite all of Council to review the letter and be prepared to discuss the options at the next Council meeting.

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 Non-Agenda Items only.

Michael Snow, 63 N. American Street, came forward to describe a situation in his neighborhood whereby a neighbor is using a barbecuing device which is legal, but is causing a quality of life issue for the neighbors as the smell emanating from this burning process is quite unpleasant.

Mr. Snow stated that he has called the Police and Fire Departments on several occasions and was told that the individual is not doing anything illegal.

Mr. Aimino, City Solicitor, stated that the State Statute allows for burning in an approved container.

Councilman Sloane stated that Mr. Snow had a very valid point and something should be on record to prevent one individual from interfering with another neighbor's quality of life.

Councilman Curtis advised that he knows for sure, since he is involved with exactly this type of situation with his business, that there is something which pertains to "objectional fumes" emanating from burning the materials; if such a prohibition exists, then the City should adopt it.

Councilman Belko inquired if Mr. Snow could file a private complaint in municipal court as a homeowner under the "nuisance ordinance".

President Riskie stated that possibly approaching the neighbor along with other neighbors in writing advising him of what his burning is doing to his neighbors, might trigger a positive response. If not than at least they made him aware of their upsetness..

Councilwoman Schreyer stated that although what is now being done is legal, could it be considered unsafe due to the closeness of the homes in the neighborhood, and it so, have the legality amended.

Elmer Loundenslager, 321 Hendrickson Avenue, came forward to express his shock at the increase of water/sewer rates and the lack of a warning notification to the homeowner. Another shock was that not only did the rates increase, but his consumption doubled although he has not increased his usage. He is extremely conservative in the amount of water he uses. Mr. Loudenslager stated he would like someone to come out and check his water meter,

President Riskie stated he would see that this is done.

Mr. Umbra, 320 Hendickson Avenue, also came forward and stated that he too thought his bills were high and wanted his meter read each billing period; he also complained about rusty water.

Alan Da Silva, 163 High Street, came forward and stated that over the last three years that he has lived here, he has noticed changes happening within Woodbury that are making him consider moving out of town. Not only are the taxes going up, but the City has now reduced the time frame of payment for

water and sewer bills from 30 days to fifteen days. This is not a reasonable and fair period of time to pay that bill.

President Riskie stated that proper consideration was given before any increases were made in order to keep the City in the black; the City does not do things "on a whim" as Mr. Da Silva indicated.

Mr. Da Silva inquired if the statement on his water bill indicating he had 30 days to pay superseded the memo he received advising of the 15 day pay period.

Kathy Da Silva, 163 High Street, stated that she has lived at that location for 3 ½ years and no one has ever knocked on her door to read the meter.

Councilman Louis explained to Mrs. Da Silva that the procedure is for the meter to be read every other quarter and an estimated bill is send on those quarters the meter is not read.

Paul Bunn, 18 E. Packer Street, also spoke on the insensitive manner that the bills were sent out. They were sent out on the 14th day of the month with the due date on the 15th.

Joe Palimeno, 137 Wick Blvd., came forward to address the Wick Boulevard Project. During the recent rainfall there was flooding still on Wick Blvd. The flooding was so intense that it got to be waist deep causing significant damage to his son's vehicle. Mr. Palimino stated that he went out and personally cleared the inlet to allow the water to drain properly. The problem appears to be the size of the holes in the new inlets.

Mr. Schiavo, the City Engineer, stated that the inlet design was not the problem; however, it is a maintenance problem. They are state approved inlets.

Mr. Schiavo continued by saying that there are two state approved grates and this type was chosen because it would keep the debris out of the drain pipe.

Mr. Palimino then brought up the issue of the number of trees are being taken down in the City.

Mr. Dukelow tried to explain that these trees were planted many years ago and the type of trees that are being taken down should never have been planted between the curb and sidewalks.

Mr. Palimino stated that he and his wife are so concerned about the trees that have come down in their neighborhood that they are going to request a map of the neighborhood and attempt to look into what trees would be best suited for the areas where trees have been removed.

Anthony Chiesa, 36 Rugby Place, approached Council stating that in his opinion the Lupton Street traffic problem would best be resoled with the placement of four-way "stop" signs.

Mr. Chiesa also inquired about the proposal for the Coal-Fuel Plant that Senator Sweeney has talked about and how this would affect Woodbury and the property tax situation.

Mayor Clark stated that the City responds every time a bill comes out that would ultimately have an effect on Woodbury.

Councilman Louis advised that everyone from the Mayor to each Councilmember feel that the City of Woodbury is being "squeezed" into situations for which they have no control because of County projects.

Roy Duffield, the Tax Assessor for the City of Woodbury, came forward with a personal request to anyone who cared to donate blood in memory of a very close friend of his. The Red Cross Blood Drive is an annual event and is being held at the National Park Fire House on Friday, August 4th from 2:00 pm to 8:00 pm.

Mr. Da Silva returned to the floor to discuss tree removals and setting permit fees for anyone who wanted to consider having a tree taken down. The permit fee would require someone coming out to look at the problem tree.

Councilman Sloane shared a situation he personally encountered regarding two trees on his property which needed his immediate attention. He certainly would not have been in a situation to wait to get a permit before taking action as he did.

Seeing no one else, on motion of Councilman Sloane, seconded by Councilman Curtis, the Public Portion was closed and the Regular Order of Business was resumed.

PRESIDENT RISKIE

President Riskie advised that the Library Director, Jean Wipf, had approached him with exploring the possibility of putting some type of coffee service in the Library for use by their patrons.

There being no further business, on motion of Councilman Curtis, seconded by Councilwoman Schreyer, the meeting was adjourned at 9:00 pm.

THOMAS B. BOWE
Clerk/Administrator

ROBERT LAW
Deputy Administrator

OTHER OFFICIALS PRESENT

Assessor: Roy Duffield
Chief Financial Officer: Robert Law
Deputy Clerk: Gail R. Scheffler
City Engineer: Joseph Schiavo
Librarian: Jean Wipf
Police: Chief Reed Merinuk
Public Works: Thomas Dukelow
Solicitor: Michael Aimino, Esq.