

July 25, 2005

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 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, 2005.

President Riskie requested a Moment of Silence.

ROLL CALL

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

Absent: Graziani

MINUTES

On motion of Councilwoman Tierney, seconded by Councilman Louis, the minutes of the June 13, 2005 meeting were approved as submitted.

MAYOR PRESENTED COMMENDATIONS

Mayor Leslie Clark read four (4) commendations relating to an arrest incident that gave credit to four (4) Woodbury Police Officers. The individual arrested was wanted in Philadelphia for murder. The Officers involved were: Patrolmen Pitzo, Holstrom, Palese and Sergeant Cope. All four officers were present to receive their Commendations.

PUBLIC

On motion of Councilman Louis, seconded by Councilman Curtis, the Regular Order of Business was suspended and the floor was opened to the Public for Agenda Items Only.

Dave Jenkins, 345 Glover Street, came forward to inquire about Resolution #05-126 and what exactly Triad Associates was providing the City for Consulting Services as appeared in the resolution.

Mr. Bowe indicated that Triad Associates was providing many hours of research pertaining to the RCA Agreement Contract and Application.

Mr. Jenkins then inquired why the City of Woodbury did not go out to bid for the above services.

Mr. Law, Chief Financial Officer, stated that under Professional Services guidelines it was not necessary for this type of special service to be done by competitive bidding.

Anthony Chiesa, 36 Rugby Place, inquired if Resolution #05-129 was a amendment to the budget that was first introduced in March of this year and how this money appears as a reduction in the residents tax bills.

Mr. Law stated that the effect on the local taxes will be the difference between the original figure of 16.5 cents and 9.8 cents for the local tax reduction because of receiving Extraordinary Aid from the State.

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

FINANCE & ADMINISTRATION

ORDINANCE #1998-05 - REFUNDING BOND ORDINANCE PROVIDING FOR THE REFUNDING OF THE CITY'S OUTSTANDING CALLABLE GENERAL OBLIGATION BONDS, SERIES 1996, DATED APRIL 1, 1996, AND AUTHORIZING THE ISSUANCE OF UP TO \$3,900,000 OF GENERAL OBLIGATION REFUNDING BONDS OF THE CITY OF WOODBURY, COUNTY OF GLOUCESTER, NEW JERSEY, TO FINANCE THE COSTS THEREOF; MAKING CERTAIN DETERMINATIONS AND COVENANTS IN CONNECTION THEREWITH; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

Councilman Louis presented the above-entitled ordinance.

The City Clerk read the title of the ordinance.

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

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

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

Ayes 8 Brown, Curtis, Louis, Sloane, Schreyer, Grimming, Tierney, President Riskie

Nays 0

Absent 1 Graziani

ORDINANCE #2002-05 - 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 City Clerk read the title of the ordinance.

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

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

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

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

ORDINANCE #2003-05 - ORDINANCE AUTHORIZING SALE OF PUBLIC LANDS PURSUANT TO N.J.S.A. 40A:12-13 AND N.J.S.A. 40A:12A-1: BLOCK 115, LOTS 10 & 11

Councilman Louis presented the above-entitled ordinance.

The City Clerk read the title of the ordinance.

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

Councilman Curtis inquired about safeguards for the City if the project failed.

Mr. Schiavo stated that if the project failed the City would have one (1) year to recover any money spent.

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

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

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

RESOLUTION #05-125 - RESOLUTION TO APPLY CERTAIN TAX OVERPAYMENTS YEAR TO YEAR AND PROPERTY TO PROPERTY

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 vote.

RESOLUTION #05-126 - RESOLUTION RATIFYING AND AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT AND ADDENDUM WITH TRIAD ASSOCIATES FOR CONSULTING SERVICES TO ASSIST IN IMPLEMENTING RCA PROGRAMS APPROVED BY COAH FOR AN AMOUNT NOT TO EXCEED \$24,500.00

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 vote.

RESOLUTION #05-127 - RESOLUTION TO AUTHORIZE TAX EXEMPTION AND CANCEL TAXES FOR A DISABLED VETERAN, STEPHEN A. DUNCAN

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 vote.

RESOLUTION #05-129 - RESOLUTION TO AMEND THE APPROVED BUDGET OF THE CITY OF WOODBURY, COUNTY OF GLOUCESTER

Councilman Louis presented the above-entitled resolution.

The City Clerk read the title of the resolution.

Councilman Louis stated that although he is appreciative of the reduction in the local tax from 16.5 to 9.8 cents because of the extraordinary aid, he is extremely disappointed with the overall outlook because our representatives in Trenton are not addressing the "property tax" issue, and in addition we have a proposed County tax rate of 11 cents; there does not seem to be any relief in the long run. This is very discouraging.

President Riskie also concurred that although he does appreciate all the benefits we derive from extraordinary aid, had we not received this money, once again a greater burden would have fallen on the taxpayers.

Councilman Louis also stated that not only do we not receive relief from Trenton, we now have to deal with the Homeowners Rebate amount being reduced; this compounds the tax situation even more.

On motion of Councilman Louis, seconded by Councilwoman Tierney, the resolution was adopted by a roll call vote.

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

RESOLUTION #05-130 - RESOLUTION TO ADOPT THE 2005 MUNICIPAL BUDGET

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 roll call vote.

Ayes	7	Brown, Curtis, Louis, Sloane, Grimming, Tierney, President Riskie
Nays	1	Schreyer
Absent	1	Graziani

RESOLUTION #05-131 - RESOLUTION AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH PHOENIX ADVISORS, LLC FOR FINANCIAL

ADVISORY SERVICES TO ASSIST IN THE ISSUANCE OF BONDS AND NOTES FOR AN AMOUNT NOT TO EXCEED \$7,500.00

Councilman Louis presented the above-entitled resolution.

The City Clerk read the title of the resolution.

Councilman Sloane inquired as to who this group was and why we chose them.

Mr. Law advised that they are the same financial advisors that our Bond Counsel uses and were recommended by them. They operate out of Bordentown, NJ.

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

VOUCHERS

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

APPLICATION FOR MEMBERSHIP TO FRIENDSHIP FIRE COMPANY

Councilman Sloane presented an application for membership to the Friendship Fire Company; the applicant is Nathan C. Davis of 56 Progress Avenue, Woodbury, NJ. On motion of Councilman Sloane, seconded by Councilwoman Schreyer, the application was approved as submitted.

PUBLIC WORKS

Councilwoman Tierney first commended the four officers who received Commendations this evening, adding that it is a pleasure to see these officers recognized, as well as all the other officers who work so hard to keep our City safe.

PERSONNEL

ORDINANCE #2005-05 - AN ORDINANCE AMENDING CHAPTER 202 OF THE CODE OF THE CITY OF WOODBURY ENTITLED: ZONING

Councilman Grimming presented the above-entitled ordinance.

The City Clerk read the title of the ordinance.

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

Dr. Herbert Butler, 157 Rugby Place, came forward to express his concerns regarding the ordinance stating that he had two amendments he would like Council to consider.

The first one pertained to the restriction of generators being placed in front yards. Dr. Butler stated that there are some properties, his included, that have no option but to put the generator in the front yard. Dr. Butler suggested to include a statement that would allow this option as long as the generator was obscured from view.

The other concern Dr. Butler had was the decibal level of the generator, suggesting that it be changed from 70 to 78 explaining his reasons.

There was some lengthy dialogue exchanged between several Council persons and Dr. Butler that pertained to the following: leaving the ordinance as is and recommending individuals come to the Planning Board to request a variance, set-back restrictions, and decibal levels, etc..

In conclusion, it was suggested that the ordinance on tonight's agenda be adopted as is so there can be some type of ruling in place to deal with properties owners requesting generators. President Riskie stated, however, that Dr. Butler may have some valid issues and he should bring these concerns to the Planning Board. If they agree, then a amendment would be done on the existing ordinance.

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

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

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

GREEN ACRES

Councilman Curtis advised Council that he and Councilwoman Schreyer are currently working on a Ad-Hoc Committee which would bring awareness of environmental issues in Woodbury.

MAYOR CLARK

Mayor Clark also added to the positive remarks regarding the Woodbury Police Department and stated that the Chief of Police, Reed Merinuk, should be complimented on maintaining such a well-run department.

The Mayor also thanked Bob Law, and our Auditor Bill Buckley who accompanied the Mayor on a trip to Trenton to ask for the Extraordinary Aid.

Mayor Clark agreed with Councilman Louis' remarks regarding the disappointment with our State Representatives in Trenton and the lack of resolve with the property tax issue. The Mayor then referenced a letter to the editor she read whereby the individual wrote that the rebate check we receive is not their idea of tax reform; we want to see something more definite done to lower our taxes.

The Mayor announced that in reference to the redoing of our Master Plan, during the months of September and October there will be several public meetings which will be offered in various sections of the City whereby the residents of Woodbury can express their concerns and give their opinions. In total there will be five (5) Public Meetings and they will be held primarily at our Public Schools.

PRESIDENT RISKIE

President Riskie stated that receiving the Extraordinary Aid was a team effort and everyone's hard work will be reflected in the lower local tax rate to the residents of Woodbury.

CLERK/ADMINISTRATOR

Mr. Bowe advised that attempts are being made to further discuss the proposed reservoir situation in Woodbury Heights; however, prior to these discussions there is the need to request the City Engineer to do a feasibility study to explore our options.

The City Engineer, Joseph Schiavo, then explained the situation the City of Woodbury is in regarding the possible solutions to our current dilemma.

Several Council members expressed their lack of patience in dealing with Woodbury Heights and how the City of Woodbury was ready to move forward with the Reservoir in the past only to find out that the Borough of Woodbury Heights held up the advancement of the project for one reason or another.

There were some questions from various Council members pertaining to the feasibility study.

Finally, the conclusion was that the City of Woodbury would authorize the Engineer to go forward with the feasibility study so long as it did not exceed a \$10,000 limit.

Councilman Curtis inquired if this final attempt could be done in writing, referencing past deliberations.

On motion of Councilwoman Tierney, seconded by Councilman Louis, the request to do the feasibility study which would not exceed the amount of \$10,000 was passed. Councilman Sloane stated he was not in favor unless he sees something in writing to guarantee Woodbury Heights' intentions pertaining to the Reservoir Project.

Mr. Bowe, Clerk/Administrator, advised that Resolution #05-129 was to be on the agenda this evening. This resolution involves a "Person to Person Transfer of Café Neena"; however, at the last minute it's removal was requested due to the illness of an agent who was to complete an environmental study which was contingent for going to settlement.

Mr. Bowe also advised that on August 24, 2004 at 2:00 p.m. the old Green Hotel on Cooper Street would be going to Sheriff Sale.

Mr. Bowe presented the Engineer's Report and welcomed questions to be directed to the Engineer who was present.

TREASURER'S REPORT

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

PUBLIC HEARING FOR NON-AGENDA ITEMS

On motion of Councilman Grimming, seconded by Councilman Louis, the Regular Order

of Business was suspended and the floor was opened to the Public for Non-Agenda Items Only.

Anthony Chiesa, 36 Rugby Place, addressed Council stating that he agreed with both Mayor Clark and Councilman Louis that something has to be done in Trenton and we as civilians have to become more involved in working for tax relief.

Roy Duffield, Tax Assessor, announced that a Blood Drive would be held for one of his friends, Jim Jones, who recently died from leukemia. The Drive will be held on Friday, August 5th at the National Park Borough Hall; anyone who desired to donate blood would be extremely appreciated.

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

There being no further business, on motion of Councilman Curtis, seconded by Councilman Sloane, 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
Emergency Mgmt Officer: Sergeant Cope
NPP Coordinator: Virginia Horn
Police Chief: Reed Merinuk
Public Works Director: Michael Walsh
Recording Secretary: Fran A. Nigro
Solicitor: Michael Aimino, Esq.