

August 13, 2007

The Regular Meeting of the Mayor and Council of the City of Woodbury held on the above date was called to order by President C. Barry E. Sloane 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 4, 2007.

President Sloane requested a Moment of Silence.

### **ROLL CALL**

**Present:** Riskie, Villari, Fleming, Tierney, Belko, President Sloane, Mayor Curtis

**Absent:** Schreyer, Brown, Louis

### **MINUTES**

On motion of Councilwoman Tierney, seconded by Councilman Fleming, the minutes of July 23, 2007 were approved as submitted.

### **PUBLIC**

On motion of Councilwoman Tierney, seconded by Councilman Belko, 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 Councilwoman Tierney, seconded by Councilman Belko, the Public Portion was closed and the Regular Order of Business was resumed.

### **ORDINANCES**

#### **ORDINANCE #2056-07 – AN ORDINANCE AMENDING §162-4 OF THE CODE OF THE CITY OF WOODBURY CAPTIONED “MAINTAINING PROPERTY FREE OF WEEDS; NOTICE TO REMOVE”**

Councilwoman Tierney presented the above-entitled ordinance.

The City Clerk read the title of the ordinance.

On motion of Councilwoman Tierney, 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 September 10, 2007.

## **RESOLUTIONS**

### **FINANCE & ADMINISTRATION**

#### **RESOLUTION #07-139 – RESOLUTION AUTHORIZING EXECUTION OF AN RCA MORTGAGE SUBORDINATION AGREEMENT**

Councilman Fleming presented the above entitled-resolution for adoption.

The City Clerk read the title of the resolution.

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

#### **RESOLUTION #07-146 – RESOLUTION TO AMEND 2007 BUDGET**

Councilman Fleming presented the above-entitled resolution for adoption.

The City Clerk read the title of the resolution.

Councilman Fleming explained why the amendment was necessary, stating when the original budget was submitted there was a request for extraordinary aid incorporated in the figures; however, we have now been advised that we will not be receiving the state aid. The reason the State gave was because we had a fund balance in excess of a million dollars in 2006.

Several Council members had questions.

Mr. Law explained that after speaking with the State he was advised that extraordinary aid in general was substantially cut across the state. We, however, had some unusual one time payments that affected our fund balance.

President Sloane stated that unless this resolution receives five (5) votes from the governing members, it will not pass, nor will the next resolution on the agenda to adopt the budget. The decision is in Council's hands.

President Sloane also reminded everyone how much hard work went into putting the budget together both with the cuts and bringing in new revenues and for all that work he thanks Mr. Law along with the Finance Committee.

On motion of Councilman Fleming, seconded by Councilman Belko, the resolution was adopted by a roll call vote.

Ayes	6	Riskie, Villari, Fleming, Tierney, Belko, President Sloane
Nays	0	
Absent	3	Schreyer, Brown, Louis

**RESOLUTION #07-147 – RESOLUTION TO ADOPT THE 2007 MUNICIPAL BUDGET**

Councilman Fleming presented the above-entitled resolution.

The City Clerk read the title of the resolution.

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

Ayes	6	Riskie, Villari, Fleming, Tierney, Belko, President Sloane
Nays	0	
Absent	3	Schreyer, Brown, Louis

**BILL LIST**

On motion of Councilman Fleming seconded by Councilwoman Tierney, the Bill List as presented was authorized to be paid.

President Sloane explained that this was a new format being put into practice for a couple of reasons: first is to allow Council members to see the bills prior to approval and secondly, this will be more in line with standard practices most other governing bodies are using.

President Sloane thanked Mr. Law and Joan Moyer for putting this list together in such a timely fashion.

Councilman Belko inquired where we were with the pilot sharing with the schools.

Councilman Fleming advised that he is still working on it and looking into State Statues that govern long-term vs. short-term abatements.

**PUBLIC SAFETY**

**APPLICATIONS FOR MEMBERSHIP TO FRIENDSHIP FIRE COMPANY**

Councilman Belko presented three fire membership applications as follow:

Joshua Gardner, on motion of Councilman Belko, seconded by Councilwoman Tierney, application was approved as submitted.

David Boyd, on motion of Councilman Belko, seconded by Councilman Tierney, application was approved as submitted.

Thomas Reiger, on motion of Councilman Belko, seconded by Councilwoman Tierney, the application was approved as submitted.

**RAFFLE APPLICATION**

Councilman Belko presented a raffle license application from the Women’s Club of Woodbury. On motion of Councilman Belko, seconded by Councilwoman Tierney, the application was approved as submitted.

**RESOLUTION #07-145 – RESOLUTION CONFIRMING AUTHORIZATION OF THE AWARD OF CONTRACT FOR POLICE DEPARTMENT BUILDING ROOF REPLACEMENT**

Councilman Belko presented the above-entitled resolution.

The City Clerk read the title of the resolution.

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

**RESOLUTION #07-148 – RESOLUTION AUTHORIZING PURCHASE OF FIRE HOSES FROM ABSOLUTE FIRE**

Councilman Belko presented the above-entitled resolution.

The City Clerk read the title of the resolution.

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

**RESOLUTION #07-141 – RESOLUTION AWARDING CHANGE ORDER TO A.C. SCHULTES, INC. REGARDING REDEVELOPMENT OF WELL NO. 1A**

Councilman Belko presented the above-entitled resolution.

The City Clerk read the title of the resolution.

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

**RESOLUTION #07-142 – RESOLUTION AWARDING BID FOR 25 YARD REFUSE TRUCK**

Councilman Belko presented the above-entitled resolution.

The City Clerk read the title of the resolution.

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

**Councilman Belko stated that Resolution #07-143 “Resolution Authorizing Award Of Contract Regarding Rubber Truck Loader To Saba Holding Company D/B/A Penn Jersey Machiner” would not be presented this evening.**

**RESOLUTION #07-144 – RESOLUTION AUTHORIZING A CONTRACT WITH A.C. SCHULTES FOR EMERGENCY REPAIRS TO WELL 2A**

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 #07-140 – RESOLUTION AUTHORIZING THE CREATION OF THE SANITATION FOREMAN POSITION WITHIN THE CITY OF WOODBURY’S PUBLIC WORKS**

Councilman Belko presented the above-entitled resolution.

The City Clerk read the title of the resolution.

Councilman Belko explained what the duties of this new position would involve since the resignation of our “Streets” supervisor recently. Primarily this foreman position would be overseeing the Solid Waste and Recycling collection and enforcement of such.

President Sloane further explained that at this time no salary has been established and some of the duties would entail overseeing when by Mike Walsh or Tom Dukelow were not present but that the person in that position would continue as a working foreman, not a fulltime supervisor. The intention is to fill the position with someone in-house and will not be done until such time as the salary ordinance has been established which will probably not occur until September.

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

**ECONOMIC DEVELOPMENT**

Councilman Villari had nothing to report.

## **PERSONNEL**

Councilman Riskie advised that the Personnel Committee had reviewed the job descriptions that were recently submitted and they are satisfied with the way they read and they will become part of the Personnel Manual.

President Sloane inquired from the Solicitor how this should be handled by motion or by ordinance.

Mr. Pearson, City Solicitor, advised that he would have to check to see how prior changes were incorporated into the manual and would following that procedure.

Mr. Bowe advised that all job descriptions are in a binder and can be reviewed in his office at any time.

On motion of Councilman Riskie, seconded by Councilman Fleming, a motion was presented to include the job descriptions and performance appraisals to be included in the Personnel Manual as determined by the City Solicitor.

President Sloane thanked the Personnel Committee for all the work involved in putting everything together.

## **ENVIRONMENTAL**

Councilwoman Tierney stated there was nothing to report.

## **COMMUNITY DEVELOPMENT**

### **RESOLUTION #07-137 – RESOLUTION AUTHORIZING THE USE OF NEIGHBORHOOD PRESERVATION PROGRAM FUNDS FOR BLOCK 100, LOT 3 A/K/A 43 CARPENTER 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 #07-138 – RESOLUTION AUTHORIZING THE USE OF NEIGHBORHOOD PRESERVATION PROGRAM FUNDS FOR BLOCK 102, LOT 2 A/K/A 45 NELSON 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.

## **MAYOR CURTIS**

Mayor Curtis discussed the following topics:

1. Mayor Curtis announced the opening of the new Walgreen's which is scheduled to be held on Saturday, August 25<sup>th</sup> and we look forward to the opening of another new business in town;
2. The Mayor also advised of the Opening Day for Soccer which will be Saturday, September 8<sup>th</sup> at 9:00 am at the Frances Avenue Soccer Fields, and all are welcomed to attend;
3. Mayor Curtis suggested to all residents to try to conserve their usage of water so that we are not faced with a water shortage as some towns are experiencing;
4. The Mayor advised that the County has submitted their application for the demolition of the buildings at Broad and Hunter Streets to prepare for the building of the parking garage. In anticipation of the changes that this garage will have on the City, the Mayor stated that he has discussed traffic concerns with the Chief of Police and Patrolman Magee is currently reviewing the situation and will report back to Council;
5. Mayor Curtis stated that he had a meeting with several DOT representatives concerning traffic along Broad Street and several issues were discussed, one being a left turn signal in the area of Cooper Street between the turnpike and Delsea Drive;
6. In conclusion, the Mayor advised that he will be introducing Keith DiMarino to brief Council on a program he is working on that would benefit the City of Woodbury. Mayor Curtis then introduced Keith DiMarino.

## **PRESENTATION**

Mr. DiMarino distributed a information sheet and explained what exactly his business provides bringing to Council's attention that the City of Woodbury is not included on a google website that provides information to the individual who is looking for pertinent information relating to a town. Mr. DiMarino explained that because he is a Woodbury resident he would like to offer his services to Council at no charge as a means of bringing people into the City as well as new business.

Several Council members had questions relating to changing our current webpage and if we were under contract to the existing web designer.

Mr. Law stated that we were not under any contract with the current web designer; however, if we did decide to accept Mr. DiMarino's offer, it should be done by way of a resolution accepting the donation.

President Sloane thanked Mr. DiMarino for his generous donation and requested a motion to move forward.

On motion of Councilwoman Tierney, seconded by Councilman Belko, Mr. DiMarino's donation was accepted and will be memorialized by a resolution at the next meeting.

Councilman Belko inquired if any action has been taken to update the zoning ordinances as discussed at the last Zoning Board Meeting.

President Sloane stated that he has been in contact with Councilman Fleming to put together several ordinances that have to be updated and will be moving forward.

#### **CLERK/ADMINISTRATOR**

Mr. Bowe advised that on Resolution #07-137 the block and lot were incorrect and have to be amended as well as the address of the location.

Mr. Pierson explained what has to occur to make such an amendment to the resolution.

On motion of Councilwoman Tierney, seconded by Councilman Fleming, a motion to amend Resolution #137-07 as stated; Councilman Riskie abstained from the voting process.

#### **PUBLIC**

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

Mark Lynch, 108 Penn Street, came forward to discuss a problem he is having with a neighbor who erected a fence without a permit and not according to code. Mr. Lynch stated that he has contacted the Construction Office and has not heard back from them; now the property has been sold.

President Sloane referred the situation back to Mr. Kunkle's Office for review.

Mr. Larry O'Donnell, 240 Queen Street, approached Council to discuss a tree problem at West End School existing for several years. Mr. O'Donnell did go to the School Board and they

have made some attempt but the tree continues to grow and he has been advised that they cannot cut any higher than they have.

Mr. O'Donnell also stated that there is a pavilion on school property next to the tennis courts which should be policed.

Mr. O'Donnell also inquired what the status of the skateboard park was.

President Sloane stated that the skateboard park project has been put on hold at the current time, due to lack of funds.

Mr. O'Donnell stated that if this project is on hold then the City should have something available to keep the kids busy during the summer months.

President Sloane responded that projects such as the skateboard park require funding in addition to maintaining the area. President Sloane referenced several other towns who had such facilities and had to shut them down because they could not keep up with the costs. Also, keeping in mind that this type of project usually mean raising taxes, which is not something Council wants to do more than is necessary.

There was some dialogue about the pros and cons of programs being made available.

Mayor Curtis responded to Mr. O'Donnell's reference to the tree overgrowth stating that the City would look into helping out with our bucket truck so that the school could get to the height they need to.

President Sloane advised Mr. O'Donnell that the Chief of Police would look into the pavilion patrolling request.

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

President Sloane stated that a Special Meeting would have to be held in order to award the contract to the successful bidder for the Woodbury Soccer Field Annex. The meeting will be held on Monday, August 27, 2007 at 7:00 PM.

Councilman Fleming inquired about what occurred regarding the resident who came before Council at the last meeting regarding the handicap parking problem on Holroyd Place and the other neighborhood disturbances on Curtis Avenue.

Chief Merinuk responded to the handicap parking problem saying that information was made available to Mr. Pierson tonight and he should have a resolution on the agenda for the next meeting which will address that problem.

Chief Merinuk advised that he assigned Patrolman Pitzo to investigate disturbances on Curtis Avenue and was advised that the Police responded to 52 calls from January to July which is a high amount of calls. Out of the 52 complaints 15 were for medical reasons the others were for neighbor problems and the landlord as well as the tenants have been advised that this type of situation cannot and will not be tolerated as it affects the quality of life in the neighborhood for other residents. The Police are continuing to monitor the situation.

### **ENGINEER'S REPORT**

Mr. Wilkinson, City Engineer, advised that bids will be received on the 23<sup>rd</sup> of August for the construction of the soccer annex; he also advised that work will begin immediately after Labor Day to ensure the completion for next year's usage.

The Engineer advised that the City of Woodbury will be submitting their request for Mutual Aid to complete all of W. Centre Street, from S. Broad to S. Jackson Streets; we should have an answer by November 1<sup>st</sup> from the State.

Mr. Wilkinson introduced Mr. Marty Sanders who will be working along with Mr. Wilkinson in all future projects pertaining to the City.

Mr. Wilkinson advised that currently there are three (3) homeowners on Curtis Street that effect parking spaces on the new parking area that is City developing. This could effect at least 10 parking lots on the proposed site.

Mayor Curtis advised Mr. Wilkinson to discuss the situation with the Solicitor to see if anything can be worked out so that we do not loose any spots.

Mayor Curtis also thanked Mr. Wilkinson in getting things in order on the Nelson Avenue situation.

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

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THOMAS B. BOWE  
Clerk/Administrator

**OTHER OFFICIALS PRESENT**

Chief Financial Officer: Robert Law

City Engineer: Ted Wilkinson, PE

Deputy City Clerk: Gail R. Scheffler

Fire Chief: John Keuler

Emergency Mgmt Director: Lieutenant Cope

Librarian: Jean Wipf

NPP Coordinator: Virginia Horn

Police Chief: Reed Merinuk

Solicitor: James Pierson, Esq.

Public Works: Tom Dukelow and Bill Lynch