

**MINUTES  
OCTOBER 18, 2010  
7:30 p.m.**

**Pledge of Allegiance**

**Invocation:** Reverend Wendell F. McGinnis, Jr. Pastor, North Baptist Church, delivered the Invocation

**Open Public Meeting Statement** - Deputy Administrator Robert Law opens the meeting.

**Roll Call**

**Present:** Villari, Pottillo, Riskie, Brown, Fleming, Louis, Tierney, Trout, President Sloane, Mayor Curtis

**Absent:** No One

**Minutes**

On motion of Councilman Riskie, seconded by Councilwoman Tierney the minutes of October 18, 2010 were approved as submitted. Councilman Pottillo abstains from the vote.

**Public**

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

Brendon Chiesa, 36 Rugby Place questioned the Bond Ordinances #2124-10 and #2125-10 in addition to Resolution #10-146 that addressed the transfer of the Liquor License to the Bankruptcy Attorney

On motion of Councilman Louis, seconded by Councilman Trout, the Public Portion was closed and the Regular Order of Business was resumed

**ORDINANCES**

- **Finance & Administration**

**#2124-10 -BOND ORDINANCE AUTHORIZING SUPPLEMENTAL FUNDING FOR THE COMPLETION OF WATER AND SEWER UTILITY IMPROVEMENTS 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 \$350,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

Councilman Fleming presented the above-entitled ordinance for first reading.

The Deputy Administrator read the title of the ordinance.

On motion of Councilman Fleming, 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 November 8, 2010.

**#2125-10 - BOND ORDINANCE AUTHORIZING ADDITIONAL FUNDING FOR CERTAIN CAPITAL IMPROVEMENT PROJECTS IN AND FOR THE CITY OF WOODBURY, COUNTY OF GLOUCESTER, NEW JERSEY; APPROPRIATING THE SUM OF \$100,000 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 \$95,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

Councilman Fleming presented the above-entitled ordinance for first reading.

The Deputy Administrator read the title of the ordinance.

Councilman Louis inquired why a down payment was needed on this bond ordinance and not the other.

Mr. Law explained the difference stating that it was not required for a self-liquidating Water & Sewer Utility, but is required for a General Capital Bond Ordinance.

Councilman Fleming further explained.

On motion of Councilman Fleming, 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 November 8, 2010.

**RESOLUTIONS**

**#10-149 - Review of 2009 Audit and Corrective Action Plan**

Councilman Fleming presented the above-entitled resolution.

The Deputy Administrator read the title of the resolution.

Councilman Fleming advised that he would like the City Auditor, Mike Cesaro to come forward to further elaborate on the findings of the audit.

Mr. Cesaro referenced certain items listed on the auditor and recommendations were given for improvement. One of the recommendations included the purchase of software for the general ledger accounts and the benefits of it.

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

### **Vouchers**

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

### **Public Safety**

#### **#10-146 - Resolution Approving the Extending of License #0822-33-007-003 from Woodbury Country Club to John Hargrave, Esquire, Trustee in Bankruptcy**

Councilman Louis presented the above-entitled resolution.

The Deputy Administrator read the title of the resolution.

Councilman Louis inquired why if the Bank owns the property, why this license is being held by the Trustee.

Councilwoman Tierney inquired if that means the license can be sold separately and if so could the sale of the license be applied to some of the debt.

James Pierson, City Solicitor, Esq. explained that the liquor license does not automatically go with the land. It is at the suggestion of ABC (Alcohol Beverage Control) in Trenton that the holder of the license be transferred to the Bankruptcy Attorney in order to move forward with any potential sale of the license.

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

**#10-148 - Resolution of the City of Woodbury Authorizing Execution of Contract to Perform Property Maintenance at Woodbury Country Club**

Councilman Louis presented the above-entitled resolution.

The Deputy Administrator read the title of the resolution.

Councilman Louis how quickly this maintenance will occur.

Mr. Dukelow commented that he received quotes and listed them. He then explained that the agreement would include one cut, and would start next week.

Councilwoman Tierney inquired if this contract included hauling away the debris.

Mr. Dukelow further explained what areas would be covered under the contract.

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

**Public Works/Utilities**

Councilman Pottillo had nothing to report.

**Economic Development**

Councilman Villari had nothing to report.

**Personnel**

**#10-145 - Resolution Authorizing a Closed Session Regarding Personnel Matters**

Councilwoman Tierney presented the above-entitled resolution.

The Deputy Administrator read the title of the resolution.

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

Councilwoman Tierney publicly thanked Mr. Law and Mr. Dukelow for all the work that went into making the parade such a huge success. A special “thank you” to Ronda Abbruzzese, who helped out by being the emcee for the Parade. Also, “thank you” to all the Police, Fire and Public Works employees who participated in helping with their services for the parade.

Councilwoman Tierney also reminded everyone that this weekend will be the Woodbury High School Homecoming Weekend and hopes to see everyone out for their support.

## **Environmental**

Councilman Riskie advised that he provided correspondence and e-mail information to everyone for the energy program he made referenced to at the last meeting and would like to receive approval to apply.

Mr. Law advised that the City of Woodbury has already applied through the City Engineer on behalf of the Fire Department.

## **Community Development**

### **#10-147 - Resolution Amending Resolution #10-98 Authorizing the Use of Regional Contribution Agreement Funds for Block 90, Lot 21 a/k/a 23 Hess Avenue**

Councilwoman Brown presented the above-entitled resolution.

The Deputy Administrator read the title of the resolution.

On motion of Councilwoman Brown, seconded by Councilwoman Tierney, the resolution was adopted by a voice motion.

Councilwoman wanted to thank and recognize, Roy Duffield, who served as her driver for the Fall Parade. She also wanted to say how well she thought the parade was received by all.

## **Green Acres Program**

Councilman Trout had nothing to report.

## **Reports**

### **Mayor**

Mayor Curtis advised that October is Fire Prevention Month and the Chief has already started to prepare Mutual Aid Agreements with the eleven (11) other Municipalities we already are involved with.

Some other areas that the Fire Department would like to address are:

1. Check fire detector batteries
2. Educate the Community on hoarding; already had two tragedies in the City.
3. Board of Fire Officers are reviewing the fire ordinance and changes will be recommended in the very near future.

### **Clerk/ Administrator**

Mr. Law, Deputy Administrator, requested approval to award the used vehicle that was previously awarded to the second bidder. Since the last meeting the first bidder did not show to pick up the vehicle, so we would like to award to the second bidder.

On motion of Councilman Fleming, seconded by Councilwoman Tierney, the motion was made to award the vehicles to the second bidder.

Mr. Law stated that Mr. Bowe and Ms. Carole Cummings, from the State Administrative Office of the Courts, interviewed a Municipal Court Administrator, recently interviewed and have decided on hiring Marguerite Falls of West Deptford, to fill the position left vacant by Tina Schiavo. The position was filled a month ago but the new hire had to resign because of family and personal reasons.

On motion of Councilman Fleming, seconded by Councilwoman Tierney, the applicant was approved to fill the vacancy starting November 1<sup>st</sup>.

Mr. Law advised that prior to the next meeting scheduled to be held on Monday, November 8<sup>th</sup>, awards will be given out to the Parade Entries and Scarecrow Contest Winners. This will take place at 6:30 PM in Council Chambers.

### **Public**

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

Lee Weatherby, 303 W. Center Street stated that he applauds the City for sponsoring such events as the Fall Parade, the Annual Car Show, Cruise Night, Lunch Munch, Woodfest and the July 4<sup>th</sup> Festivities. They are all events that bring the City together and people into our town. Also, we could not do these events without the help of our Police and Public Works Department, a special "Thank you" to them.

Dr. David Maganella, 220 Holroyd Place, came forward to express his concerns over how the City is perceived based on the performance of our City Officials, specifically Mr. Tom Bowe, who has displayed behavior not presenting the City in a favorable light. Dr. Maganella, implores Council take this matter seriously, as this will set a precedent on how other personnel matters will be handled.

Steve Graff, 213 S. Maple Avenue, wholeheartedly agrees with Dr. Maganella's remarks and supports that action be taken.

Constance A. Matthews, 26 Manor Avenue, stated that she disagrees with the two gentleman that spoke before her and she would like to ask Council to look at the man (Mr. Bowe) as a good man, who obviously has a problem. She asked that Council accept the good in Mr. Bowe and give him a chance to make changes.

Mr. Anthony Chiesa, 36 Rugby Place, stated that in his opinion Mr. Bowe has always had the best interest of the City as well as the school foremost in his mind. Although he does believe that Council should follow-up on the process, does not agree with what Dr. Manganello had suggested.

Mr. Brendon Chiesa, 36 Rugby Place, stated that unless there is something in Mr. Bowe's contract, what Mr. Bowe does in his private life is his own business.

Brendon Chiesa also inquired, about the party that was to be held at 177 Leeds Place discussed at the last meeting.

Captain Sheehan advised that the party never occurred; but if in the event it did, there was heavy police presence.

Mr. Chiesa, inquired what happens to the liquor license and if the City receives any money from the sale of the license.

City Solicitor, James Pierson, stated it does not receive any proceeds from the sale of the license, only an annual fee.

Brendon Chiesa, inquired if Council would include some other type of invocation other than the standard religious tone from the same invocation givers.

Nora Leary, 219 Holroyd Place, stated she finds what she is reading about Mr. Bowe extremely disturbing, especially what his family is going through. Ms. Leary stated that she finds it also disheartening to know that a portion of her taxes goes toward paying \$98,000 of his salary. She is shocked and embarrassed and she is urging Council to do something to stop the embarrassment he is putting the City through.

Charles Rose, 306 W. Centre Street, stated that his first experience with Mr. Bowe was that Mr. Bowe tried to embarrass him publicly at a Council Meeting. There was also another incident many people are not aware of and that is Mr. Bowe was found drunk in a City vehicle at the YMCA, which has not been made public. Mr. Rose would like to go on record that he and the public would like to see where Council stands on this situation.

Yvette Usher, 27 Bellevue Avenue, who is a good friend of Tom Bowe since high school and stated he is a good person. Ms. Usher does accept that Mr. Bowe has a problem; but feels he should have to opportunity to be given the opportunity to address his problem. Ms. Usher stated Mr. Bowe has always been a friend of the black community and would like Council to consider some type of rehab before any other type of action is taken.

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

On motion of Councilman Fleming, seconded by Councilwoman Tierney, there was a five minute recess before Council went into Executive Session at approximately 8:24 pm.

President Sloane stated that action may be taken upon Council's return into the Regular Order of Business after the Executive Session.

Mayor Curtis left the meeting at this time ( approximately 8:25 pm) and did not go into Executive Session with Council.

## **EXECUTIVE SESSION**

On motion of Councilman Riskie, seconded by Councilman Villari, the Regular Order of Business was resumed at 9:54 pm.

### **RESOLUTION #10-150 – RESOLUTION REMOVING CITY ADMINISTRATOR**

Councilman Pottillo presented the above-entitled resolution.

Mr. Law, Deputy Administrator read the resolution in full at the request of President Sloane.

On motion of Councilman Pottillo, seconded by Councilman Villari, the resolution was defeated by a roll call vote.

Ayes	4	Villari, Pottillo, Riskie, Sloane
Nays	5	Brown, Fleming, Louis, Tierney, Trout

### **RESOLUTION #10-151 – RESOLUTION SUSPENDING CITY ADMINISTRATOR**

Councilman Fleming presented the above-entitled resolution.

The Deputy Administrator read the title of the resolution.

President Sloane clarified that this resolution only refers to the position of Administrator, not his position of City Clerk.

Mr. Pierson read the resolution that will be available to Council at the next meeting stating that Mr. Bowe, City Administrator will be suspended without pay until Council takes further action.

Councilwoman Tierney requested that a written legal opinion be provided by Christine O'Hearn, Labor Counsel from Brown and Connery, who was present during the Council Meeting as well as the Executive Session.

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

Ayes 9 Villari, Pottillo, Riskie, Brown, Fleming, Louis, Tierney, Trout, Sloane  
Nays 0

There being no further business, on motion of Councilwoman Tierney, seconded by Councilman Trout, the meeting was adjourned at 10:07 pm.

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**ROBERT LAW**

Deputy Administrator

**OTHER OFFICIALS PRESENT:**

Assessor: Roy Duffield

Auditor: Michael Cesaro, Bowman & Co.

Construction Office: Brian Bosworth, John Leech

Deputy Clerk: Gail Scheffler

Labor Counsel: Christine O'Hearn

Librarian: Jean Wipf

Main Street: Ronda Abbruzzese

Police: Captain Sheehan

Public Works: Tom Dukelow, Bill Lynch

Solicitor: James Pierson, Esq.