

October 19, 2009

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 pm. The meeting was held in Council Chambers located at Woodbury City Hall, 33 Delaware Street, Woodbury, NJ. 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, 2009.

There was a Moment of Silence following the Pledge of Allegiance.

ROLL CALL

Present: Villari, Pottillo, Fleming, Louis, Tierney, Trout, President Sloane
and Mayor Curtis

Absent: Croce, Brown

CHANGES TO AGENDA

President Sloane announced changes to the agenda as follow:

a. Resolution #09-196 appointing Officer James Jones to the Woodbury Police Department will be done in the beginning of the meeting to accommodate his family and friends in attendance this evening;

b. Resolution #09-207 will not be presented this evening due to a clerical error and it will have to be re-advertised again with the correct license # and adopted at the next Council meeting;

c. Ordinance #2110-09 will be introduced under Economic Development rather than Community Development; and

d. President Sloane requested that Councilwoman Tierney handle all business under Environmental in Councilman Croce's absence and Councilman Trout handle all business for Community Development chaired by Councilwoman Brown in her absence.

MINUTES

On motion of Councilman Louis, seconded by Councilman Trout, the minutes of September 28, 2009 were approved as submitted.

PUBLIC

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

Brandon Chiesa, 36 Rugby Place, came forward to inquire about the Person to Person Transfer of the Liquor License.

Mr. Pierson, City Solicitor, explained what the procedure was for approving a Pocket License.

Mr. Chiesa also inquired why have the fees been changed in the ordinance pertaining to the handicapped ordinance.

Mr. Pierson stated that it was done so that the City would be in compliance with state fees.

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

RESOLUTION #09-196 – RESOLUTION APPOINTING JAMES JONES AS A MEMBER OF THE WOODBURY POLICE DEPARTMENT

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.

MAYOR CURTIS ADMINISTERED THE OATH OF OFFICE

Mayor Curtis Administered the Oath of Office to Officer James Jones as Patrol Officer 2nd Class of the Woodbury Police Department.

Officer Jones introduced his family who were present.

Chief Merinuk gave a brief background history on Officer Jones, who was with the Woodbury Police Department but left to take a full time position with West Deptford, stating we were happy to welcome him back to Woodbury.

PRESENTATION BY CAPTAIN SHEEHAN

Captain Timothy Sheehan advised that he wanted to make everyone aware that the City will be involved in a Disaster Drill scheduled for Sunday morning, November 22, 2009.

FINANCE & ADMINISTRATION

RESOLUTION #09-210 – RESOLUTION AUTHORIZING CHANGE ORDER #1 RE: WING DICKERSON PARK IMPROVEMENTS – CONTRACT #1 – SITE & UTILITY – RMS CONSTRUCTION, INC.

Councilman Fleming presented the above-entitled resolution.

The City Clerk read the title of the resolution.

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

RESOLUTION #09-195 – RESOLUTION OF THE CITY OF WOODBURY AUTHORIZING AWARD OF CONCESSION BUILDING BID TO RMS CONSTRUCTION, INC.

Councilman Fleming presented the above entitled resolution.

The City Clerk read the title of the resolution.

Councilwoman Tierney inquired if this was the same resolution that had been pulled before due do the lack of funding.

Mr. Law stated that since the last meeting when the resolution had been pulled he has become aware of a decrease in the Wing Dickerson Project as well as a savings in a few other projects. Funding can now be moved around enabling Mr. Law to justify the approval of the construction of the concession building.

There was more conversation regarding budget transfers with some of the other projects mentioned such as the Bike Path Project, Delaware Street Repaving, the Wing Dickerson Project and the Green Acres Grant. Mr. Law stated that he can now put something together for the next Council meeting for clarification.

Councilwoman Tierney stated that hearing all of this makes her a little uncomfortable approving the project with no guarantees that money will be available if it should be needed to complete the other project discussed.

President Sloane stated that after having this discussion he will recommend that Resolution #09-206 and Resolution #09-211 be removed from the agenda until such time that Council can review all the details of the projected projects and be reassured that the funding for them will available.

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

RESOLUTION #09-197 – RESOLUTION TO ADJUST WATER CHARGES

Councilman Fleming presented the above entitled-resolution.

The City Clerk read the title of the resolution.

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

RESOLUTION #09-200 – RESOLUTION TO REFUND OVERPAYMENT ON WATER AND SEWER BILL

Councilman Fleming presented the above entitled-resolution.

The City Clerk read the title of the resolution.

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

RESOLUTION #09-209 – RESOLUTION AUTHORIZING CHANGE ORDER #1, CONTRACT #2 RESERVOIR REPLACEMENT OF PIONEER PIPE CONTRACTORS

Councilman Fleming presented the above entitled-resolution.

The City Clerk read the title of the resolution.

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

VOUCHERS

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

Councilman Fleming advised that the final public meeting for the Redevelopment Plan will be held at the High School Auditorium at 7:00 – 9:00 pm on Thursday, October 29th. The City Planner will present his plan before the Planning Board at their meeting in December. Please come out and express your final views on the redevelopment plan.

PUBLIC SAFETY

ORDINANCE #2109-09 – ORDINANCE OF THE CITY OF WOODBURY AMENDING CHAPTER 100 – HANDICAPPED PARKING

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 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 9, 2009.

RESOLUTION #09-203 – RESOLUTION RATIFYING RENEWAL OF PLENARY RETAIL CONSUMPTION LICENSE #0822-32-004-008 WOODBURY SPIRITS, INC.

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.

RESOLUTION #09-204 – RESOLUTION AUTHORIZING AN EMPLOYMENT AGREEMENT WITH THE CAPTAIN OF THE WOODBURY POLICE DEPARTMENT

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

PUBLIC WORKS/UTILITIES

Councilman Pottillo stated he wanted to welcome Mr. Dukelow back to work after his medical leave and to let him know how much his efforts are appreciated in all he does to help beautify the city.

ECONOMIC DEVELOPMENT

ORDINANCE #2110-09 – ORDINANCE OF THE CITY OF WOODBURY ADOPTING ZONING CODE AMENDMENTS AND ZONING MAP PURSUANT TO THE CITY OF WOODBURY'S PERIODIC REVIEW OF ITS MASTER PLAN

Councilman Villari presented the above-entitled ordinance.

The City Clerk read the title of the ordinance.

President Sloane stated that the ordinance contains a significant number of changes and this is only the first reading; he recommends that everyone take their time in reviewing the document. After Council approval, the ordinance goes before the Planning Board for their review and approval. All changes are highlighted for easy reference.

Councilman Fleming added that this ordinance pertains to the entire Master Plan and how it will overlap into the redevelopment plan with both Council and Planning/Zoning approval.

On motion of Councilman Villari, seconded by Councilman Pottillo, 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 9, 2009.

RESOLUTION #09-205 – RESOLUTION AUTHORIZING THE POSTING OF LAND COLLATERAL TO SUPPORT A RECOVERABLE GRANT WITH THE NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY

Councilman Villari presented the above-entitled resolution.

The City Clerk read the title of the resolution.

Councilwoman Tierney asked for some clarification on this resolution.

Mr. Law stated that we have to do this at the request of the State. This is the first time that we have been asked to do something like this..

On motion of Councilman Villari, seconded by Councilman Pottillo, the resolution was adopted by a voice motion.

RESOLUTION #09-208 – RESOLUTION REFERRING ZONING CODE AMENDMENTS AND ZONING MAP TO PLANNING BOARD FOR REVIEW AND RECOMMENDTION PURSURANT TO N.J.S.A. 40:44d-26 AND 40:55 D-62.1

Councilman Villari presented the above-entitled resolution.

The City Clerk read the title of the resolution.

On motion of Councilman Villari, seconded by Councilman Pottillo, the resolution was adopted by a voice motion.

PERSONNEL

Councilwoman Tierney thanked Bob Law, Tom Dukelow and Councilwoman Tierney for helping to put together all the events that go into making up the Fall Festival Parade. Also a special “thank you” to Dotty McQuade and Dot Lange for volunteering their time to work with us. Hopefully, they will be back next year to continue their support and help. Also, Councilman Tierney thanked all Council people who took the time to participate in the parade.

ENVIRONMENTAL

Councilwoman Tierney had nothing to report in Councilman Croce absence.

COMMUNITY DEVELOPMENT

RESOLUTION #09-199 – RESOLUTION AUTHORIZING THE USE OF NEIGHBORHOOD HOUSING REHABILITATION PROGRAM FUNDS FOR BLOCK 114, LOT 31 A/K/A 54 HOPKINS STREET

Councilman Trout presented the above-entitled resolution.

The City Clerk read the title of the resolution.

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

RESOLUTION #09-201 – RESOLUTION AMENDING RESOLUTION #09-159 AUTHORIZING THE USE OF NEIGHBORHOOD PRESERVATION PROGRAM AND NEIGHBORHOOD HOUSING REHABILITATION PROGRAM FUNDS FOR BLOCK 109, LOT 8 A/K/A 75 EAST BARBER AVENUE

Councilman Trout presented the above-entitled resolution.

The City Clerk read the title of the resolution.

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

RESOLUTION #09-202 – RESOLUTION AUTHORIZING THE USE OF NEIGHBORHOOD PRESERVATION PROGRAM AND HELPING HAND FUNDS FOR BLOCK 109, LOT 8 A/K/A 75 EAST BARBER AVENUE

Councilman Trout presented the above-entitled resolution.

The City Clerk read the title of the resolution.

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

MAYOR CURTIS

Mayor Curtis advised that he was informed that we will be receiving a grant in the amount of \$192,000.00 to be used for the 2nd Phase of the Delaware Street Project.

Also, the new parking garage has opened and the new traffic light on the corner of N. Broad Street at Hunter Street will be installed in the very near future.

Mayor Curtis reminded everyone about the Redevelopment Meeting which is scheduled on October 29th at the High School Auditorium at 7:00 pm.

The Mayor thanked everyone responsible for helping and supporting the Fall Festival Parade.

Mayor Curtis reminded everyone that if they have not already done so to get the flu shot offered by the County. The recent event held in Woodbury at St. Patrick's Hall brought out 1200 people.

CLERK/ADMINISTRATOR

Mr. Bowe, Clerk/Administrator, stated he distributed a letter to everyone from COAH acknowledging Virginia Horn as the City of Woodbury's Liaison Officer with COAH.

Mr. Bowe also referenced a form from the JIF that has to be completed by everyone; please fill out and return to him at your earliest convenience.

An invitation has been extended to everyone from Parker McCay Bond Counsel who will be at the League of Municipalities Conference.

Mr. Bowe then invited Virginia Horn to brief Council about the County Work Investment Board.

Mrs. Horn advised that the program is open to clients who are looking for jobs within the municipality and are on public assistance. If interested, the County would need an agreement signed between the City and their Offices

PUBLIC

Brendan Chiesa, 36 Rugby Place, inquired as to what the City's alternatives are for various board meetings when Council Chambers could not accommodate the number of people in attendance.

President Sloane advised that no one can predict the number of people who will be attending any board meeting. The attendance maximum must be maintained as per Fire Department Regulations.

Mr. Chiesa also inquired what can be done regarding the increased traffic on Cooper Street due to the opening of Wal Mart.

Mayor Curtis stated that a new traffic study needs to be undertaken.

Craig Klayman, representing his parents, owners of the building on S. Broad Street at E. Centre Street, was present to address a four year old water bill they had received in the amount of \$1800.00. Mr. Klayman was present to inquire if payment plans could be arranged without interest.

President Sloane instructed Mr. Bowe to work with Mr. Klayman to see what could be worked out.

Councilman Fleming advised that on the upcoming election ballot the question regarding Green Acres funding will be in evidence. The Councilman encouraged everyone who is voting on that issue to thorough read and understand exactly what would be happening. Councilman Fleming stated that he was in no way suggesting how to vote; he simply wanted everyone to be aware of what they were voting on.

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

There being no further business, on motion of Councilwoman Tierney, seconded by Councilman Trout, the meeting was adjourned at 8:35 p.m.

THOMAS B. BOWE
Clerk/Administrator

OTHER OFFICIALS PRESENT

Assessor: Roy Duffield
Chief Financial Officer: Robert Law
City Engineer: Ted Wilkinson, PE
Deputy Clerk: Gail r. Scheffler
NPP Coordinator: Virginia Horn
Police: Chief Merinuk
Public Works: Tom Dukelow
Solicitor: James Pierson, Esq.