

November 13, 2003

The Regular Meeting of the Mayor and Council of the City of Woodbury held on the above date was called to order by President Pro-Tempore 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 2, 2003.

Reverend Maurice Barnes, Pastor of Campbell AME Church, delivered the Invocation.

#### **ROLL CALL**

**Present:** Riskie, Schrock, Schreyer, Brown, Sloane, Grebb, Louis, Graziani, and Mayor Clark

**Absent:** President Curtis

#### **MINUTES**

On motion of Councilman Grebb, seconded by Councilman Graziani, the minutes of the meeting of October 23, 2003 were approved as submitted; Councilman Sloane abstained from the vote.

#### **CHANGES TO THE AGENDA**

President Pro-Tempore Sloane made the following changes to the existing agenda. Resolution #03-181 was removed from the agenda; and under New Business a presentation by Main Street was added, along with the addition of Ordinance #1969-03 which includes the addition of Block 115, Lot 23 to be included in the Redevelopment Area. Ordinance #1967-03 was also added. This ordinance will amend Chapter 190 of the Woodbury Municipal Code, Vehicles and Traffic.

#### **PRESENTATION BY MAIN STREET**

Mr. Scott Hunter, Director of Main Street, took the floor and first advised of a new volunteer on the Main Street Committee who will oversee the regional promotion of Woodbury. Mr. Lou Ciavolella's first action was to design three different logos to promote the City of Woodbury, one of which will be chosen by City residents. Mr. Hunter then referenced Atlantic City and Collingswood as places where slogans were used and how this tool worked to increase awareness for advertising for those places.

Mr. Hunter then updated Council on some projects on which Main Street was working:

1. The G. G. Green Building Project has drawn the interest of a developer and Main Street is looking at ways to acquire funding to help;
2. The Antique Center formerly known as Posh Pomergrante is currently under agreement with a developer to restore the building to include other attractions in addition to the antiques;
3. Mr. Hunter advised of the opening of a couple of new stores: The Melting Pot Gourmet, which will feature gourmet products; Beth's Heavenly Designs, which will feature floral designs, candles, and gifts items; the Art Lounge, which opened in June; and a luncheonette which will be opening where the floral shop was on S. Broad Street; and
4. Scott also advised that seven businesses have been chosen to receive facade grant money to improve the appearance of their buildings; they are: the Nut Shop, Edward's Hair Styling, Woodbury Cold Cuts, Woodbury Paints, Woodbury News and Nails, Dollar General and Bill's Floral Shop.

Several Council Members posed questions to Mr. Hunter regarding the logo, types of stores that are needed in the business district, and the solicitation of chain restaurants.

## **PUBLIC**

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

Dave Jenkins, 345 Glover Street, inquired about the contents of Resolution #03-182.

Mr. Hasbrouck explained that the City of Woodbury is involved in a lawsuit involving a police arrest and before any settlement is made it must have Council's approval.

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

## **ORDINANCES**

### **ORDINANCE #1967-03 – ORDINANCE AMENDING CHAPTER 190 OF THE WOODBURY MUNICIPAL CODE: VEHICLES AND TRAFFIC**

Councilman Schrock presented the above-entitled ordinance.

The City Clerk read the title of the ordinance.

Mr. Hasbrouck advised that the ordinance presented did not include the handicapped parking fee; this would be added prior to the next meeting when final adoption would be considered.

There were also questions raised regarding overnight parking.

On motion of Councilman Schrock, seconded by Councilman Louis, the ordinance as verbally amended 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 December 11, 2003.

**ORDINANCE #1968-03 – ORDINANCE ESTABLISHING SPEED LIMITS WITHIN THE CITY OF WOODBURY**

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

The City Clerk read the title of the ordinance.

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

On motion of Councilman Schrock, seconded by Councilman Riskie, the public hearing was ordered closed.

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

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

Ayes 8  
Nays 0  
Absent 1        Curtis

**ORDINANCE #1969-03 – ORDINANCE INCLUDING BLOCK 115, LOT 23 (COMMONLY KNOWN AS 30 EAST BARBER AVENUE, IN THE DEVELOPMENT PLAN (ZONE 2) AND ACQUISITION LIST**

Councilman Schrock presented the above-entitled ordinance.

The City Clerk read the title of the ordinance.

On motion of Councilman Schrock, 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 December 11, 2003.

**RESOLUTIONS**

**RESOLUTIONS #03-178 RESOLUTION TO REIMBURSE TAX OVERPAYMENTS**

Councilman Schrock presented the above-entitled resolution.

The City Clerk read the title of the resolution.

On motion of Councilman Schrock, seconded by Councilman Grebb, the resolution was adopted by a voice vote.

**RESOLUTION #03-179 – RESOLUTION TO REIMBURSE TAX OVERPAYMENTS**

Councilman Schrock presented the above-entitled resolution.

The City Clerk read the title of the resolution.

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

**RESOLUTION #03-180 – RESOLUTION AUTHORIZING THE USE OF NEIGHBORHOOD PRESERVATION PROGRAM FUNDS FOR BLOCK 75 LOT 25 A/K/A 106 LUPTON AVENUE**

Councilman Schrock presented the above-entitled resolution.

The City Clerk read the title of the resolution.

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

**RESOLUTION #03-182 – RESOLUTION PROVIDING CONSENT TO SETTLE IN THE MATTER OF FREUND V. MAGEE ET AL, DOCKET #USCAM – 02 CU2310 (JHR)**

Councilman Schrock presented the above-entitled resolution.

The City Clerk read the title of the resolution.

On motion of Councilman Schrock, seconded by Councilman Grebb, the resolution was adopted by a voice vote.

**RESOLUTION #03-183 – RESOLUTION AUTHORIZING EXECUTIVE SESSION (Litigation)**

Councilman Schrock presented the above-entitled resolution.

The City Clerk read the title of the resolution.

On motion of Councilman Schrock, seconded by Councilman Grebb, the resolution was adopted by a voice vote.

**VOUCHERS**

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

**PUBLIC SAFETY**

**RAFFLE APPLICATION**

Councilman Schrock presented a raffle application from Main Street Woodbury to be held on December 12<sup>th</sup> at the G. G. Green Building. On motion of Councilman Schrock, seconded by Councilman Louis, the raffle application was approved as submitted.

**OVERNIGHT PARKING ORDINANCE**

President Pro-Tempore Sloane opened the floor to discussion regarding the overnight parking problem in the City of Woodbury.

Councilwoman Brown referenced a letter a copy of which each Councilmember had.

Councilman Graziani stated that either the current ordinance had to be revised or enforced.

Chief Reed Merinuk stated that he has discussed this situation with the Mayor and advised that he has informed his patrolmen not to issue parking tickets until some decisions were made on how the City was going to handle "overnight parking" throughout the City.

Patrick Moore of Deptford N.J., who wrote the letter that was being referenced came forward to say that he did receive tickets for overnight parking. Mr. Moore then advised that he spoke with the Public Works Department who advised him that the City does not use the street sweeper during the winter months because they are concentrating on snow removal. Mr. Moore then referenced the ordinance and the way it was worded pertaining to holiday exceptions and also advised that the Police Department is not consistent with the manner in which they ticket and who they ticket.

Mayor Clark responded to Mr. Moore's issues advising that there was a public hearing addressing just what Mr. Moore was bringing forth. The meeting was held in August and as a result of that meeting the Police Department suspended issuing tickets because of the reasons Mr. Moore just listed. Unfortunately, because Mr. Moore is not a resident, he was not aware of the meeting. Mayor Clark also advised that the entire ordinance is under revamping in order to eliminate many of the concerns Mr. Moore raised.

## **PUBLIC WORKS**

Councilman Louis referenced a letter he received from Patrick Moore complimenting the Public Works Department for their removal of trash at his friend's residence.

## **ENVIRONMENTAL**

Councilwoman Schreyer advised that the Environmental Committee along with Bob Law did meet to discuss proposed changes to utility costs and reimbursement to energy providers under a law enacted in 1999. Councilwoman Schreyer went on to explain that this issue involved debt incurred by the utility companies since 1999.

## **MAYOR CLARK**

Mayor Clark reported on the following:

1. The Mayor announced and welcomed two new businesses into Woodbury: The Melting Pot, and Beth's Heavenly Designs;

2. Mayor Clark also reminded everyone that Candlelight Shopping will be held December 5<sup>th</sup> and 12<sup>th</sup> with a parade to welcome Santa on Dec. 5<sup>th</sup>; and
3. The Mayor congratulated the Woodbury Field Hockey Team and the Boys Soccer Team for making it into the playoffs this year.

## **PUBLIC**

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

Christopher Hope, 42 Gilbert Avenue, Westville, NJ, and a landlord of 30 E. Barber Avenue, inquired about the order issued by Judge Stanger and the City's knowledge that this property was not on the original list of properties for acquisition when the Redevelopment Plan was established.

Mr. Hasbrouck explained the proper procedures that have to occur when a property is acquired by the City. Mr. Hasbrouck continued that in the case of 30 E. Barber Avenue there had been an oversight on the City's part which left this property off the original acquisition list. That mistake was now in the process of being rectified by both the City's Planning/Zoning Board as well as City Council.

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

On motion of Councilman Grebb, seconded by Councilman Graziani, the Regular Order of Business was suspended and there was a five-minute recess before going into Executive Session. President Pro-Tempore Sloane advised that action may be taken upon return to Regular Session.

## **EXECUTIVE                      SESSION**

On motion of Councilman Graziani, seconded by Councilman Louis, the Regular Order of Business was resumed.

The City Clerk, Thomas B. Bowe, briefed Council regarding a situation where there is a homeowner on S. Davis Street that has his water meter at the curb. This situation could present a problem especially if a leak were to occur between the curb and the home. The City has taken steps to check the water meter at this location finding the meter to be operating satisfactorily. However, no noticeable leak seems apparent between the curb and the home.

Councilman Louis advised that he spoke with the resident and was told by the resident that there was no leak in the lateral but instead an error in the reading. There was much dialogue regarding this situation and the current water bill attributed to the homeowner. A new meter has been installed at the

location and a new reading will be taken shortly. If the new reading is in line with the past consumption levels an adjustment will be made in the current water bill.

Mayor Clark advised of a letter she received from Cheryl Slack of WORC whereby she is requesting Council waive the fire alarm fee of \$82.00 which was being required for usage of the Old Railroad Station as a Restaurant. There was some discussion pertaining to the City's ownership of the building and how the usage is interpreted. The final decision was to waive the permit fee. On motion of Councilman Graziani, seconded by Councilman Louis, the permit fee was waived for the Alarm System at the Railroad Station currently being used as the Cooper Express.

Mr. Bowe advised that the School Board will be going out for a Bond Referendum to include the replacement of boilers throughout the school system as well as the reconstruction of the Football Stadium. The referendum will be held on March 9<sup>th</sup> with a possible subsequent referendum in April.

On behalf of Mr. Law, Mr. Bowe advised Council that a voucher was being presented tonight for the Firemen's Banquet with a bar bill in excess of \$1,000.

President Pro-Tempore Sloane stated that this is an example issue that our Committees should be considering.

On motion of Councilman Grebb, seconded by Councilman Graziani, the request from the Fire Department to pay the bar tab at the Firemen's Banquet was denied.

Mr. Bowe advised Council that because of the workload with the Inter-local Agreement the Construction Office is now in need of hiring another person. On motion of Councilman Graziani, seconded by Councilman Louis, the request to hire another individual in January to help with the Inter-local services within the Construction Office was approved.

There being no further business, on motion of Councilman Grebb, seconded by Councilman Louis, the meeting was adjourned at 9:20 p.m..

**OTHER OFFICIALS PRESENT**

Assessor: Roy Duffield  
Deputy City Clerk: Gail R. Scheffler  
Emergency Management Coordinator: Sergeant Cope  
Librarian: Jean Wipf  
NPP Coordinator: Virginia Horn  
Police Chief: Reed Merinuk  
Solicitor: Bruce Hasbrouck, Esq.

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THOMAS B. BOWE  
Clerk/Administrator