

November 24, 2008

The Regular Meeting of the Mayor and Council of the City of Woodbury held on the above date were called to order by President Pro-Tempore William Fleming 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 2, 2008.

The Invocation was delivered by the Reverend Christine Regan, Pastor of St. Stephen's Lutheran Church following the Pledge of Allegiance.

ROLL CALL

Present: Riskie, Villari, Brown, Fleming, Louis, Tierney, Belko, and Mayor Curtis

Absent: Schreyer, and President Sloane

CHIEF VOLK ASKED TO SPEAK

Mr. William Volk, the Chief of the Woodbury Fire Department, came forward and addressed the Mayor and Council with regard to the tragic fire that recently destroyed the Epple residence at 189 Delaware Street killing both Dr. Epple and Mrs. Epple.

Chief Volk gave an extremely detailed accounting of a time line involving all of the firemen, the fire apparatus and the actions taken by those on the scene.

The Chief stated that he felt the need to present this material owing to the fact that there were some "rumors around" that were less than complimentary relative to the efforts given by our fire fighters the night in question.

Chief Volk's commentary refuted any and all doubts surrounding the efforts that were given on that tragic night.

In answer and appreciation to what Chief Volk had presented, Mayor Curtis acknowledged that he was also aware of some rumors that were less than complimentary relating to the efforts given that night. Mayor Curtis was very happy that Chief Volk had come forward to set the record straight.

PUBLIC

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

Susan Saridakis, 179 Delaware Street, approached Council with regard to Ordinance #2091-08 entitled Landlord/Tenant Licensing Fees to express her objection. Mrs. Saridakis stated that although she recognizes that Woodbury has a housing problem, this ordinance seems to be punishing all of the landlords, not just the problem landlords. There has to be another way to punish the guilty without including the innocent landlords.

George Saridakis, also of 179 Delaware Street, stated he also objected to the ordinance and agrees to everything his wife said, and is offended to be lumped into the same category as the problem landlords.

President Pro-Tempore Fleming advised that this was only the introduction of the ordinance and the Public would get a chance to express their objections at the next Council Meeting. President Pro-Tempore Fleming stated that currently there are 1500 rental properties in Woodbury and the majority of landlords who own these properties are responsible people such as Mr. and Mrs. Saridakis; unfortunately, the several who are not have to be addressed.

Luke Ivey, 25 Nelson Avenue, approached Council to also express his displeasure with Council's intent to punish all landlords and tenants and classify them as "second class citizens". Mr. Ivey stated that he pays his taxes and is a hands-on landlord and there are many good landlords and many good tenants.

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

FINANCE & ADMINISTRATION

ORDINANCE #2091-08 – AN ORDINANCE OF THE CITY OF WOODBURY AMENDING CHAPTER 114 LANDLORD/TENANT LICENSING SECTION 11 FEES OF THE CODE OF THE CITY OF WOODBURY

Councilman Villari presented the above-entitled ordinance.

The City Clerk read the title of the ordinance.

On motion of Councilman Villari, seconded by Councilman Louis, the ordinance was passed on first reading.

Councilwoman Tierney stated that she was under the impression that the fee would be yearly and not every other as indicated.

Chief Merinuk advised that this decision was made for bookkeeping reasons, and yes, it should be yearly.

Mr. Pierson, City Solicitor, indicated the ordinance would have to be amended.

On motion of Councilman Villari, seconded by Councilman Louis, the ordinance passed on first reading was amended to read “yearly increase in fees”.

Councilwoman Tierney stated that she appreciated the landlords who came forward tonight. It is unfortunate that because of a few bad landlords, many of whom live out of town, the good landlords seem to be the ones who are being punished.

Chief Merinuk advised that there are more than just a “few bad landlords”. The scenario with which the Police Department is dealing is that there are many bad landlords and the problem has reached a level where something has to be done.

Mayor Curtis advised that there is a good landlord program that the County Prosecutor’s Office is attempting to pursue where good landlords will be given incentives.

Chief Merinuk further elaborated advising that a Landlord Seminar will be offered to Landlords and if they attend then they will receive a deduction in their annual fee.

Mayor Curtis stated that before this can be accomplished, we have to put this ordinance into place.

Councilman Belko stated that he hopes this action will improve the overall situation for everyone in the City.

On motion of Councilman Villari, 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 December 8, 2008.

**RESOLUTION #08-184 – RESOLUTION OF THE CITY OF WOODBURY
AUTHORIZING CHANGE ORDER NO. 1 FOR CITY HALL ROOFING
CONTRACT/MAJESTIC ROOFING INSTALLATION**

Councilman Villari presented the above-entitled resolution.

The City Clerk read the title of the resolution.

Councilman Belko inquired as to the specific changes that would be involved.

Ted Wilkinson, City Engineer, explained that it was discovered that a number of support boards had become rotted and needed to be replaced.

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

RESOLUTION #08-190 – RESOLUTION OF THE CITY OF WOODBURY IMPOSING LIEN FOR PROPERTY MAINTENANCE PURSUANT TO MUNICIPAL CODE § 162-4

Councilman Villari presented the above-entitled resolution.

The City Clerk read the title of the resolution.

James Pierson explained how this resolution came about regarding a vacant property where an accumulation of leaves is creating a safety hazard on the property.

Lieutenant Cope advised that the owners have been notified and are not responding. Community Service workers have cut the grass twice already and now the City is in the process of putting a lien on the property.

Councilman Belko inquired how this is handled.

James Pierson, City Solicitor, stated the City would put a lien on the property the same of if the property owners did not pay their taxes or water and services bills.

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

VOUCHERS

On motion of Councilman Villari, seconded by Councilman Louis, the vouchers as presented were authorized paid.

PUBLIC SAFETY

RAFFLE APPLICATION

Councilman Louis presented a raffle application from the Woodbury Rotary Club; seeing all paperwork in order, on motion of Councilman Louis, seconded by Councilwoman Tierney, the raffle application was approved as submitted.

Councilman Louis extended his sincere condolences to the Epple Family and stated that being a victim of a fire several years ago, he can personally say that it is an experience that he will never forget and reminded everyone to check their batteries in their fire/smoke detectors as this could be a life-saving device in such a situation.

Councilman Louis also commended the Woodbury Fire Department for their attempts to save the occupants.

COMMUNITY DEVELOPMENT

Councilwoman Brown also gave credit and thanks to the Fire Department knowing how tragic it is to lose someone in a fire. Councilwoman Brown stated that several years ago her brother, Jadie, lost his daughter in a fire.

PUBLIC WORKS

RESOLUTION #08-188 – RESOLUTION OF THE CITY OF WOODBURY AUTHORIZING THE CITY ENGINEER TO PREPARE AND SUBMIT A PERMIT APPLICATION TO THE NJDEP BUREAU OF WATER SYSTEMS AND WELL PERMITTING FOR THE CONSTRUCTION OF A NEW 1.0 MG ABOVE-GRADE CONCRETE WATER STORAGE TANK AT BLOCK 97, LOT 11, AT THE END OF CLEARVIEW AVENUE, IN THE BOROUGH OF WOODBURY HEIGHTS

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 #08-189 – RESOLUTION OF THE CITY OF WOODBURY AUTHORIZING THE CITY ENGINEER TO PREPARE BID SPECIFICATIONS AND RECEIVE BIDS FOR THE RESURFACING OF DELAWARE STREET

Councilman Belko presented the above-entitled resolution.

The City Clerk read the title of the resolution.

Councilman Louis inquired if this will address the ongoing problems on Delaware Street.

Ted Wilkinson, City Engineer, advised that prior to spending any more money on resurfacing Delaware Street, the City has to correct the sewer lines. This project has been a long time coming, actually three years of funding.

Mayor Curtis then read a letter from Governor Corzine advising the City that we will be receiving funding in the amount of \$221,895 to do this project.

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

PERSONNEL

ORDINANCE #2090-08 – AN ORDINANCE CREATING THE POSITION OF A PATROLMAN FOR THE CITY OF WOODBURY

Councilman Riskie presented the above-entitled ordinance.

The City Clerk read the title of the ordinance.

Councilman Riskie stated that this was the position that was earlier discussed regarding the hiring of a police officer to enforce the landlord/tenant situation. The public will have an opportunity to speak out on this position, as it involves spending \$81,000 of taxpayers money in order to do this.

On motion of Councilman Riskie, 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 December 8, 2008.

RESOLUTION #08-186 – RESOLUTION APPOINTING FIRE OFFICIAL FOR THE CITY OF WOODBURY (Joseph Buono)

Councilman Riskie presented the above-entitled resolution.

The City Clerk read the title of the resolution.

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

RESOLUTION #08-187 – RESOLUTION APPROVING AN INTERLOCAL AGREEMENT TO PROVIDE FIRE OFFICIAL SERVICES TO THE BOROUGH OF WENONAH

Councilman Riskie presented the above-entitled resolution.

The City Clerk read the title of the resolution.

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

Councilman Riskie advised that he did meet with the Finance and Personnel Committees and discussed the City's car policy. Councilman Riskie stated that when he hears back from the City Solicitor he will advise Council of the decision.

ENVIRONMENTAL

Councilwoman Tierney stated that she has been helping Mr. Dukelow with the Basketball sign-ups and would like to advise that there is only one more night left which is tomorrow, Tuesday at the Cap Paine Gym between the hours of 6:00 pm and 8:00 pm. If anyone is interested in signing, children, both boys and girls, from grades 3 through 8 are welcomed.

Councilwoman Tierney would also like to comment on the Woodbury Fire Department and the manner in which they handled the fire the other evening. Having had personal experiences with the Fire Department for other responses other than fire, they have always conducted themselves professionally and appropriately. Councilwoman Tierney stated she applauds their dedication to their profession, as well as the police officers who also responded and especially the ones who were injured.

COMMUNITY DEVELOPMENT

ORDINANCE #2092-08 – AN ORDINANCE AUTHORIZING THE CITY OF WOODBURY TO IMPLEMENT P.L. 1991, C. 441, N.J.S.A. 40A:2-1, ET. SEQ. GRANTING TAX EXEMPTIONS FOR CERTAIN COMMERCIAL AND INDUSTRIAL IMPROVEMENTS AND PROJECTS, AND RESIDENTIAL DWELLINGS

Councilwoman Brown presented the above-entitled ordinance.

The City Clerk read the title of the ordinance.

James Pierson, City Solicitor, explained what the changes were to the original ordinance stating that he would have it available for the next meeting.

On motion of Councilwoman Brown, seconded by Councilman Riskie, 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 8, 2008.

**RESOLUTION #08-185 – RESOLUTION AMENDING RESOLUTION #08-171
AUTHORIZING THE USE OF NEIGHBORHOOD HOUSING REHABILITATION
PROGRAM FUNDS FOR BLOCK 64, LOT 26 A/K/A 14 WEST STREET**

Councilwoman Brown presented the above-entitled resolution.

The City Clerk read the title of the resolution.

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

Councilwoman Brown thanked Virginia Horn for the excellent job she did for the Grand Opening of the Woodbury Arts Council this past Friday.

Councilwoman Brown also thanked Mayor Curtis for the Proclamation he prepared for the Community Thanksgiving Service at St. Patrick's last evening.

Councilman Belko added that he was happy to see so many people attend which would indicate that Woodbury is interested in this type of event.

President Pro-Tempore Fleming also commended Virginia Horn stating that not only was the event well planned, it was widely publicized which also added to the high attendance.

Mr. Bowe advised that he would be meeting with Bruce Bechtloff from the Green Acres Office in Trenton regarding what options may be available to the City if the Woodbury Country Club goes out of business.

PRESIDENT PRO-TEMPORE

President Pro-Tempore Fleming advised that he along with Virginia Horn, Tom Bowe, and Roy Duffield met with Jim Bell from the Melvin Group concerning the Round 3 COAH Study. The study is due on December 31, 2008 and a draft has been prepared with the intent to

have the Planning/Zoning Board approve the Plan at a Special Meeting to be held on December 17, 2008.

President Pro-Tempore Fleming advised that he attended a two day class on Downtown Economic Development while he was at the League of Municipalities which was an excellent seminar.

Lastly, Mr. Fleming reminded everyone who did not attend the Elected Official JIF Seminar that the last one will be held on Tuesday, December 2, 2008 at Nicolosi's; remembering that the City will receive a credit for each member who attends.

MAYOR CURTIS

Mayor Curtis thanked the Council for allowing the Fire Department to express themselves regarding the recent fire on Delaware Street.

The Mayor advised that he issued a Proclamation for the Greater Woodbury Cooperative Ministries at their annual Thanksgiving Services which was held this year at St. Patrick's Church. The choir sang beautifully; it was organized from various churches in the community.

Mayor Curtis advised that the Christ Episcopal Church asked St. Patrick's Church to facilitate the funeral services for the Epples due to the large number of people expected. The Mayor said when he left there this evening there had been already 425 people who had showed their respect.

The Mayor also thanked Council for adopting the resolution appointing a Fire Official (Joseph Buono) to the Borough of Wenonah. The Mayor stated that Wenonah's Mayor has written a letter thanking Woodbury for the great job that Firefighter Buono is doing for them.

Mayor Curtis said that he would like to take this time to say that when Council takes action not everyone is happy with their decision; when Council does not take action they are criticized. The Mayor would just like to advise everyone that he along with other members on Council make their decisions based on what they think is best for the entire community knowing that they will never please everyone all the time.

CLERK/ADMINISTRATOR

Mr. Bowe advised that Underwood Memorial Hospital has advised him that they do not want the bus shelter at the location recommended by the City Engineer, and representatives of NJ Transit. The hospital would like the shelter at the corner of Tatum Street and West Red Bank Avenue where the bus stop is currently located.

Mr. Bowe referenced a letter from Joanne Havlicek who wrote him regarding the amount of heavy traffic that is occurring on Evergreen Avenue, which is a county road. Mr. Bowe advised that he will forward the letter to the county with a cover letter. Ms. Havlicek's letter referenced the need for a possible traffic light and crosswalks.

Mr. Bowe advised that Steven Gregory, a Woodbury landlord who is hearing impaired, has requested that arrangements be made to have the proper equipment available for the next council meeting so that he can participate in the public hearing on the landlord licensing fee increase.

Mr. Bowe also stated that the Professional Services Resumes for 2009 were received and opened today and the list is included in everyone's packet tonight.

In conclusion, Mr. Bowe invited questions of the City Engineer in reference to his report.

President Pro-Tempore Fleming inquired if there were any funds left over from either the West Centre Street Project or the Soccer Fields Project.

Mr. Wilkinson, City Engineer, advised there were no funds available from either project.

PUBLIC

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

Mr. Dave Jenkins, 345 Glover Street, stated that he finds the situation with Mr. Taylor in regard to his problem with the bus stop situation very unfair. Who is the person at Underwood Memorial Hospital that is making these decisions?

Mr. Bowe advised that that person was John Graham, Vice President in charge of Grounds and Maintenance and he can be reached at 856-853-2111.

Mr. Jenkins also referenced the landlord/licensing ordinance saying that he agrees with the Chief's remarks but also understands where Mr. Ivey and Mr. Saridakis are coming from; however, he sees where there is a need to address those landlords who are not responsible, such as those in the neighborhood in which Mr. Jenkins lives.

Councilman Louis inquired if the City has to get the hospital's approval to place the bus shelter. Mr. Bowe responded that the initial choice for the shelter was on the hospital's property, so we needed their permission.

Mr. Wilkinson, City Engineer, suggested moving the stop without erecting a shelter.

Mr. Bowe responded that we could put the bus stop anywhere in the right-of-way as long as NJ Transit agreed.

Mr. Bowe inquired of Council as to what action they would like him to take. The response was to put the bus stop in an area closest to the hospital for the people who use it.

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

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

THOMAS B. BOWE
Clerk/Administrator

OTHER OFFICIALS PRESENT

Deputy Clerk: Gail R. Scheffler
Emergency Management Officer: Lieutenant Cope
Engineer, Ted Wilkinson, PE
Fire Chief: Chief Bill Volk
NPP Coordinator: Virginia Horn
Police: Chief Merinuk
Solicitor: James Pierson, Esq.