

**MINUTES**  
**DECEMBER 13, 2010**  
**7:30 p.m.**

**Pledge of Allegiance**

President Sloane opened the meeting at 7:30 pm.

**Invocation**

The Reverend R.L. Palmer of Faith Revival delivered the Invocation.

**Reading of the Open Public Meeting Statement**

The Clerk read the Open Public Meeting Statement.

**Roll Call**

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

**Absent:** Villari

**Approval of Minutes:**

On motion of Councilman Riskie, seconded by Councilwoman Tierney, the minutes of the November 22, 2010 meeting were approved as submitted.

**Open to the Public for Agenda Items**

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

Anthony Chiesa, 36 Rugby Place, stated that he sees several resolutions on tonight's agenda specifically addressing water charges and even payment arrangements. Why and what did these residents do, that he did not, to qualify them for special consideration regarding his bill?

President Sloane advised that there would be an extensive part of the meeting devoted to water bills and also remarks by Mr. Law, Mr. Leidy and Ms. Lorraine Roberts will be entertained.

Brendan Chiesa, 36 Rugby Place, inquired regarding the litigations referenced in the Executive Session.

Mr. Pierson, City Solicitor, stated that he was not at liberty to discuss them in an open forum.

Brendan Chiesa questioned what fees were changed by Ordinance #2126-10. Secondly, he questioned water bill discrepancies and what they may have to do with the new reporting system.

Mike Fitzgerald, 33 Lupton Avenue, stated that he has lived in Woodbury for some 20 years and has never received a bill like his last one.

President Sloane again asked if everyone could give Council an opportunity to address everyone's concerns regarding the water bill issues.

## **PUBLIC SESSION ON ORDINANCES AND RESOLUTIONS**

### **Resolutions and Ordinances**

- **Finance & Administration**

#### **#2126-10 - An Ordinance of the City of Woodbury Amending and Supplementing Chapter 84 of the City Code, Entitled "Fees" (1<sup>st</sup> Reading)**

Councilman Fleming presented the above-entitled ordinance.

The City Clerk 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 December 27, 2010.

#### **#10-170 - Resolution Authorizing A Closed Session Regarding Litigation**

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 voice motion.

### **Vouchers**

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

- **Public Safety**

### **Raffle Application**

On motion of Councilman Louis, seconded by Councilman Riskie, the raffle application for the American Legion Post #133 ( Raffle License Application for 2011) was approved as submitted.

- **Public Works/Utilities**

### **PRESENTATION ON WATER BILL DISCREPANCIES**

Councilman Pottillo stated that, he along with Bob Law, Lorraine Roberts and Rich Leidy, all from where some of the billing problems may be coming.

Lorraine Roberts started the process by explaining what each of the resolutions on the agenda tonight will address and how the Committee reached a conclusion on each specific situation addressed by that particular resolution.

Councilman Pottillo and Mr. Rich Leidy then explained how they rectified the bills mentioned in the resolutions in a fair manner.

The following residents came forward to ask questions, they were; Joanne Fitzgerald, 33 Lupton Avenue; Joe Kennedy, 340 S. Jackson Street; Anthony Chiesa, 36 Rugby Place; and Doug Trani, 60 N. Woodland Avenue.

There was a very intense discussion involving all of the above individuals mentioned in addition to comments from the Mayor, President of Council Sloane, Councilman Pottillo and Rich Leidy; but ultimately the conclusion was that Council is continuing to look into each complaint individually and making adjustments if they are so warranted.

President Sloane suggested that discussion this evening could go on all night with those individuals who are on tonight's agenda. . For all others, contact Ms. Lorraine Roberts, who will further investigate individual bills. Also, President Sloane suggested a third party will be brought in to recheck the software.

### **#10-162 - Resolution to Adjust Water Charges for 4<sup>th</sup> Qtr 2010 Bill Due to Faulty Transmitter Unable to Send Actual Reading**

Councilman Pottillo presented the above-entitled resolution.

The City Clerk read the title of the resolution.

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

### **#10-163 - Resolution Authorizing Cancellations of Balances on Water/Sewer Accounts in the City of Woodbury**

Councilman Pottillo presented the above-entitled resolution.

The City Clerk read the title of the resolution.

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

**#10-166 - Resolution to Adjust Water Balances for Accounts Reviewed for Three Billing Periods after Occurrence**

Councilman Pottillo presented the above-entitled resolution.

The City Clerk read the title of the resolution.

Councilman Pottillo suggested that this resolution be amended from 60 days to 120 days because of the high amount of the bill, which was not the fault of the property owner.

On motion of Councilman Pottillo, seconded by Councilman Riskie, the resolution as amended was adopted by a voice motion.

**#10 -167 - Resolution Authorizing an Extension of Time to Pay Water Billing for Certain Accounts**

Councilman Pottillo presented the above-entitled resolution.

The City Clerk read the title of the resolution.

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

**#10-168 - Resolution Authorizing Adjustment to Water Billing for Account #37370-0**

Councilman Pottillo presented the above-entitled resolution.

The City Clerk read the title of the resolution.

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

**#10 -169 - Resolution of the City of Woodbury Requesting Formal Extension of Time for Completion of Construction Phases I and II FY 2009 and 2010 Municipal Aid and Urban Aid Agreements regarding Delaware Street**

Councilman Pottillo presented the above-entitled resolution.

The City Clerk read the title of the resolution.

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

- **Economic Development**

Councilman Fleming had nothing to report in Councilman Villari's absence.

- **Personnel**

**#2127-10 - An Ordinance Amending Chapter A237 Section 52 C of the Code of the City of Woodbury Personnel Policies and Procedures Manual Health Insurance Policy (Introduction by Title)(1<sup>st</sup> Reading)**

Councilwoman Tierney presented the above-entitled ordinance.

The City Clerk read the title of the ordinance.

On motion of Councilwoman Tierney, seconded by Councilman Louis, the ordinance was passed on first reading by introduction of title, 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 28, 2010.

**#10-165 - Resolution Authorizing a Closed Session Regarding Personnel Matters**

Councilwoman Tierney presented the above-entitled resolution.

The City Clerk read the title of the resolution.

On motion of Councilwoman Tierney, seconded by Councilman Fleming, the resolution was adopted by a voice motion with an amendment added to include Contract Negotiations.

- **Environmental**

Councilman Riskie advised that a resolution is needed to advise of the Reorganizational Meeting scheduled to be held on Monday, January 3, 2011.

- **Community Development**

Councilwoman Brown advised that she is still accepting donations for the Woodbury Boys and Girls Club.

- **Green Acres Program**

**#10-164 - Resolution of the City of Woodbury Requesting Formal Extension of Time for the NJDOT Bikeway Program, FY 2009 for the Woodbury Bikeway Program**

Councilman Trout presented the above-entitled resolution.

The City Clerk read the title of the resolution.

On motion of Councilman Trout, seconded by Councilman Pottillo, the resolution was

adopted by a voice motion.

**Reports:**

- **Report of Mayor**

Mayor Curtis thanked everyone who participated last Friday in the Annual Parade to welcome Santa to town. Santa Visits will now be held in a S. Broad Street storefront instead of the Gazebo

because of the condition of that structure.

Also, the Mayor advised that the Police Building has been upgraded for the safety of our residents and the police officers .

Mayor Curtis reminded everyone that the City does not profit from the increase in water and sewer bills. Because of this evenings outpouring of residents pertaining to their bills, he wanted to make that point very clear.

Also, the Mayor stated he signed the final papers for the Agreement for the sale of the #1 Chinese Restaurant.

- **Report of Clerk**

Mr. Bowe advised that bids were received for used City Vehicles that the City was holding for salvage. A list of the bidders has been supplied to each Councilperson anticipating approval to award to the highest bidders.

On motion of Councilman Riskie, seconded by Councilman Louis, the highest bidders were awarded the vehicles for the bid price recorded.

**Open to the 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 Non-Agenda Items.

Rich Melchiorre, 323 Delaware Street, came forward to inquire about the status of the Redevelopment Project.

Councilman Fleming stated that a couple new businesses have moved in which is good news; the City intends initiate further talks with the developers after the new year.

Mr. Melchiorre inquired about the rumors that Starbucks was coming in to the Delaware Street corner building.

Councilman Fleming stated he has not heard anything about that and the building to his knowledge is still for sale.

Mr. Melchiorre advised that he visited the new Cash for Gold Store and was alarmed by the location of the store and the type of business that is being conducted there; it is basically a "pawn shop" and considering that we also have two liquor stores along our Main Street, what's next a, "strip joint"? City Council is not setting a good example of allowing these types of businesses to be the main focus along our Main Street area.

Dave Scafidi, PO Box 218, Sewell, New Jersey, wanted to address how landlords are treated in Woodbury citing the camouflaged awning case that caused the owner of the old Polsky store to close the business.

Mayor Curtis stated that the owner did not close the store because of the awning issue but because no one in the family was interested in continuing the family business.

Also, Mr. Scafidi has a problem with the manner in which the City is billing their water customers. Mr. Scafidi stated that he understands that as owner of a duplex, he gets two sewer bills, and 2 separate water bills; what he does not understand is why Woodbury is not allowing duplex owners two different tiers of water usage instead of the one tier which means his two units share the minimum amount allowed. If he is paying two separate bills, then he feels he should be given two minimum tiers for each unit.

Mr. Scafidi also suggested that the City be more in line with surrounding areas on what we charge for water.

President Sloane stated that Mr. Scafidi had a valid point regarding the tier charge for two separate units.

Mr. Scafidi also inquired what is being done to give good landlords a break. He stated he inquired over a year ago and was told classes would be offered with a reduction given to those landlords who attend; nothing has been done yet.

Mr. Pierson, City Solicitor, stated that he is still discussing the classes with the Police Department and will present something early on in 2011.

Paul Bunn, 18 E. Packard Avenue, inquired if more diverse religious backgrounds could be represented when giving the Invocation. This would be in line with Woodbury's religious diversity.

Anthony Chiesa, 36 Rugby Place, asked when the Police Chief contract will be on the agenda. President Sloane stated it would be on at the next meeting.

Brendon Chiesa, 36 Rugby Place, asked what the City intended to do with the Chinese Restaurant building and how long before any action is taken.

City Solicitor, James Pierson, advised that at least 45 days will pass before any action would occur.

On motion of Councilman Riskie, seconded by Councilman Trout, the Regular Order of Business was resumed after a five-minute break.

## **EXECUTIVE SESSION**

On motion of Councilman Fleming, seconded by Councilwoman Tierney, Council approved the Separation Agreement accepting Mr. Bowe's Retirement effective January 31, 2011 to include health benefits.

### **Adjournment**

On motion of Councilwoman Tierney, seconded by Councilman Trout, there being no further business, the meeting was adjourned at 10:38 pm.

THOMAS B. BOWE  
City Clerk

### **OTHER OFFICIALS PRESENT**

Assessor: Roy Duffield

Chief Financial Officer: Robert Law

Deputy City Clerk: Gail R. Scheffler

Librarian: Jean Wipf

Solicitor: James Pierson, Esq.

Streets: Rich Leidy, Supervisor

Thomas Dukelow, Supervisor