

December 27, 2004

The Regular Meeting of the Mayor and Council of the City of Woodbury held on the above date was called to order by President Harry R. Riskie 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 5, 2004.

President Riskie requested a Moment of Silence and asked for a special remembrance of Maryann McGuinness who was recently taken from us. Maryann was the niece of former Council President, Jim McGuinness.

ROLL CALL

Present: Curtis, Louis, Sloane, Schreyer, Tierney, President Riskie, Mayor Clark

Absent: Brown, Graziani, Grimming

MINUTES

On motion of Councilman Sloane, seconded by Councilman Louis, the minutes of December 13, 2004 were approved as submitted.

PUBLIC

On motion of Councilman Sloane, seconded by Councilwoman Schreyer, the Regular Order of Business was suspended and the floor was opened to the Public for Agenda Items only.

Dave Schmid, 43 N. Drexel Street, came forward to discuss Resolution #04-180, "Resolution In Support of the Legislature's Efforts to Address Pay to Play Politics in the State of New Jersey", and to share his concerns. He then read a summary he had prepared stating his objections. Mr. Schmid also read another resolution he had prepared and had proposed to Council several weeks ago; he then compared the differences. Mr. Schmid stated that the current resolution was not strong enough, and requested that Council reconsider the current wording for a resolution that had stronger wording.

Dave Jenkins, 345 Glover Street, came forward to express his appreciation for the many years of service Mr. Gartside had dedicated to the City and was happy to see Resolution #04-177 entitled "Resolution Recognizing and Honoring Robert Gartside Upon His Retirement From the Planning/Zoning Board of the City of Woodbury" on the agenda this evening.

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

ORDINANCES

ORDINANCE #1980-04 - ORDINANCE AMENDING CHAPTER 197 OF THE WOODBURY MUNICIPAL CODE: WATER

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

The City Clerk read the title of the ordinance.

On motion of Councilman Louis, seconded by Councilwoman Schreyer, the ordinance was ordered opened for public hearing.

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

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

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| Ayes | 6 | Curtis, Louis, Sloane, Schreyer, Tierney, Riskie |
| Nays | 0 | |
| Absent | 3 | Brown, Grimming, Graziani |

ORDINANCE #1981-04 - ORDINANCE AMENDING CHAPTER 156 OF THE WOODBURY MUNICIPAL CODE ENTITLED: SEWERS

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

The City Clerk read the title of the ordinance.

On motion of Councilman Louis, seconded by Councilwoman Tierney, the ordinance was ordered opened for public hearing.

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

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

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| Ayes | 6 | Curtis, Louis, Sloane, Schreyer, Tierney, Riskie |
| Nays | 0 | |
| Absent | 3 | Brown, Grimming, Graziani |

ORDINANCE #1982-04 - AN ORDINANCE AMENDING ORDINANCE #1974-04, TO FIX AND ESTABLISH SALARIES AND RATE OF COMPENSATION ON THE VARIOUS OFFICERS AND EMPLOYEES OF THE CITY OF WOODBURY IN THE COUNTY OF GLOUCESTER AND TO PROVIDE THE MANNER OF PAYMENT THEREOF AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES

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

The City Clerk read the title of the ordinance.

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

On motion of Councilman Louis, seconded by Councilman Sloane, the ordinance was placed on second and final reading.

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

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| Ayes | 6 | Curtis, Louis, Sloane, Schreyer, Tierney, Riskie |
| Nays | 0 | |
| Absent | 3 | Brown, Grimming, Graziani |

ORDINANCE #1983-04 - ORDINANCE AMENDING CHAPTER 42 OF THE WOODBURY MUNICIPAL CODE ENTITLED: POLICE DEPARTMENT

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

The City Clerk read the title of the ordinance.

On motion of Councilman Louis, seconded by Councilwoman Schreyer, the ordinance was ordered opened for public hearing.

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

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

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| Ayes | 6 | Curtis, Louis, Sloane, Schreyer, Tierney, Riskie |
| Nays | 0 | |
| Absent | 3 | Brown, Grimming, Graziani |

RESOLUTIONS

RESOLUTION #04-176 - RESOLUTION TO REIMBURSE TAX OVERPAYMENTS

Councilman Louis presented the above-entitled resolution.

The City Clerk read the title of the resolution.

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

RESOLUTION #04-177 - RESOLUTION RECOGNIZING AND HONORING ROBERT GARTSIDE UPON HIS RETIREMENT FROM THE PLANNING/ZONING BOARD OF THE CITY OF WOODBURY

Councilman Louis presented the above-entitled resolution.

The City Clerk read the entire resolution.

Mr. Gartside graciously accepted the resolution and stated that it was his pleasure to have serve the City.

Councilman Louis thanked Mr. Gartside for his dedication to the City and was proud to call him a friend as well.

President Riskie stated that he served on the Planning Board when Mr. Gartside was the Chairman of thought he ran the meeting with much ease especially when there were some difficult decisions to be made.

Councilwoman Schreyer stated that very often when one serves on a local board the time involved can be very demanding and the dedication that Mr. Gartside displayed during the years of service he gave to the City is to be commended.

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

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| Ayes | 6 | Curtis, Louis, Sloane, Schreyer, Tierney, Riskie |
| Nays | 0 | |
| Absent | 3 | Brown, Graziani, Grimming |

RESOLUTION #04-178 - RESOLUTION RECOGNIZING AND HONORING RUTH BOSWORTH UPON HER RETIREMENT AS TRUSTEE OF THE WOODBURY PUBLIC LIBRARY

Councilman Louis presented the above-entitled resolution.

The City Clerk read the title of the resolution.

President Riskie commented on Mrs. Bosworth's dedication and experience she brought to the Library Board. She was one who always greeted you with a smile.

Councilwoman Schreyer also expressed her gratitude stating the City was very fortunate to have Mrs. Bosworth as a volunteer.

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

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| Ayes | 6 | Curtis, Louis, Sloane, Schreyer, Tierney, Riskie |
| Nays | 0 | |
| Absent | 3 | Brown, Graziani, Grimming |

RESOLUTION #04-179 - RESOLUTION AUTHORIZING THE RENEWAL OF THE INTERLOCAL SERVICE AGREEMENT BETWEEN THE CITY OF WOODBURY; THE BOROUGH OF WESTVILLE; THE BOROUGH OF WENONAH; AND THE BOROUGH OF WOODBURY HEIGHTS

Councilman Louis presented the above-entitled resolution.

The City Clerk read the title of the resolution.

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

RESOLUTION #04-181 - RESOLUTION AUTHORIZING THE EXPENDITURE OF FUNDS FROM THE HUD NEIGHBORHOOD INITIATIVE PROGRAM FOR THE INSTALLATION OF THE CODE OF THE CITY OF WOODBURY ON THE CITY'S OFFICIAL WEBSITE AT AN AMOUNT NOT TO EXCEED \$1,000.00

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 vote.

RESOLUTION #04-182 - RESOLUTION AUTHORIZING THE TRANSFER OF APPROPRIATIONS IN THE LOCAL BUDGET OF THE CITY OF WOODBURY FOR THE YEAR 2004

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 vote.

RESOLUTION #04-183 - RESOLUTION TO AWARD CONTRACT FOR UNIFORMS FOR THE CITY OF WOODBURY PUBLIC WORKS 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 vote.

VOUCHERS

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

PUBLIC SAFETY

Councilman Sloane advised that a resolution was passed in Mercer County almost identical to the one that Councilman Sloane presented at a recent meeting, pertaining to the "Pay to Play" issue. Therefore, he is requesting again that Council review his original resolution for passage.

President Riskie stated that that would be premature at this time, and the City should wait to see what the State is planning to do about the same subject matter.

Councilman Sloane stated that the Solicitor has had six (6) weeks to review his proposed resolution and has not done so. Councilman Sloane indicated that as a member of the governing body he is making a motion to present this resolution for adoption.

President Riskie advised that in the best interest of the City he would still suggested that the Solicitor look over the language of Councilman Sloane's proposal so as not to be in the conflict with the State.

Councilwoman Tierney stated that she had a problem with voting on a resolution that was being looked at by the State.

Mike Aimino, City Solicitor, advised that the resolution presented by Councilman Sloane is not the way to go if changes are to be made to our election laws; if done, it should be done by ordinance. However, this is not something that should be handled on the local level; it is a State level issue. If this was the way to go, every municipality would be making their own election laws as they see fit, and that is not the way it should be handled.

Councilman Sloane stated that he appreciated the Solicitor's views and the research information he shared with Council this evening.

Councilman Curtis stated that Councilman Sloane made a motion to vote on the resolution and the motion should be acted on.

Councilwoman Tierney asked why would Council vote on a resolution that would be struck down, especially after listening to the Solicitor's remarks pertaining to all the loop holes he found in the original resolution.

Councilman Sloane stated that he would be willing to table his request; however, he does not want to see the issue dropped.

Councilman Louis agreed that the resolution's subject was a valid one; however, lets make sure we have thoroughly checked all the information out before we put our vote in writing by way of a ordinance.

Councilwoman Schreyer requested that a vote be taken.

Councilman Louis made a motion to table the original resolution, the motion was seconded by Councilwoman Tierney.

A vote was taken to table the resolution.

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| Ayes | 3 | Louis, Tierney, Riskie |
| Nays | 3 | Sloane, Schreyer, Curtis |
| Absent | 3 | Graziani, Grimming, Brown |

Due to a tie vote, the Mayor was required to case her vote to decide the outcome of the motion.

The Mayor voted Aye to table the resolution.

Councilman Sloane then requested that the resolution be amended to include a deadline for action to take be taken if the State did not act on this subject matter.

Mayor Clark commented that she did not understand why Councilman Sloane was pressuring this governing body to adopt a resolution/ordinance that clearly presented many complicated matters. The Mayor stated she did not understand why the rush to act now; this is one of those times when we should wait to see what the State does and then make a decision on what direction the City should take.

Councilman Sloane then suggested that we still continue to move forward and show the State that the City is taking a position and that an amendment be made to the current resolution to include the wording " to draft an ordinance that is compatible with state law addressing regulations awarding certain contracts".

President Riskie then recommended that the current resolution be adopted but have the Solicitor re-word the resolution to include the language "to proceed cautiously with a deadline of at least a year".

Councilman Sloane then withdrew his motion to amend the resolution; the motion was seconded by Councilwoman Tierney.

RESOLUTION #04-180 - RESOLUTION IN SUPPORT OF THE LEGISLATURE'S EFFORTS TO ADDRESS PAY TO PLAY POLITICS IN THE STATE OF NEW JERSEY

Councilman Sloane presented the above-entitled resolution.

The City Clerk read the title of the resolution.

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

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|--------|---|--|
| Ayes | 6 | Curtis, Louis, Sloane, Schreyer, Tierney, Riskie |
| Nays | 0 | |
| Absent | 3 | Brown, Grimming, Graziani |

RAFFLE APPLICATION

On motion of Councilman Sloane, seconded by Councilman Louis, the raffle application from St. Patrick's PTA was approved as submitted. Councilman Curtis abstained from the vote.

PUBLIC WORKS

Councilwoman Tierney advised that changes have been made to our trash collection schedule for 2005. The changes include that yard debris will only be picked up on Fridays. This change has come about because Fridays are now free due to our termination of trash contract with Woodbury Heights. The other trash days will remain the same. The only other change would be that if a holiday falls on a regular trash day, all trash routes would be picked up one day later which would then eliminate the Friday debris pick up for that week. All residents will be notified through an insert in a copy of the Woodbury Community Calendar which is being delivered to each resident. We will also contact the newspapers, and the changes will appear on the City's web-site.

ECONOMIC DEVELOPMENT

Councilwoman Tierney had no business to report on Economic Development. She did, however, report about the health of Councilwoman Brown stating that she was recuperating in Manor Care after her recent back surgery.

COMMUNITY DEVELOPMENT

Councilwoman Schreyer had nothing to report on Community Development.

ENVIRONMENTAL

Councilwoman Schreyer had nothing to report on Environmental.

NEW BUSINESS

Councilwoman Schreyer inquired if anyone had any information on the twenty-one (21) townhouses that are being built on Red Bank Avenue in West Deptford, and what effect it would have on traffic, especially since that location is on a blind curve in the road. It appears to be a dangerous situation.

Mr. Schiavo, the City Engineer, stated that he is confident that West Deptford took all of the concern under considerations before final approval was granted by their appropriate departments. Mr. Schiavo advised that he would contact West Deptford and find out if anything is being done about the potential danger at the curve.

Councilman Louis inquired about the lighting along Broad Street and why so many lights were out already.

Mr. Bowe advised that the lights are controlled by a light sensor and because the wreaths have lights around them it is causing some malfunction with the sensors. Mr. Bowe stated that the problem is being addressed by PSE&G and they are trying to come up with an answer.

Councilman Curtis inquired if anyone was having a problem with their radio interference. Councilman Curtis stated that several people have complained about beeping that is occurring. The complainant has contacted Comcast and they are not aware of any reason it should be happening. It appears to be happening to cell phones, regular phones, radios, stereos and this problem should be addressed.

MAYOR CLARK

Mayor Clark congratulated Bob Gartside and Ruth Bosworth again for their many years of service to the City. Regardless of the political climate, their dedication has been appreciated.

The Mayor advised of a briefing both she and President Riskie attended pertaining to the "rail transit". The Mayor stated that there were representatives there from Senators Corzine and Lautenberg's offices, as well as from NJ Transit, PATCO and DRPA with John Mattheuson of DRPA conducting the meeting. The Mayor then gave a briefing on the original meeting held last year and the options being considered. However, since that meeting, the options have now narrowed down to three, of which only two are workable choices. These options were based on public opinion, research, and studies conducted by transportation specialist hired by DRPA. The good news is that one of the two options being discussed was using existing rail lines, which is a plus for Woodbury. There was a comment period during the meeting and both Mayor Clark and President Riskie voiced their opinion and endorsed the "existing rail line" option. The next step is to get public feedback from a series of meetings which will be held. The Mayor stated she will share that information with everyone as she receives it. The Mayor also urged all residents to go to these meetings and show their support. Public opinion will matter in decisions such as this.

President Riskie stated that he was surprised that so many municipalities showed their support of using existing rails which was not the case when this issue first arose years ago.

CLERK/ADMINISTRATOR

Mr. Bowe requested authorization to have the City Engineer draw up specifications and advertise for bids to be received for the reconstruction of Park Avenue. On motion of Councilman Louis, seconded by Councilwoman Schreyer, the request was approved.

Councilwoman Schreyer inquired if this project would be done in conjunction with Deptford Township. Mr. Schiavo responded that it would.

PUBLIC

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

Dave Jenkins, 345 Glover Street, commented on Resolution #04-180, the Pay to Play Resolution that brought about much dialogue this evening. It was Mr. Jenkins view that this is a State issue and the City would be much better off just endorsing the State's decision as there would be much confusion if each of the 600 municipalities adopt their own rulings.

Mr. Jenkins also inquired about a property on West Street that is now for sale which was part of the Home Rental Rehab Program. He was wondering how this affected the property.

Mr. Bowe advised he would have to research that question.

Mr. Jenkins also inquired about the status of the E. Barber Avenue Project.

Mr. Bowe stated that there were still residents in the property at 30 E. Barber Avenue and that they have another 75 days to vacate.

Dave Schmid, 43 N. Drexel Street, also referred to Resolution #04-180 and stated that the City should not lose sight of the main issue addressed in that resolution.

Mr. Schmid also wanted to thank Mr. Dukelow for his help in removing an old tree that was located in front of Mr. Schmid's property.

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

There being no further business, on motion of Councilman Curtis, seconded by Councilman Louis, the meeting was adjourned at 8:50 P.M..

THOMAS B. BOWE
Clerk/Administrator

OTHER OFFICIALS PRESENT

Chief Financial Officer: Robert Law

Deputy Clerk: Gail R. Scheffler

NPP Director: Virginia Horn

Solicitor: Michael Aimino, Esq.

Tax Assessor: Roy Duffield