

Minutes Of The Council Meeting Of September 10, 2012

Pledge of Allegiance

The Meeting was opened by President Tierney at 7:30 PM with the Pledge of Allegiance in Council Chambers at Woodbury City Hall, 33 Delaware Street, Woodbury, NJ.

Invocation

The Invocation was delivered by the Reverend Joseph Coles, Associate Minister of Bethlehem Baptist Church.

Open Public Meeting Statement

Roll Call

Present: Carter, Connor, Lockman, Brown, Trout, Louis, Council President Tierney and Mayor Riskie

Absent: Sloane, *Fleming (arrives at 7:49 PM)

Minutes

On motion of Councilman Louis, seconded by Councilman Connor, the minutes of the August 13, 2012, were approved as submitted.

Councilpersons Trout, Carter, and Brown abstained from the vote.

PROCLAMATION PRESENTATIONS

Mayor Riskie read a Proclamation honoring the Woodbury Junior Baseball All Star Team and presented the Proclamation to the Manager of the Team. He also presented each player with a Legislative Certificate of Recognition.

Mayor Riskie introduced Assemblyman Angel Fuentes who spoke briefly congratulating all the players for their achievements.

Mayor Riskie read another proclamation honoring the Woodbury Senior All Star Softball Team and recognized each player with a Legislative Certificate of Recognition.

President Tierney also recognized Ron Johnson, President of the Little League and Jim McGowen, District Administrator, who are very instrumental in helping and keeping the Woodbury Little League going with their many hours of dedication and hard work.

***Councilman Fleming arrived at 7:49 pm**

Presentation By Eagle Scout Troop

President Tierney introduced Charles Hughes, a Boy Scout from Troop 7007, who was requesting Council's support in allowing him to undertake an Eagle Scout Project at the Woodbury Soccer Club Fields on Tacoma Boulevard. Mr. Hughes gave a power point presentation detailing exactly what his project would entail and the things

he intended to improve. Mr. Hughes also discussed how the project would be funded by sponsorships and donations.

On motion of Councilman Connor, seconded by Councilwoman Brown, a unanimous approval was granted to Charles Hughes to proceed with the Eagle Scout Project at the Woodbury Soccer Field location as presented.

Public for Agenda Items

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

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

PUBLIC SESSION ON ORDINANCES AND RESOLUTIONS

Ordinances/Resolutions

Finance & Administration

#12-138 - Resolution Authorizing Tax Abatement for 429 S Evergreen Avenue (Block 140, Lot 2) Pursuant to Ordinance #2092-08

Councilman Louis presented the above-entitled resolution.

The City Clerk read the title of the resolution.

Councilman Louis asked Mr. Duffield to explain the resolution. Mr. Duffield the former Tax Assessor gave a brief explanation of the abatement process.

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

#12-139 - Resolution to Reimburse Tax Payment (Early – 238 S. Warner Street).

Councilman Louis presented the above-entitled resolution.

The City Clerk read the title of the resolution.

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

#12-140 - Resolution Authorizing the Cancellation of a Small Balance on Real Estate Taxes in the City of Woodbury – (Sparks)

Councilman Louis presented the above-entitled resolution.

The City Clerk read the title of the resolution.

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

#12-141 - Resolution Authorizing the Cancellation of a Small Balance on Real Estate Taxes in the City of Woodbury – Fazio – RJL Woodbury LLC

Councilman Louis presented the above-entitled resolution.

The City Clerk read the title of the resolution.

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

#12-142 - Resolution to Reimburse Water Overpayment Goldstein 548 Hunter Street

Councilman Louis presented the above-entitled resolution.

The City Clerk read the title of the resolution.

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

#12-143 - Resolution to Reimburse Water/Sewer Overpayment Layton 55 W. Centre Street

Councilman Louis presented the above-entitled resolution.

The City Clerk read the title of the resolution.

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

#12-144 - Resolution Authorizing Payment Plan for Water Bill Balance Delrossi/Golden 1586 Glassboro Rd Acct #43550-33

Councilman Louis presented the above-entitled resolution.

The City Clerk read the title of the resolution.

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

#12-146 - Resolution to Authorize Tax Exemption and to Cancel Taxes for a Disabled Veteran (Robert H. Rutter)

Councilman Louis presented the above-entitled resolution.

The City Clerk read the title of the resolution.

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

#12-148 - Resolution to Cancel Outstanding Checks

Councilman Louis presented the above-entitled resolution.

The City Clerk read the title of the resolution.

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

#12-149 - Resolution Authorizing Executive Session (Pending or Anticipated Litigation and Attorney/Client Privilege)

Councilman Louis presented the above-entitled resolution.

The City Clerk read the title of the resolution.

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

#12-150 - Resolution Appointing a Plumbing SubCode Official for the City of Woodbury (Fabrizio Fliaino)

Councilman Louis presented the above-entitled resolution.

The City Clerk read the title of the resolution.

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

Vouchers

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

Councilman Louis congratulated all the players who were recognized this evening, stating they should be very proud of their accomplishments, as he is.

Public Safety

Application for Membership to Friendship Fire Co.

Councilman Connor presented three applications for membership to Friendship Fire Company. They were as follows: Eric Lane, 44 N. Evergreen Avenue; Brandon P. Volk; 435 Hemlock Terrace and James C. Beck, 29 Delaware Street.

On motion of Councilman Connor, seconded by Councilman Louis, all three applications were received and approved as submitted.

Councilman Connor echoed the statement Councilman Louis made in congratulating the young athletes on their All Star Accomplishments.

Public Works/Utilities

#12-147 - Resolution Declaring an Emergency Situation and Ratifying Expenditures and Awarding of Work Re: South Girard Street and Myrtle Avenue Storm Sewer Replacement Pursuant to N.J.S.A. 40A:11-3

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 unanimously adopted by a voice motion.

Economic Development

#12-145 - Resolution in Support of the County of Gloucester's Shop Local Initiative and Declaring Saturday, November 24, 2012 "Shop Local Saturday"

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 unanimously adopted by a voice motion.

Councilman Trout advised that eight (8) applicants are scheduled to be interviewed for the Economic Development Director's position.

Personnel

Councilman Connor had nothing to report in Councilman Sloane's absence.

Property Maintenance

Councilman Lockman had nothing to report for his committee.

Community Development

Councilwoman Brown stated she was happy to be back and thanked everyone who remembered her during her recent illness.

Councilwoman Brown also applauded the Boy Scouts for all the effort they put into their commitment to scouting.

Parks and Recreation/Environmental

Councilwoman Carter had nothing to report.

Old Business

President Tierney advised that the Appeal of Planning/Zoning Board Denial of Certificate of Appropriateness regarding the Holy Angels Parish has been rescheduled for October 22, 2012 Council Meeting.

Report of Mayor

Mayor Riskie congratulated all of the individuals who participated in the All Star Competitions.

The Mayor also thanked the County for their endorsement of the "Shop Local Resolution; and Woodbury will be the first to initiate the program.

Mayor Riskie advised that the Woodbury Merchants Association conducted their 26th Annual Car Show this year which brought out about 200 participants.

The Mayor stated a meeting was held to discuss the Arts Festival scheduled to be held on Saturday, September 29th; advising that we are all looking forward to this very special event. Mayor Riskie extended a special "thank you" to all who are currently on the Committee and working so hard to make this event a huge success.

Mayor Riskie invited Larry Geiger to come up to expand on the Arts Festival.

Mr. Larry Geiger, Main Street Director, came forward to give more details on just how large and how many artists have responded to participate thus far. There will be a variety of artists coming from New York, Lancaster and the Philadelphia area.

Also, Mr. Geiger reminded everyone of the October 8th Golf Tournament Main Street will be sponsoring.

The Mayor stated that he received a call from Patty Woodward from Action Wheels, who is also an enthusiast for more "bike usage" and is asking for Council's support. Mayor Riskie spoke briefly on the potential of more "bike usage" as the City moves forward into the future with the anticipation of the rail line coming through our town. President Tierney advised that Woodbury has already been involved in creating a "bike path" and will continue to do so.

The Mayor announced that he attended the 65th Birthday Celebration of Councilwoman Brown at her Church. He also had the opportunity to speak and would like to acknowledge the warm reception he received.

Report of Clerk

Mr. Duffield advised that he has received notification that David White, a candidate for the Council position in the Second Ward, has decided to withdraw his name from the ballot.

Mr. Duffield stated that as the Recycling Coordinator he is happy to report that our recycled tonnage has increased since we began using the blue containers.

Public

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

Donna and Tom Foster, 263 Holroyd Place came forward to address two problems. Donna stated her first problem was their water/sewer bill, which they have had an issue with since they moved in 2008. They are being billed as a duplex, and not as a single family dwelling. The difference has been tabulated to be about \$2500.00.

Mayor Riskie stated that he along with Mr. Duffield met with the Fosters where this subject was discussed. All that had to be done was for the Fosters to notify the proper departments and they would have made the change. As far as a refund of the difference, it would have to go before Council.

President Tierney stated that the Public Works Committee will meet on Thursday to discuss the refund request, and Mr. Kinkler, City Administrator, will advise the Fosters of the outcome.

The other matter was a neighbor's tree whose roots may be damaging their foundation. They have discussed this with their neighbors but nothing has been resolved. Mr. Aimino, City Solicitor, recommended the Fosters discuss the situation with an attorney. The City has no jurisdiction to get involved with private property disputes; it is strictly a matter between the two property owners.

Councilman Louis suggested they discuss it with their homeowners insurance agent, and they may be able to address it from that perspective.

Seeing no one else, on motion of Councilman Connor, seconded by Councilman Louis, the floor was closed to the public.

On motion of Councilman Connor, seconded by Councilman Louis, the Regular Order of Business was suspended for a five minute recess before going into Executive Session (8:45 pm).

EXECUTIVE SESSION

On motion of Councilman Connor, seconded by Councilwoman Brown, the Regular Order of Business was resumed at 9:06 pm.

A motion was made by Councilman Connor, seconded by Councilman Louis, to reaffirm the longstanding policy of the City of Woodbury to provide legal counsel **of the City's choosing** for police officers that require representation resulting from their official actions, and that if said officers choose to use the services of any other attorney it will be at their own expense. The motion was unanimously adopted by voice vote.

On motion of Councilman Connor, seconded by Councilman Fleming, and unanimously approved by voice vote, the City authorized hiring attorney Chris Cona, Esq. to represent Officers Holmstrom and Duffy and to pay him \$125/hour for his services.

There being no further business, on motion of Councilman Connor, seconded by Councilman Louis, the meeting was adjourned at 9:08 pm.

Respectfully submitted,

ROY A. DUFFIELD
City Clerk

OTHER CITY OFFICIALS PRESENT:

City Administrator/Deputy Clerk: Karl Kinkler

Chief Financial Officer: Robert Law

City Clerk: Roy A. Duffield

City Engineer: James Clancy, PE

Main Street Director: Larry Geiger

Police: Chief Reed Merinuk

Public Works: Rich Leidy, Director

Solicitor: Michael Aimino, Esq.