

**MINUTES OF COUNCIL MEETING OF  
September 24, 2013**

**Pledge of Allegiance**

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

**Invocation**

Reverend Joseph Cuff, Pastor, Campbell AME Church delivered the Invocation.

**Open Public Meeting Statement**

The City Clerk stated that due notice had been given to both the public and the press by publication of Resolution #13-05 adopted at the Reorganizational Meeting of Mayor and Council on January 2, 2013.

**Roll Call**

**Present:** Tierney, Trout, Swanson, Trovato, Brown, Parker, President Fleming and Mayor Volk

**Absent:** Lockman, Carter

**Minutes of September 10, 2013**

On motion of Councilman Trovato, seconded by Councilwoman Parker the minutes of the meeting of September 10, 2013 were unanimously approved as submitted.

**Resolution #13-177 – Resolution Authorizing the Appointment of Timothy Mitchell as a Patrolman for the Woodbury Police Department**

Councilwoman Tierney presented the above-entitled resolution.

The City Clerk read the title of the resolution.

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

**Resolution #13-178 – Resolution Authorizing the Appointment of Nicholas Cacciola as a Patrolman for the Woodbury Police Department**

Councilwoman Tierney presented the above-entitled resolution.

The City Clerk read the title of the resolution.

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

**Swearing-In of Police Officers**

Mayor Volk administered the Oath of Office to two newly appointed police officers, Timothy Mitchell and Nicolas Cacciola.

Both Officers introduced their family members, thanking Council for their appointment and were welcomed to the Woodbury Police Force by Mayor and Council.

There was a five minute recess and the meeting resumed.

**Council President**

Because of the recent appointment of Councilman Hock, President Fleming announced the following Council Committee assignments for the remainder of the year:

Public Safety: Carter, Chairwoman; Parker, 1<sup>st</sup> Alternate; Trovato, 2<sup>nd</sup> alternate

Economic Development: Trovato, Chairman; Hock, 1<sup>st</sup> alternate; Brown, 2<sup>nd</sup> alternate

Environmental/Green Acres: Tierney, Chairwoman; Swanson, 1<sup>st</sup> alternate, Hock, 2<sup>nd</sup> alternate

President Fleming announced these changes to tonight's agenda: Resolutions 13-177 and 13-178 were moved to the beginning of the meeting, and the public hearing and vote on Ordinance 2191-13 will be held after the closed session.

**Public Hearing on Agenda Items**

On motion of Councilwoman Brown, seconded by Councilwoman Parker and unanimously approved the Regular Order of Business was suspended and the floor was opened to the Public for Agenda Items Only.

Anthony Chiesa, 36 Rugby Place asked whether Hunter Street re-paving is included under Res. 13-180 (no) and if Woodbury Mews PILOT payments will remain the same under Ord. 2191-13 (yes, total payments will be the same, but reallocated among the various parcels).

Gloria Holmes, 19 Nelson Avenue asked about the grant to pay for the work under 13-172, and whether curbs & sidewalks will be done under 13-180. Fleming & Breier explained.

Hearing no one else, on motion of Councilman Swanson, seconded by Councilman Parker, the Public Portion was closed and the Regular Order of Business was resumed.

**Resolutions, Ordinances and Committee Reports:**

**Finance & Administration**

**#13-170 - Resolution Authorizing the Transfer of Funds from the Premium Account into the General Current Fund, Block 179, Lot 30 - Daxuan Wang, Tax Sale Cert. # 06-050 \$600.00**

**Premiums Paid**

Councilman Trovato presented the above-entitled resolution.

The City Clerk read the title of the resolution.

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

**#13-173 - Resolution Authorizing a Purchase Agreement with Winner Ford For One (1) 2013 Ford F350 Fire Utility Truck**

Councilman Trovato presented the above-entitled resolution.

The City Clerk read the title of the resolution.

On motion of Councilman Trovato, seconded by Councilwoman Parker, the resolution was unanimously adopted by a voice vote.

**#13-174 - Resolution to Cancel Old Outstanding Checks**

Councilman Trovato presented the above-entitled resolution.

The City Clerk read the title of the resolution.

On motion of Councilman Trovato, seconded by Councilwoman Parker, the resolution was unanimously adopted by a voice vote.

**#13-175 - Resolution Authorizing a Closed Session**

Councilman Trovato presented the above-entitled resolution.

The City Clerk read the title of the resolution.

On motion of Councilman Trovato, seconded by Councilwoman Parker, the resolution was unanimously adopted by a voice vote.

**# 13-176 - Resolution Adopting Memorandum of Understanding to Appoint Burris Construction Company as Redeveloper of Property formerly known as the Woodbury Country Club designated as Block 154, Lot 8, on the City's Tax Map for a Period of 90 Days**

Councilman Trovato presented the above-entitled resolution.

The City Clerk read the title of the resolution.

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

**#13-179 - Resolution of the City of Woodbury Imposing Lien(s) for Property Maintenance pursuant to Municipality Code §162-4**

Councilman Trovato presented the above-entitled resolution.

The City Clerk read the title of the resolution.

On motion of Councilman Trovato, seconded by Councilman Swanson, the resolution was unanimously adopted by a voice vote.

## **Vouchers**

On motion of Councilman Trovato, seconded by Councilwoman Tierney, the vouchers as presented and certified were authorized paid. Councilman Swanson voted against the motion; all others voted in favor.

## **Public Safety**

In Ms. Carter's absence, Councilwoman Parker had nothing to report for this committee.

## **Public Works/Utilities**

### **#13-172 - Resolution to Approve the Submission of a Grant Application and to Execute a Grant Agreement with the New Jersey Department of Transportation for the FY2014 Municipal Aid Project hereinafter known as The East Red Bank Avenue Milling and Overlay**

Councilman Swanson presented the above-entitled resolution.

The City Clerk read the title of the resolution.

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

### **#13-180 - Resolution Authorizing City Engineer to Request Bids for FY2013 Series of Road Repaving Projects, Phase I**

Councilman Swanson presented the above-entitled resolution.

The City Clerk read the title of the resolution.

Councilman Trovato inquired about putting strict completion dates in the contract and restricting certain contractors from the bidding process, if the City was not satisfied with their prior work performance. President Fleming stated guidelines would be put in place for completion dates; but prohibiting a contractor is difficult to do. Mr. Trovato would like Council to be more involved in selecting which streets are repaved.

On motion of Councilman Swanson, seconded by Councilwoman Parker, the resolution was unanimously adopted by a voice vote.

Councilman Swanson gives his report on property maintenance, specifically abandoned properties; and discussed the upcoming Fall Arts Festival being held this weekend.

## **Economic Development**

### **#13-171 - Resolution of Support from the City of Woodbury Authorizing the Woodbury Economic Development Office to Apply for a \$3,000 DEP Green Communities Grant Parks and Recreation/Community Relations**

Councilman Trovato presented the above-entitled resolution.

The City Clerk read the title of the resolution.

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

Councilman Trovato stated he has met with the owners of Del-Mar Steaks on Hopkins Street. They have concerns about trash being placed at the curb throughout the week, instead of just on the scheduled trash day, which causes an eyesore in front of his business. Also some trash is not in containers. Councilman Trovato has also discussed this with John Leech and Chief Merinuk and complaints have been signed against the offenders. Chief Merinuk stated that every option has been explored to rectify this situation; he is suggesting that our existing ordinance be amended to include stricter guidelines and enforcement.

**Parks/Recreation and Community Relations**

Councilwoman Parker stated that Midget Football had their opening day this past weekend; and attendance has been so over-whelming that parking is still an issue and has to be addressed.

Also, this Saturday prior to the High School Football game there will be a dedication in Honor of the former announcer for the high school football games, Mr. Dixon. The event will start at 10:00 am and all are encouraged to attend.

**Environmental and Green Acres**

Councilwoman Tierney stated that the Green Team has put together their draft for the tree ordinance and it is being reviewed before putting it before Council.

**Community Development**

Councilwoman Brown advised she attended the Ribbon Cutting Ceremonies at Central Baptist Church for the Boys and Girls Club earlier this evening.

**Property**

In Mr. Lockman’s absence, Councilman Trovato had nothing to report for this committee.

**Reports:**

Jean Wipf, Librarian for the Woodbury Public Library advised that the Library will be participating in the FAF this weekend.

**Engineer**

City Engineer Paul Breier submitted his written report and had nothing further to add.

**Police**

Noting to Report

**Economic Development**

Ms. Woerner was not in attendance.

**Mayor**

Mayor Volk stated plans have been received for a new business, Patients First at the old Basket and Bows property at 630 Mantua Pike.

**Clerk**

Mr. Duffield had nothing to report.

**Public**

On motion of Councilwoman Tierney, seconded by Councilwoman Brown, the floor was opened to the Public for Any Items.

Steven Abbott, 932 Washington Avenue –mentioned condition of the parking lot on Washington Avenue in North Woodbury, not a good first impression coming into Woodbury.

Gloria Holmes, 19 Nelson Avenue – refers to newspaper article regarding Council making decisions in closed session. President Fleming explains that Council members at times hold committee meetings and closed sessions but official action is only taken during open Council meetings.

Craig Klayman, President of Main Street Woodbury Inc came forward inform Council about some of the group’s current and future projects. He introduced Mary Carter who will serve as Interim Director for Main Street on an unpaid basis until a new Director is hired.

Lee Weatherby, 313 W. Centre Street and member of the Merchants and Professionals Assoc. mentioned their Annual Car Show, Cruise Nights, Christmas Parade and thanked Police, Public Works, Community Service for their help for all of the events

Hearing no one else, on motion of Councilwoman Tierney, seconded by Councilwoman Parker, and unanimously approved the Public Portion was closed.

There was a five minute recess before going into Executive Session. (approximately 8:40 pm)

EXECUTIVE SESSION

On motion of Councilwoman Parker, seconded by Councilman Swanson, and unanimously approved Council resumed the Regular Order of Business at approximately 8:50 pm.

**#2191-13 - Ordinance of the City of Woodbury Authorizing Execution of Consent to Assignment of Financial Agreement and Reallocation of Payments in Lieu of Taxes Regarding Redevelopment Zone – Zone #1 Commonly Referred to as The Woodbury Mews being Block 142, Lots 1, 2, 3, 4, 5 and 6**

Councilman Trovato presented the above-titled ordinance for second reading.

The City Clerk read the title of the ordinance.

On motion of Councilman Trovato, seconded by Councilwoman Tierney, and unanimously approved the Public Hearing on the ordinance was opened. .

Hearing no one, on motion of Councilman Trovato, seconded by Councilwoman Tierney, and unanimously approved the Public Hearing was closed.

On motion of Councilman Trovato, seconded by Councilwoman Parker, the ordinance was adopted by a roll call vote.

Ayes	7	Tierney, Hock, Swanson, Trovato, Brown, Parker, Fleming
Nays	0	
Absent	2	Lockman, Carter

**Adjournment**

There being no further business, on motion of Councilman Trovato, seconded by Councilwoman Parker, and unanimously approved the meeting was adjourned at 8:53 pm.

Respectfully submitted,

ROY A. DUFFIELD  
City Clerk

**Other Officials Present**

Administrator: Michael Theokas  
Chief Financial Officer: Robert Law  
City Clerk: Roy Duffield  
City Engineer: Paul Brier – Federici & Akin  
Librarian: Jean Wipf  
Police: Chief Reed Merinuk  
Solicitor: James Pierson, Esq.