

MINUTES OF CITY COUNCIL MEETING
September 26, 2011
7:30 p.m.

The Meeting was opened with the Pledge of Allegiance by President Pro-tempore Fleming.

There was a brief Moment of Silence.

The Open Public Meeting Statement was read by the City Clerk, Roy A. Duffield.

Roll Call

Present: Pottillo, Carter, Brown, Fleming, Louis, Tierney, Trout, Connor, Mayor Riskie

Absent: President Sloane

Minutes

On motion of Councilman Pottillo, seconded by Councilman Connor, the minutes of the August 23, 2011 joint meeting with the Woodbury Board of Education were approved.

On motion of Councilman Trout, seconded by Councilwoman Tierney, the minutes of the September 12, 2011 Council meeting were approved.

Changes In Agenda

President Pro-Tempore Fleming advised that Resolution #11-152 would be removed from the agenda; but will be discussed later, and he will ask Council to approve the payment of invoices for Group Melvin Design.

Public

On motion of Councilman Louis, seconded by Councilwoman Tierney, the regular order of business was suspended and the floor was opened to the Public for Agenda Items only.

As no one from the public came forward, on motion of Councilman Louis, seconded by Councilman Trout, the floor was closed and the Regular Order of Business was resumed.

Presentations:

Public Safety

Captain Timothy Sheehan, Joint Insurance Fund (JIF) Safety Coordinator introduced Bonnie Rick from Hardenbergh Insurance Group, the City's Risk Management Consultant (RMC).

Ms. Rick gave a PowerPoint presentation to Council and provided an overview of the JIF and Woodbury's progress with its Safety Committee and the City's commitment to safety.

President Fleming stated that he has been involved with JIF for 10 or more years as an Engineer, JIF Commissioner and Deputy Commissioner and finds these meetings extremely helpful. He feels the City's good record is a result of these meetings and the hard work of the officials involved.

Update on Eagle Scout project at American Legion Post #133

Eagle Scout Lyle Wagner came forward to thank the Mayor and Council and Engineer Ted Wilkinson for all their assistance in helping him complete his Eagle Scout project, which included lighting & flag poles at the Post. Lyle showed before & after pictures of the work he completed. He invited Mayor and Council to a dedication to be held there on November 5th from 12:00 pm to 1:00 p.m. and asked if Washington Avenue could be closed during that time. Mayor Riskie directed Lyle to talk to the Police Department and Councilmen Trout and Connor for any assistance he may need.

PUBLIC SESSION ON ORDINANCES AND RESOLUTIONS

Finance & Administration

ORDINANCE #2148-11 - An Ordinance Amending Ordinance #2144-11, "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 Inconsistent Herewith" (2nd Reading)

Councilwoman Tierney presented the above-entitled ordinance for final adoption.

The City Clerk read the title of the ordinance.

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

Hearing no one, on motion of Councilwoman Tierney, seconded by Councilman Louis, the Public Hearing was ordered closed.

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

Ayes	8	Pottillo, Carter, Brown, Fleming, Louis, Tierney, Trout, Connor
Nays	0	
Absent	1	President Sloane

#2149-11 - Ordinance Authorizing Execution of Financial Agreement with Woodbury Oakwood Urban Renewal Preservation, L.P. Regarding Lakeside (1st Reading)

Councilwoman Tierney presented the above-entitled ordinance.

The City Clerk read the title of the ordinance. Councilman Louis asked if we would have the full ordinance to review prior to the public hearing; Mr. Pierson assured him it would be emailed to Council in advance.

On motion of Councilwoman Tierney, seconded by Councilman Louis, the ordinance was passed on first reading by title only, to be advertised according to law, come up for second and final reading at the regularly scheduled meeting of Mayor and Council scheduled to be held on October 24, 2011.

#11-154 - Resolution Endorsing the Application & Submission of Grant Application and Execution of Agreement for Municipal Aid from the New Jersey Department of Transportation for Local Aid for the Resurfacing and Safety Improvements to Cooper Street #00215

Councilwoman Tierney presented the above-entitled resolution.

The City Clerk read the title of the resolution.

Councilwoman Tierney stated the Public Works Committee, Public Works Department and City Engineer have put together a five-year plan of streets that need repair throughout the City. Since Delaware Street is now being completed we will look ahead to Cooper St and Watkins St for next year. Councilman Louis commented that it is important to maintain the east-west corridor through the City.

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

#11-155 - Resolution Endorsing the Application & Submission of Grant Application and Execution of Agreement for Municipal Aid from the New Jersey Department of Transportation for Local Aid for the Resurfacing and Safety Improvements to Watkins Avenue #00216

Councilwoman Tierney presented the above-entitled resolution.

The City Clerk read the title of the resolution.

Councilman Fleming stated that this was the second project in the funding process.

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

#11-156 - Resolution Endorsing the Application & Submission of Grant Application and Execution of Agreement for Municipal Aid from the New Jersey Department of Transportation for Local Aid for a Safe Streets to Transit Grant Application #00027

Councilwoman Tierney presented the above-entitled resolution.

The City Clerk read the title of the resolution.

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

#11-157 - Resolution to Adjust Water Charges for 3rd Qtr 2011 Bill Due to Faulty Transmitter Unable to Send Actual Reading on Prior Periods Billed

Councilwoman Tierney presented the above-entitled resolution.

The City Clerk read the title of the resolution.

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

#11-158 - Resolution Authorizing Pay Plan on Balances for Water Not Previously Billed Correctly

Councilwoman Tierney presented the above-entitled resolution.

The City Clerk read the title of the resolution.

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

#11-159 - Resolution to Reimburse Tax Payment

Councilwoman Tierney presented the above-entitled resolution.

The City Clerk read the title of the resolution.

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

#11-161 - Resolution Authorizing A Shared Services Agreement with the Gloucester County Improvement Authority for Stage Rental on October 1, 2011 for the Greater Woodbury Fall Festival Parade

Councilwoman Tierney presented the above-entitled resolution.

The City Clerk read the title of the resolution.

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

#11-162 - Resolution Awarding Contract for FY 2011 Local Aid for Improvements to Delaware Street – Warren to Horace

Councilwoman Tierney presented the above-entitled resolution.

The City Clerk read the title of the resolution.

Mr. Ted Wilkinson, City Engineer explained that since the contract will be awarded to the same contractor (Ricky Slade Inc) working on Phase I, the milling/paving can all be done at once and should be completed by November 30.

Councilman Louis inquired why a lower bidder was not awarded the contract.

James Pierson, City Solicitor explained that the contractor was not registered with the state and there were discrepancies on the unit pricing portion of the bid sheet. For those reasons the lower bid had to be rejected.

Mr. Wilkinson described an issue with rainwater puddling on certain sidewalks and how it can be rectified.

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

#11-163 - Resolution Authorizing Retention of Structural Engineer with Demonstrated Experience with Historic Properties (Margaret Westfield)

Councilwoman Tierney presented the above-entitled resolution.

The City Clerk read the title of the resolution.

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

Vouchers

In addition to the voucher list, President Pro-Tempore Fleming requested approval to pay two vouchers for Group Melvin Design for their work on the Downtown Redevelopment Plan. Mayor Riskie inquired if a resolution was necessary to memorialize this action rather than a motion. Mr. Pierson, City Solicitor, suggested that it could be done by amending the

voucher list to include the two bills. At this point Mr. Fleming suspended the order of business to allow Mr. Law to retrieve the bills in question.

Engineer's Report-Bikeway Project

In the meantime President Pro-Tempore Fleming asked for the City Engineer's presentation on the Bikeway project. Mr. Wilkinson briefed Council & the public on the original plan and some of the changes that require State approval. Because of design difficulties, the Bikeway will not cross Broad Street. One segment of the trail will go from Francis Avenue Field along the creek to Broad Street; the other will go from the east side of Evergreen Ave to the area of the community garden off of East Red Bank Ave. In the future, we may look to connect the trail from Broad to Evergreen.

Mr. Fleming said it's not a perfect plan but it will be useful for biking & running. Mayor Riskie commented that the Roadrunners Club is looking for new places to run.

Mr. Wilkinson answered several questions by Council Members and the public including:

- 1) what is the difference in the cost of the revised plan? The original cost was estimated at \$500,000 but the pared-down plan will cost closer to \$350,000.
- 2) will the path be asphalt paved? Yes
- 3) will it be lighted? No, it is not to be used after dark.
- 4) Can the City use the unexpended grant funds for another project? No.
- 5) who will be responsible to maintain it? The City of Woodbury.

Vouchers (continued)

Discussion continued regarding invoices for Group Melvin Design totaling \$3,214.50, for services rendered including contacting potential redevelopers.

Councilwoman Tierney asked why we should pay Group Melvin for redevelopment efforts, since we recently appointed a full time Economic Development Director; who authorized them to do the work? President Pro-Tempore Fleming respectfully acknowledged Mrs. Ronda Abbruzzese's position of Economic Development Director; but stated she is not a "planner" and a Planner is needed for Phase III of the Redevelopment Plan.

President Pro-Tempore Fleming continued to reinforce the role that Group Melvin Design has played in our Redevelopment Plan. Since Mrs. Abbruzzese just recently took the position as Economic Development Director and Bob Melvin has attended all of the redevelopment meetings it was not unusual for him to follow through with contacting various developers.

Mayor Riskie stated that in his opinion, Mrs. Abbruzzese has contributed and has done a very good job with bringing in potential interested parties, and there was not a need to use Group Melvin Design for any additional services.

Councilman Louis expressed more concern over who was approving Group Melvin Design to act on behalf of the City.

There was more discussion between President Pro-Tempore Fleming regarding his position on Group Melvin being paid for services rendered, vs. Mayor Riskie's opinion of using Ronda Abbruzzese to do what she was hired to do. Also, Councilpersons Louis, Trout, Connor and Tierney's shared their views of letting the Planner do what is required of him in his capacity of City Planner only; and let the City's Economic Development Director do her job. In the meantime if additional involvement by someone else is required, then Council Members should be made fully aware and approval be granted prior to any vouchers being submitted.

Councilwoman Brown inquired why the vouchers were not paid previously and not on the voucher list this time. Mr. Law, Chief Financial Officer answered that because it was unclear whether they were authorized to do any work for the City, he did not put them on the voucher list.

On motion of Councilwoman Tierney, seconded by Councilman Trout, the vouchers as presented and certified were authorized to be paid; approved by unanimous voice vote.

On motion of Councilwoman Tierney, seconded by Councilman Trout, the vouchers as amended to include the \$3,214.50 due Group Melvin Design for his services rendered from August to October. However, before any additional work is done by this firm, prior approval will be required from Council after consideration and recommendation by the Finance Committee and Economic Development Committee.

On motion of Councilwoman Tierney, seconded by Councilman Trout, a voucher for Perna-Finnigan was approved by voice vote pursuant to the Engineers recommendation. The voucher in the amount of \$104,013.23 was for payment for work on Delaware Street Phase II project. (Note: this voucher was approved on the voucher list from the 9/12/11 council meeting.)

Public Safety

Councilman Louis had nothing to report.

Public Works/Utilities

Councilwoman Tierney stated she is requesting that the Public Works Committee Meeting previously scheduled for this week be postponed until the following week due to the

unavailability of the Tax Collector, Lorraine Roberts, who is preparing for the annual Tax Sale.

Economic Development

Councilman Trout advised that he continues to work with Ronda Abbruzzese to bring changes to the City. They recently visited the Glassboro area with several county personnel to witness the progress of the Rowan Boulevard Project.

President Pro-Tempore Fleming noted that Glassboro is about 3 years ahead of us in the redevelopment process and we look forward to see how it progresses.

President Pro-Tempore Fleming also requested authorization to submit our application for the ARRA funding for Way Finding & Pedestrian Safety. On motion of Councilman Trout, seconded by Councilwoman Tierney & approved by voice vote, the City Engineer was authorized to proceed with the application.

Mr. Fleming mentioned the channelization of Broad Street; he hopes for it to be funded in October. He also stated that he spoke to John Mathussen of DRPA who told him the environmental impact study for the Light Rail project will be awarded in 1-2 months.

Also, the City Engineer requested authorization to advertise for bids for a Front-End Loader for Public Works; funding has already been set aside in the recent bond ordinance. On motion of Councilwoman Tierney, seconded by Councilman Trout, authorization for the Front End Loader bids was approved as requested.

Personnel

#11-160 - Resolution Hiring Fireman for the City of Woodbury Fire Department

Councilman Pottillo presented the above-entitled resolution.

The City Clerk read the title of the resolution.

On motion of Councilman Pottillo, seconded by Councilman Connor, the resolution was approved by a voice vote. The swearing in will be held at a later date.

Councilman Pottillo stated he would like to recognize and thank everyone involved for the new fencing at the youth football fields recently installed, it is very much appreciated.

Environmental

Councilman Connor stated that the Green Team is in the process of

restructuring due to some changes in Sustainable Jersey guidelines. A meeting of the Committee will be held in the very near future and Councilman Connor will keep Council informed.

Community Development.

Councilwoman Brown stated that she heard some concerns from her constituents regarding Centre St being close adjacent to the GG Green Building. She spoke Captain Sheehan and he has agreed to allow two-way traffic temporarily until the GG Green Building situation is resolved.

Green Acres Program

Councilwoman Carter had nothing to report.

Report of Mayor

Mayor Riskie discussed the following:

- 1) The Mayor thanked all who attended the recent Town Clock Fundraiser at the train station, where \$3,800 was raised; bring the total to \$13,800 so far. The Mayor thanks all those who have supported the Town Clock Project. Donations are still being accepted.
- 2) The Annual Fall Festival Parade will be held this Saturday, October 1st. Special thanks to Councilwoman Tierney and Bob Law and Tom Dukelow for all their work;
- 3) The Woodbury Library will be showing the film 'Crude the Real Price of Oil' on Thursday, September 29, 2011. Another independent film 'the Vanishing Honey Bees' will be shown October 20th, both films are being presented from funding received from a grant; and
- 4) Mayor Riskie welcomed Larry Geiger, the City's new Main Street Director and thanked Mary Carter, Main Street President for helping in the process. (Mr. Geiger was not in attendance.)

Report of Clerk

Mr. Duffield, advised of the JIF Elected Officials training schedule stating that there are 4 dates to choose from. The closest one is December 1st at Nicolosi's Catering. JIF will grant the City a \$250 credit for each elected official that attends.

Also Mr. Duffield referenced a Letter from Solicitor James Pierson regarding email correspondence. Elected officials' correspondence pertaining to City business is a public record. Each council member is asked to maintain a file of their communications.

Open to the Public

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

Sylvia Phillips, 26 Nelson Avenue, daughter of Ella Mae Wing, came forward to read a letter from the Wing Family expressing their appreciation for the recognition of their mother's 107th birthday on June 16, 2011 with a Proclamation from Mayor Riskie. She also wanted to thank everyone for their words of kindness and visitations during their time of loss when Mrs. Wing passed on.

Mrs. Phillips then spoke on behalf of Lillian Shines of 60 Packard Avenue. Mrs. Shines would like Council to follow up on their promise in December of 2010 to replace the door of her home. (Ms. Shines was unable to attend the meeting and asked Ms. Phillips to express her concerns.)

Paul Bunn, 18 Packard Avenue, approached Council regarding the Group Melvin Design unpaid voucher. Mr. Bunn stated if Melvin Group was hired to do this job, then they should be paid. However, the price seems to be a little excessive and Council should reconsider using them if additional work is required.

Mr. Bunn pointed out that several City employees are retiring who have given many years of service to the City. He suggested that Council make a Proclamation honoring them.

Chris Davenport, Director of Main Street Salem in Salem, New Jersey introduced himself to give some testimony regarding vacant historic buildings that are endangered. Mr. Davenport stated he was asked by Mary Carter of WORC to describe to Council their experiences with a building in Salem. Jim Waddington, a Councilman from the City of Salem and also a member of the Main Street Salem joined Mr. Davenport for the presentation.

Mr. Waddington related that the City of Salem had a similar situation to Woodbury's G. G. Green Building. Mr. Waddington explained that the City of Salem wanted to save the Finlaw Building and what they went through in order to accomplish this task. Salem now has a 54,000 square foot building that houses state offices. The building had been vacant for 20 years, and it was an arduous process, but it can be done.

President Pro-Tempore Fleming asked some questions pertaining to exactly what steps Salem took to accomplish such a task.

Mayor Riskie made a point to tell the gentlemen from Salem that their presentation was a surprise to Council.

Heidi Louis, President of WORC, 102 N. Girard Street, advised Mayor Riskie that these gentlemen were here tonight at the request of WORC and Woodbury Main Street. The intent was to give Council other options to consider before making a final decision.

Councilwoman Tierney inquired what exactly is the process involved since the City does not own the building.

Mr. Pierson, City Solicitor, explained unlike the Finlaw Building, the Green Building is privately owned and has to be handled differently. It is on the State Historic Registry and our Code Official has declared the building an imminent hazard. The City has authorized architect Margaret Westfield to prepare an evaluation report to be submitted to the DEP. The City's may have to bear the financial responsibility to have the building demolished.

Councilwoman Tierney asked who will make the final decision on the building, since Council will not be meeting again until the end of October.

Mr. Pierson continued by advising that Council should move forward tonight with some type of decision before the next meeting. The Construction Official has advised that the building is in imminent danger of collapsing; however, he would suggest that at this time Council move forward with their application to DEP for the demolition of the building. If it is determined that the building can be salvaged, then Council could meet again to authorize stabilization of the building. The City is not committed to demolish the building just because we have authorized the Solicitor to proceed with an application to DEP.

Councilwoman Tierney stated that she understands WORC and Main Street are interested in saving the façade. What position is Council taking at this time; are we pushing to save the façade or are we going to demolish the building?

Mr. Pierson suggested that the architect's study be done and sent up to DEP. Council could then pursue whatever means that may be available to save the building or to bring the building down or save the facade.

After more conversation, Mr. Pierson requested some direction on how to move on some type of action tonight. It is the responsibility of the City to do something when they are aware that a building is in an unsafe condition. The final decision was to authorize Mr. Pierson to submit the Application to Demolish the Building to DEP.

Councilman Louis stated he understands that people want to keep a piece of history for our downtown area; but if a decision has to be made to demolish or stabilize the building we will make that decision.

Heidi Louis, 102 N. Girard Street ask if the building is to be demolished what would happen to the historic artifacts inside the building.

President Pro-Tempore Fleming reminded her that those artifacts are the property of the building's owner.

Mr. Pierson, City Solicitor, stated Mrs. Westfield is extremely sensitive to these types of details when making her report.

Nicholas Canizares, 62 Dubois Avenue, approached Council to express his opinion that demolishing the building, getting a business at that location and collecting taxes on the property would benefit the City.

Mr. Frank Myers, 433 Glover, of the Sketch Club Players approached Council to inquire whether emergency funds are available to repair their building, because of damage that was sustained during the recent earthquake. Repairs are estimated at \$14,000. Mr. Myers invited Mayor and Council to attend a performance on Thursday evening, September 29, 2011 and see the condition of the building firsthand.

There being no further business, on motion of Councilman Louis, seconded by Councilman Trout, the Public Portion was closed.

Adjournment

There being no further business, on motion of Councilman Louis, seconded by Councilwoman Tierney, the meeting was adjourned at 10:11 pm.

ROY A DUFFIELD
City Clerk

OTHER OFFICIALS PRESENT

Administrator: Karl Kinkler
Assessor: Roy Duffield
Chief, Financial Officer: Robert Law
City Engineer: Ted Wilkinson, PE
Economic Development Director: Ronda Abbruzzese
Librarian: Jean Wipf
Police: Captain Timothy Sheehan
Public Works: William Lynch
Solicitor: James Pierson, Esq.