

**REGULAR COUNCIL MEETING  
BOROUGH OF WOODBURY HEIGHTS  
500 ELM AVENUE, WOODBURY HEIGHTS, NJ 08097  
MARCH 17, 2010 7:30 P.M.**

Mayor Harry W. Elton, Jr. called the meeting to order with the following note: Adequate notice of this meeting has been provided by adopting a schedule of meetings for 2010 which was faxed and mailed to the Gloucester County Times and Courier Post on January 4, 2010 and posted on the bulletin board in the Municipal Building conforming to the directives of the "Open Public Meetings Act".

Mayor Elton led everyone in the Pledge of Allegiance.

A call of the roll showed the following to be present: Councilwoman Susan S. Degnen, Councilman Brett D. Scull, Councilman Duane Pheasant and Councilman Eshia "Jake" Jacob. Absent were Councilman Harold "HAP" Pye and Councilwoman Debra Truhan. Also in attendance were Brian Lozuke, Esq., Solicitor, Don Edwards of Sickels & Associates and Janet Pizzi, Clerk/Administrator.

A motion to approve the minutes of the Regular Meeting February 17, 2010 and the Special Meeting February 23, 2010 was made by Councilman Scull and seconded by Councilman Pheasant. A roll call vote went as follows:

Degnen	abstain
Scull	yes
Pheasant	yes
Jacob	yes

The minutes were approved.

For the month of February 2010, the Clerk reported total receipts in the amount of \$610.53. Of this amount, \$332.33 was turned over to the Treasurer and \$278.20 was deposited into the Dog Fund.

**PUBLIC PORTION:** Mayor Elton opened the meeting to the public for question or comment and upon hearing none, closed same.

**ENGINEER'S REPORT:** The Engineer reported that he prepared two CDBG applications for 2010. One is for improvements to Lake Avenue to include milling and paving and the second is for the construction of ADA compliant bleachers and ADA conforming access sidewalks at the Helen Avenue Public Sports Complex.

**SOLICITOR'S REPORT**

**ORDINANCES  
FINAL READING/PUBLIC HEARING**

**ORDINANCE 6-2010**

**ORDINANCE AMENDING CHAPTER 51 OF THE WOODBURY HEIGHTS CODE, IN PART, AND REPEALING SECTIONS 51-5 THROUGH SECTION 51-46 AND TO OTHERWISE ESTABLISH REGULATIONS AND REQUIREMENTS FOR THE PURPOSE OF THE CONTROL, PROTECTION AND LICENSING OF CERTAIN DOMESTICATED ANIMALS AND THE PROTECTION OF PERSONS AND PROPERTY IN THE BOROUGH OF WOODBURY HEIGHTS, COUNTY OF GLOUCESTER AND STATE OF NEW JERSEY**

Solicitor Lozuke read Ordinance 6-2010 by title only. Mayor Elton opened the ordinance to the public for question or comment. Shelly Bronum of Glassboro Road asked why this was necessary. Mayor Elton responded that this was requested by resident who had been attacked by a stray cat. Discussion ensued. Upon hearing no additional questions or comments, Mayor Elton closed the ordinance to the public. A motion to approve Ordinance 6-2010 was made by Councilman Scull and seconded by Councilman Jacob.

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ORDINANCE 6-2010 (CONTINUED)

A roll call vote went as follows:

Degnen	yes
Scull	yes
Pheasant	yes
Jacob	yes

Ordinance 6-2010 was approved.

**ORDINANCE 7-2010**

**BOND ORDINANCE AUTHORIZING VARIOUS CAPITAL IMPROVEMENTS AND THE ACQUISITION OF PUBLIC SAFETY EQUIPMENT IN AND FOR THE BOROUGH OF WOODBURY HEIGHTS, COUNTY OF GLOUCESTER, NEW JERSEY; APPROPRIATING THE SUM OF \$485,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE BOROUGH OF WOODBURY HEIGHTS, COUNTY OF GLOUCESTER, NEW JERSEY, IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$228,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

Solicitor Lozuke read Ordinance 7-2010 by title only. Mayor Elton opened this ordinance to the public for question or comment. Joseph Brasberger, Chestnut Avenue asked what projects are included. Mayor Elton responded reconstruction of West Jersey Avenue, renovations and construction of ADA compliant restroom facilities at the Woodbury Heights Fire House and acquisition of public safety equipment. Upon hearing no additional questions or comments, Mayor Elton closed the ordinance to the public. Due to lack of sufficient quorum to vote, a motion to table Ordinance 7-2010 until the next meeting of Mayor and Council was made by Councilman Scull and seconded by Councilman Pheasant. A roll call vote in favor was unanimous. Ordinance 7-2010 was tabled.

**ORDINANCE 8-2010**

**ORDINANCE ESTABLISHING NO PARKING ZONE**

Solicitor Lozuke read Ordinance 8-2010 by title only. Mayor Elton opened this ordinance to the public for question or comment and upon hearing none, closed same. Councilman Scull confirmed that this ordinance pertains to the Giant Fitness side of the road only. A motion to approve Ordinance 8-2010 was made by Councilman Pheasant and seconded by Councilwoman Degnen. A roll call vote in favor was unanimous. Ordinance 8-2010 was approved.

**ORDINANCE 9 - 2010**

**ORDINANCE AMENDING ORDINANCE 1 – 2010 ENTITLED "ORDINANCE ESTABLISHING SALARIES AND COMPENSATION OF VARIOUS BOROUGH OFFICERS AND EMPLOYEES OF THE BOROUGH OF WOODBURY HEIGHTS FOR THE CALENDAR YEAR 2010"**

Solicitor Lozuke read Ordinance 9-2010 by title only. Mayor Elton opened this ordinance to the public for question or comment. Joseph Brasberger, Chestnut Avenue asked if this was a pay raise. Councilman Scull responded that this creates the salary for the new public works mechanic for vehicle maintenance. A motion to approve Ordinance 9-2010 was made by Councilman Scull and seconded by Councilman Jacob. A roll call vote in favor was unanimous. Ordinance 9-2010 was approved.

**ORDINANCES  
(continued)**

**FIRST READING/INTRODUCTION**

**ORDINANCE 10 - 2010**

**ORDINANCE PROVIDING FOR THE DEFENSE AND INDEMNIFICATION  
OF MUNICIPAL OFFICIALS AND EMPLOYEES FROM CIVIL CLAIMS**

Solicitor Lozuke read Ordinance 10-2010 by title only. A motion to approve this ordinance on first reading was made by Councilman Pheasant and seconded by Councilwoman Degnen. A roll call vote in favor was unanimous. Ordinance 10-2010 was approved on introduction.

**ORDINANCE 11 - 2010**

**ORDINANCE AMENDING RATES FOR WATER AND SEWER UTILITY  
SERVICES**

Solicitor Lozuke read Ordinance 11-2010 by title only. A motion to approve this ordinance on first reading was made by Councilman Scull and seconded by Councilman Jacob. A roll call vote in favor was unanimous. Ordinance 11-2010 was approved on introduction.

**RESOLUTIONS**

**RESOLUTION 35 - 2010**

**RESOLUTION AUTHORIZING REFUND OF DEVELOPMENT REVIEW  
ACCOUNT BALANCES**

Solicitor Lozuke read Resolution 35-2010 by title only. A motion to approve this resolution was made by Councilman Pheasant and seconded by Councilman Scull. A roll call vote in favor was unanimous. Resolution 35-2010 was approved.

**RESOLUTION 36 - 2010**

**RESOLUTION APPROVING PERFORMANCE SURETY ESTIMATE AND  
INSPECTION ESCROW FOR SITE IMPROVEMENTS AT BLOCK 41, LOT 5.01**

Solicitor Lozuke read Resolution 36-2010 by title only. A motion to approve this resolution was made by Councilman Scull and seconded by Councilman Jacob. A roll call vote in favor was unanimous. Resolution 36-2010 was approved.

**RESOLUTION 37 - 2010**

**RESOLUTION AUTHORIZING SALE OF ABANDONED MOTOR VEHICLES**

Solicitor Lozuke read Resolution 37-2010 by title only. A motion to approve this resolution was made by Councilman Pheasant and seconded by Councilwoman Degnen. A roll call vote in favor was unanimous. Resolution 37-2010 was approved.

**RESOLUTION 38 - 2010**

**RESOLUTION APPOINTING A HEARING OFFICER**

Solicitor Lozuke read Resolution 38-2010 by title only. A motion to approve this resolution was made by Councilman Pheasant and seconded by Councilman Scull. A roll call vote in favor was unanimous. Resolution 38-2010 was approved.

**RESOLUTION 39 - 2010**

**RESOLUTION APPOINTING PRESENTING ATTORNEY FOR A POLICE  
DISCIPLINARY HEARING**

Solicitor Lozuke read Resolution 39-2010 by title only. A motion to approve this resolution was made by Councilman Pheasant and seconded by Councilman Scull. A roll call vote in favor was unanimous. Resolution 39-2010 was approved.

**RESOLUTIONS (CONTINUED)**

**RESOLUTION 40 - 2010**

**RESOLUTION PETITIONING THE NEW JERSEY SUPERIOR COURT  
FOR SUBSTANTIVE CERTIFICATION OF AN ADOPTED HOUSING  
ELEMENT AND FAIR SHARE PLAN**

Solicitor Lozuke read Resolution 40-2010 by title only. A motion to approve this resolution was made by Councilman Scull and seconded by Councilwoman Degnen. A roll call vote in favor was unanimous. Resolution 40-2010 was approved.

**RESOLUTION 41 - 2010**

**RESOLUTION AUTHORIZING AN APPLICATION TO THE GLOUCESTER  
COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FOR  
THE PROGRAM YEAR 2010**

Solicitor Lozuke read Resolution 41-2010 by title only. A motion to approve this resolution was made by Councilman Scull and seconded by Councilman Pheasant. A roll call vote in favor was unanimous. Resolution 41-2010 was approved.

**RESOLUTION 42 - 2010**

**RESOLUTION AUTHORIZING AN APPLICATION TO THE GLOUCESTER  
COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FOR  
THE PROGRAM YEAR 2010**

Solicitor Lozuke read Resolution 42-2010 by title only. A motion to approve this resolution was made by Councilman Scull and seconded by Councilman Pheasant. A roll call vote in favor was unanimous. Resolution 42-2010 was approved.

**COMMITTEE REPORTS**

**PROPERTY:** Councilwoman Degnen reported that she attended the JIF kick-off breakfast. The Borough received a bronze award. She is currently working with JIF on issues pertaining to the maintenance mechanic shared services agreement. The school budget public hearing for Gateway Regional High School will be held on March 29 and for Woodbury Heights Elementary School on March 30. The 2010 Teacher of the Year is Karen Gismondi. The Borough is looking to change telephone service providers to save money.

**FINANCE:** Councilman Scull reported that delinquent tax notices have gone out. Bond Ordinance 7-2010 was tabled due to lack of quorum. The Architect has submitted the specs for the barrier free bathroom renovations at the firehouse.

**PUBLIC SAFETY:** Councilman Pheasant presented the Police Department report for March 2010. A copy of this report will be on file in the Clerk's office.

**RECREATION AND CIVIC:** Councilman Jacob reported that baseball opening day will be held on April 10. Clean Communities at the athletic fields will be held on March 27. National Day of Prayer is May 6. Veterans Park bricks are still available.

Councilman Jacob introduced Harold Spence, Office of Consumer Protection, Weights and Measures. Mr. Spence will be attending Council meetings to offer any assistance his office can offer residents.

Mayor Elton reported that every project on Rt 45 is moving along. Giant Fitness has about two months until they are ready for a Certificate of Occupancy. The ground breaking for Capital Bank will be held on March 24.

**BILL LIST:** A motion to approve the bill list as presented was made by Councilman Scull and seconded by Councilman Jacob. A roll call vote in favor was unanimous. The bill list was approved.

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**PUBLIC PORTION:** Mayor Elton opened the meeting to the public for questions or comments.

Henry Lunn, Holly Avenue: Mr. Lunn stated that there are people doing work in there and trucks outside without any names and asked if they have the proper permits for the work.. Mayor Elton responded that Giant Fitness is currently up to date with their permits.

Joseph Brasberger, Chestnut Avenue: Mr. Brasberger handed Mayor and Council pictures of the front of his property and asked why the pipe there isn't being maintained. David Baresich, Superintendent of Public Works stated he would be over to check it out. Mr. Brasberger asked if the new development project would have an impact on the Borough's water and sewer. The Mayor responded yes. Mr. Brasberger stated that he has maintained the paper street for over 30 years and wants the developer to take responsibility. Mayor Elton replied that no approval has been granted for this project. Mr. Brasberger asked what is being done about rental enforcement. Councilman Scull replied that they are currently looking into this. Discussion ensued.

Upon hearing no additional questions or comments, Mayor Elton closed the meeting to the public.

A motion to adjourn was made by Councilman Pheasant and seconded by Councilman Scull. All of Council agreed. The meeting adjourned at 8:35 p.m.

Respectfully submitted,

Janet Pizzi, Clerk/Administrator