

**REGULAR COUNCIL MEETING
BOROUGH OF WOODBURY HEIGHTS
500 ELM AVENUE, WOODBURY HEIGHTS, NJ 08097
MAY 19, 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.

The call of the roll showed the following to be present: Councilwoman Susan S. Degnen, Councilman Brett D. Scull, Councilman Harold "HAP" Pye, Councilman Duane Pheasant, Councilwoman Debra Truhan and Councilman Eshia "Jake" Jacob. Also in attendance were Solicitor Brian Lozuke, Borough Auditor Michael Welding, Borough Engineer Don Edwards and Borough Clerk/Administrator Janet Pizzi.

A motion to approve the minutes of the Regular Council Meeting April 21, 2010 and the Special Meeting May 11, 2010 was made by Councilman Pheasant and Councilman Pye. A roll call vote in favor was unanimous.

The Borough Clerk reported for the month of April 2010 total receipts in the amount of \$1,142.84. Of this amount, \$1,085.24 was turned over to the Treasurer and \$51.00 was deposited into the Dog Fund.

PUBLIC PORTION: Mayor Elton opened the meeting to the public for question or comment.

Rose Yerka, Stratford Avenue: Mrs. Yerka asked Mayor for an update on the Academy Avenue and Glassboro Road Projects. The Mayor responded that the Academy Avenue project is in litigation and there is nothing new to report on the Glassboro Road project.

Hearing no further questions or comments, Mayor Elton closed the public portion of the meeting.

The Borough Engineer Don Edwards submitted the following report:

1. West Jersey Avenue Reconstruction: Met with nearby residents on April 28th to discuss project and answer questions. Construction plans submitted to NJDOT for approval. Received approval from Soil Conservation District. Request Council's authorization to put this project out for bids.
2. Community Building: Submitted plans to the Soil Conservation District for approval. We have a Green Acres Public Hearing tonight. Project is currently out for bids. Bid opening is scheduled for June 3rd. Tentative schedule is to open Community Building in January 2011.
3. Public Works Garage: This project is also out for bids with the Community Building. Will bid this project along with Community Building, so we get better prices (economy of scale).
4. Community Development Block Grant (CDBG) Application: Awaiting formal response from the County. This project involves milling and paving Lake Avenue from Glassboro Road to Grandview Avenue, and ADA-compliant improvements to the Helen Avenue ball fields including sidewalks and bleachers.
5. College Square (including Penn Medical): Curb and sidewalk completed. Base pavement completed. Installing surface pavement.
6. Y-Buy Site: Work is almost complete. Need to complete the handicap ramp improvements.
7. Giant Fitness: Curb and sidewalk completed. The parking lot improvements are continuing.
8. Capitol Bank: Site has been rough graded. Building is under roof.

SOLICITOR'S REPORT:

**ORDINANCES
FINAL READING/PUBLIC HEARING**

ORDINANCE 12-2010

ORDINANCE AMENDING SECTION 107-1A OF THE WOODBURY HEIGHTS CODE AND REPEALING A PART OF ORDINANCE 19-1996

Solicitor Lozuke read Ordinance 12-2010 by title only. Mayor Elton opened the public hearing on this ordinance for question or comment and upon hearing none, closed same. A motion to approve Ordinance 12-2010 was made by Councilwoman Degnen and seconded by Councilman Jacob. A roll call vote in favor was unanimous. Ordinance 12-2010 was approved.

ORDINANCE 13-2010

ORDINANCE REVISING WATER AND SEWER CONNECTION FEES

Solicitor Lozuke read Ordinance 13-2010 by title only. Mayor Elton opened the public hearing for this Ordinance. Traci Davis of Lincoln Avenue asked if these fees are in line with the current rate increases. Mayor Elton replied that these are one-time connection fees associated with new connections to our existing system. Upon hearing no additional questions or comments Mayor Elton closed the public hearing for Ordinance 13-2010. A motion to approve Ordinance 13-2010 was made by Councilman Pheasant and seconded by Councilwoman Degnen. A roll call vote in favor was unanimous. Ordinance 13-2010 was approved

ORDINANCE 14-2010

ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S. 40A:4-45.14)

Solicitor Lozuke read Ordinance 14-2010 by title only. Mayor Elton opened the public hearing for questions or comments. Rose Yerka of Stratford Avenue asked for an explanation. Borough Auditor Michael Welding replied that this ordinance allows the Borough to increase the appropriation cap up to 3.5% because although the Borough is still \$90,000 under the cap, anything that the Borough doesn't use can be banked for two years. If the Borough has an emergency for 2011 or 2012, we will have to use the \$90,000. We are asking the State for \$95,491. Donald Dunn, Maple Avenue asked if the Borough employees are unionized. The Mayor replied that they are. Mr. Dunn asked if the employees contribute anything towards their medical benefits coverage and the Mayor replied that some do. Mr. Dunn asked if public works employees contribute. Mayor Elton replied that he does not believe they do. Mr. Dunn asked Mayor Elton if he believes that is reasonable. Mayor Elton responded that he feels it would be reasonable for employees to contribute. Councilwoman Truhan stated that the Governor's mandate for employee contribution of 1.5% of gross wages to health benefits will take effect at the end of the current collective bargaining unit contract. Mr. Dunn stated that he was employed by a Fortune 500 company for 50 years and never had free medical insurance. He has been on Medicare for 6 years and he and his wife pay \$6,000 per year for Part B and Medigap. He stated that he pays \$6,000 a year and the person who picks up his brush pays nothing. He said that it doesn't sound fair. Mayor Elton stated that Borough employees do more than pick up brush and trash and employment is kept to a minimum. Ken Brown of Brooklawn Avenue stated that the people who pick up Mr. Dunn's brush and trash have a pay scale of about one tenth of what Mr. Dunn made. He does not believe in free medical but considers what they make versus what most people in town make. Discussion ensued. Mr. Dunn stated for the record that the salary level is adequate and employees are no longer low paid and justified to tax funded free medical. Mayor Elton stated that the climate is obviously changing and he and Council are well aware of this and they anticipate the next negotiation to be quite different from the past. Upon hearing no additional questions or comments, Mayor Elton closed Ordinance 12-2010 to public. A motion to approve this ordinance was made by Councilman Pheasant and seconded by Councilman Scull. A roll call vote in favor was unanimous. Ordinance 14-2010 was approved.

RESOLUTIONS

RESOLUTION 47-2010

RESOLUTION AUTHORIZING REIMBURSEMENT OF WATER SERVICE FEES

Solicitor Lozuke read Resolution 47-2010 by title only. A motion to approve this resolution was made by Councilwoman Truhan and seconded by Councilman Scull. A roll call vote in favor was unanimous. Resolution 47-2010 was approved.

RESOLUTION 48-2010

RESOLUTION AUTHORIZING REFUND OF TAXES FOR BLOCK 104, LOT 3

Solicitor Lozuke read Resolution 48-2010 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 48-2010 was approved.

RESOLUTION 49-2010

RESOLUTION AUTHORIZING SERVICE AGREEMENT WITH THE DEPTFORD TOWNSHIP MUNICIPAL UTILITIES AUTHORITY

Solicitor Lozuke read Resolution 49-2010 by title only. A motion to approve this resolution was made by Councilman Pheasant and seconded by Councilman Pye. A roll call vote in favor was unanimous. Resolution 49-2010 was approved.

RESOLUTION 52-2010

RESOLUTION AUTHORIZING THE EXTENSION OF A CONTRACT FOR PROFESSIONAL PLANNING SERVICES

Solicitor Lozuke read Resolution 52-2010 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 52-2010 was approved.

RESOLUTION 53-2010

RESOLUTION AWARDING CONTRACT FOR THE "ADDITIONS AND MODIFICATIONS TO THE WOODBURY HEIGHTS FIRE DEPARTMENT BUILDING PROJECT"

Solicitor Lozuke read Resolution 53-2010 by title only. A motion to approve this resolution was made by Councilwoman Degnen and seconded by Councilman Scull. A roll call vote in favor was unanimous. Resolution 53-2010 was approved.

RESOLUTION 54-2010

RESOLUTION AUTHORIZING SHARED SERVICES AGREEMENT WITH THE COUNTY OF GLOUCESTER

Solicitor Lozuke read Resolution 54-2010 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 54-2010 was approved.

RESOLUTION 55-2010

RESOLUTION AUTHORIZING INVITATION OF BIDS FOR THE COMMUNITY BUILDING AND PUBLIC WORKS GARAGE PROJECT

Solicitor Lozuke read Resolution 55-2010 by title only. A motion to approve this resolution was made by Councilman Pye and seconded by Councilman Scull. A roll call vote in favor was unanimous. Resolution 55-2010 was approved.

RESOLUTIONS (CONTINUED)

RESOLUTION 56-2010

RESOLUTION OF ADOPTION BOROUGH OF WOODBURY HEIGHTS, NEW JERSEY, MULTI JURISDICTIONAL HAZARD MITIGATION PLAN

Solicitor Lozuke read Resolution 56-2010 by title only. A motion to approve this resolution was made by Councilman Jacob and seconded by Councilman Scull. A roll call vote in favor was unanimous. Resolution 56-2010 was approved.

RESOLUTION 57-2010

RESOLUTION AUTHORIZING SERVICE AGREEMENT BETWEEN THE BOROUGH OF WOODBURY HEIGHTS AND THE DEPTFORD TOWNSHIP MUNICIPAL AUTHORITY- PULLED (DUPLICATE) SEE RESOLUTION 49-2010

RESOLUTION 58-2010

RESOLUTION AUTHORIZING THE 2010 MUNICIPAL BUDGET TO BE READ BY TITLE ONLY AT THE PUBLIC HEARING

Solicitor Lozuke read Resolution 58-2010 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 58-2010 was approved.

RESOLUTION 59-2010

RESOLUTION AUTHORIZING INVITATION OF BIDS FOR NEW IN-CAR DIGITAL VIDEO RECORDING SYSTEMS FOR THE BOROUGH OF WOODBURY HEIGHTS POLICE DEPARTMENT

Solicitor Lozuke read Resolution 59-2010 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 59-2010 was approved.

RESOLUTION 60-2010

RESOLUTION AUTHORIZING INVITATION OF BIDS FOR NEW MOBILE DATA TERMINALS FOR THE BOROUGH OF WOODBURY HEIGHTS POLICE DEPARTMENT

Solicitor Lozuke read Resolution 60-2010 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 60-2010 was approved.

PUBLIC HEARING:

RESOLUTION 46-2010

2010 MUNICIPAL BUDGET

Mayor Elton opened the public hearing for the 2010 Municipal Budget. The Borough Clerk distributed copies of the budget document to members of the public. Mrs. Yerka asked for an explanation of Resolution 54-2010. Mayor Elton responded that it is a county shared service for vehicle washing. This service is provided at no cost to the Borough. Mrs. Yerka asked what the tax increase will be for the average homeowner. Borough Auditor Michael Welding responded that on a house assessed at \$140,000 the annual local increase will be \$77.00 or \$6.45 per month. Mrs. Yerka asked if the assessed values will increase next year. Mr. Welding responded that it is set by the County and it will rotate every three years. Municipalities have budgets that are based on assessed value and the County's budget is based on equalized value. It will take several years to get everyone up to date; however, afterwards, it will be easier to do a reassessment instead of a full valuation. Mrs. Yerka asked about ambulance shared services. Mayor Elton responded that we have a new ambulance that was paid for by the Federal Government with FEMA grant money. The Borough has a very high turn out rate and we are comparable to the county and provide back up to the county. If we are ever in a position that we need another ambulance or that we are going to incur some expenses then we will move on to the county. Councilman Pye explained that if we go with the County now, our three year old ambulance, paid for by the FEMA grant, will be

PUBLIC HEARING 2010 MUNICIPAL BUDGET (CONTINUED)

taken out of Woodbury Heights and placed in possibly Mantua and the County will respond from there. The Woodbury Heights response time is 6 minutes. The county response time is just under 9 minutes. Solicitor Lozuke added that there was not a formal vote taken by the Council or any other municipality for the tax assessor pilot program. This was approved by the NJ State Legislature and ultimately signed by Governor Corzine. Gloucester County is the only county in the State under which this program has been put into effect. Neither the Borough of Woodbury Heights nor any other municipality had a say with respect to participating or not. Every municipality is required to participate in the Joint County Tax Assessor Program. It's contemplated that within the next five years each municipality will be phased in and it is determined by the county when the municipalities will be phased in. The initial municipalities that are phased in immediately are those municipalities that have conducted or completed a reassessment or revaluation over the last two years. The benefits to every municipality are the potential cost of revaluation or reassessment is assumed by the County. The County will also pick up and defend any cost of tax appeals filed throughout every municipality. In consideration of that participation, each municipality, depending upon phase in, is required to abolish the position of Tax Assessor locally. Although it is a lost position, it is ultimately a cost savings to each municipality. Mr. Harold Spence, Director of the County Department of Consumer Protection Weights and Measures offered to help obtain information for Mrs. Yerka pertaining to EMS and Tax Assessor shared services. Traci Davis, Lincoln Avenue, asked Mayor Elton why there was a water and sewer rate increase. Mayor Elton replied that the well had to be rebuilt last year. He also stated that the Borough is considering shared services with Deptford Township and looking at two parties interested in buying the Borough utilities. We need to know what the value of our utilities system is. If we would sell out right, the water and sewer system would be sold together. The money would go into the general fund and could be used to off set taxes. Also, if we go with a bigger water purveyor or even Deptford Township, obviously our rates will come down because the cost will be spread out further. The Borough Auditor explained that the Borough had two main issues. The first is the cost of our infiltration and in-flow through the Gloucester County Utilities Authority. We are pumping a lot of waste water over to be processed by GCUA and their rates continue to go up. The Borough has not raised its rates in five to seven years for sewer. Also, we have to use NJ American Water for any increase in water allocation, such as for repairs. Mayor Elton noted that the Borough is only allowed to pump so much water out of the ground every year through our well. About ten years ago, regulation mandated that we find another source for water and there was no other source at that time. NJ American Water Co. put a system in from Delran through Camden County and all the way down here. We have to buy the remainder of our water from them. They are our only supplier. Their rates are handled by the Board of Public Utilities and there are public hearings held on their rate increases. Residents are using more water requiring the purchase of more water which is at a higher rate. This water is going into our sanitary sewer which we pay to get rid of at the Gloucester County Utilities Authority. Our system is 70 years old and it needs upgrading. We cannot afford to replace all the sewer lines in town. Whenever possible our public works department employees are doing infiltration projects throughout town. They have been putting in two lines next to a sewer line to take the ground water out keeping it from going into our sanitary sewer. The rain and snow goes into our sanitary sewer. Our infiltration numbers are higher than they've been in years and they've been going up for the last 15 years. The bills from GCUA and NJ American Co were so bad last year we had to raise rates immediately. Ms. Davis asked if this would be on the top of the agenda to be taken care of and Mayor Elton replied that we need to act in the best interest of the Borough. We do not want to give our water system away. If we put it on the open market, we want to see what the benefits are and if we still have some say in it. We could sell our system tomorrow and live happy for ten years but come the eleventh year we don't know what will happen. Discussion ensued. Donald Dunn, Maple Avenue asked if the Borough ever considered a police merger with a neighboring town. Mayor

PUBLIC HEARING-2010 MUNICIPAL BUDGET (CONTINUED)

Elton responded that we would love to do it. We proposed this with Wenonah about 15 years ago and they it shot down at the public hearing. People may be more receptive to it now. We have to wait and see if any town is interested and what's best for us. Margaret Riordan, Auburn Street stated that she loves living in a small town because if you live in the city you won't get a police or ambulance response like you do here. Rose Yerka, Stratford Avenue asked about extraordinary aid. Mayor Elton stated that our application for aid was based on Rt 45. Now that we have some life in that area, the State is cutting us off. Mrs. Yerka asked about Clean Communities money. Mike Welding replied that the County has not yet released their numbers. Mayor Elton advised the public that we are not adopting the budget tonight instead we are going to wait because we anticipate changes. Margaret Riordan of Auburn Street asked if we are getting taxes from LA Fitness and the Mayor responded yes. Also, Mayor Elton advised that there are no tax appeals this year. Upon hearing no additional questions or comments, Mayor Elton closed the public hearing of the 2010 Municipal Budget.

SHARED SERVICES AGREEMENT BETWEEN THE BOROUGH OF WOODBURY HEIGHTS, BOROUGH OF NATIONAL PARK AND THE BOROUGH OF WENONAH FOR THE PROVISION OF MECHANICAL REPAIRS AND MAINTENANCE OF MUNICIPAL VEHICLES AND EQUIPMENT

Councilwoman Truhan stated that National Park and Wenonah are reviewing the shared services agreement for vehicle repair and maintenance. Mayor Elton explained that the Borough has hired a mechanic to off-set our contractual services for Borough, Police and Fire vehicles. The shared services agreement will generate revenue into the Borough because our mechanic will provide these services to other municipalities at a cost as set in this agreement.

COMMITTEE REPORTS

Property and Environmental: Councilwoman Degnen stated that a newsletter will be going out soon and she is updating the website.

Finance and Administration: Councilman Scull reported that his report is based on the budget which was already discussed; therefore, his report will be on file in the Clerk's office. This year's budget will have a 5.5 cent increase to our local municipal tax.

Streets and Roads: Councilman Pye stated that we will be receiving FEMA grant monies for disaster relief for the snow storms in December 2009 and March 2010. The Borough has received a DOT grant for the Reconstruction of West Jersey. A copy of this report will be on file in the Clerk's office.

Public Safety: Councilman Pheasant presented the Police report. A copy of this report will be on file in the Clerk's office.

Water and Sewer: Councilwoman Truhan stated that her report will be on file in the Clerk's office.

Recreation and Civic: Councilman Jacob reported that the Athletic Association donated the press box in memory of the late Mayor Emeritus Donald W. Steward. The Fishing Derby is coming up on June 5. The Borough will be hosting movie night on August 6. Rose Yerka thanked Councilman Jacob for the National Day of Prayer Ceremony.

Mayor Elton reported good progress on Rt. 45.

JIF REPORT: Councilwoman Degnen stated that there is no JIF report this evening.

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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.

PUBLIC PORTION: Mayor Elton opened the meeting to the public for question or comment:

Rose Yerka, Stratford Avenue: Mrs. Yerka asked about the Gateway Budget. Councilman Scull stated that the Borough approved Gateway's budget with an \$80,000 reduction.

Upon hearing no further questions or comments, Mayor Elton closed the public portion of the meeting.

ADJOURNMENT: A motion to adjourn was made by Councilman Scull and seconded by Councilman Pheasant. All of Council agreed. The meeting adjourned at 8:46 p.m.

Respectfully submitted,

Janet Pizzi, Clerk/Administrator