

**REGULAR COUNCIL MEETING
BOROUGH OF WOODBURY HEIGHTS
500 ELM AVENUE, WOODBURY HEIGHTS, NJ 08097
OCTOBER 20, 2010 7:30 P.M.**

In the absence of Mayor Harry W. Elton, Jr., Council President Brett D. Scull 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".

Councilman Scull led everyone in the Pledge of Allegiance.

The call of roll showed the following to be present: Councilwoman Susan S. Degnen, Councilman Harold "HAP" Pye, Councilman Duane Pheasant, Councilwoman Debra Truhan, Councilman Eshia "JAKE" Jacob and Councilman Brett D. Scull. Also in attendance were Borough Solicitor Barry Lozuke, Borough Engineer Don Edwards, Sandra Kraus, CMFO and Janet Pizzi, Clerk/Administrator. Absent was Mayor Harry W. Elton, Jr.

A motion to approve the minutes of the Regular Council Meeting 09-15-2010 was made by Councilman Pheasant and seconded by Councilwoman Degnen. A roll call vote went as follows:

DEGNEN:	YES
PYE	YES
PHEASANT	YES
TRUHAN	ABSTAIN
JACOB	YES
SCULL	YES

The minutes were approved.

PUBLIC PORTION: Councilman Scull opened the meeting to the public for questions or comments.

Tammy Dellafave, Republican Candidate for Mayor: Mrs. Dellafave advised she was informed by residents that the Borough no longer has a Mamco housing issue, we now have the light rail coming through. Councilman Scull asked Solicitor Lozuke if he is allowed to discuss this issue and Solicitor Lozuke explained to Mrs. Dellafave about the builder's remedy litigation. Discussion ensued regarding the light rail. Councilman Jacob noted that the Borough was against the light rail going back to discussions held in 1996. Mrs. Dellafave confirmed that according to an article she had, the Borough of Woodbury Heights was not mentioned and it was agreed that the only towns in favor of the light rail were Glassboro and Woodbury.

Dan Paradis, Republican Candidate for Council, Mr. Paradis asked how the Community Center is being funded. Mrs. Kraus, CMFO responded that the Borough included this project in its permanent financing. The Borough received a good interest rate (3.6%) and rolled over many old ordinances reducing the annual debt payments and making it the best time to do this for our community. Mr. Paradis asked about the operating cost. Mrs. Kraus replied that she does not believe that they will be too substantial and that measures were taken to keep these costs down such as separate heating in the meeting rooms, etc.

Upon hearing no additional questions or comments, Councilman Scull closed the public portion of the meeting.

ENGINEER'S REPORT

Don Edwards of Sickels & Associates reported on the following items:

1. West Jersey Avenue Reconstruction: Milling and paving was completed. Pavement markings have been installed. Still need to install signs and complete punchlist items.
2. Community Building: Construction has begun. Site has been rough graded.
3. Development Projects:
 - a. Penn Medical: Work continues on the building and miscellaneous site improvements. Building is partially occupied. Work has begun on adjacent building.
 - b. Y-Buy Site: Planning Board is working with developer on sign issues.
 - c. Giant Fitness: Only punchlist items remain. Some dead landscaping will need to be replaced.
 - d. Capitol Bank: Work is substantially complete. Bank is now open.
 - e. Bruster's/Nathan's: Work is substantially complete and is open for business.

SOLICITOR'S REPORT

ORDINANCES

FINAL READING/PUBLIC HEARING

ORDINANCE 15-2010

ORDINANCE AMENDING SECTION 46 OF CHAPTER 70 OF THE WOODBURY HEIGHTS CODE TO REQUIRE TRAFFIC IMPACT STUDY & FISCAL IMPACT STUDY FOR DEVELOPMENT APPROVAL IN THE BOROUGH OF WOODBURY HEIGHTS, COUNTY OF GLOUCESTER, STATE OF NEW JERSEY

Solicitor Lozuke read Ordinance 15-2010 by title only. Councilman Scull opened this Ordinance to the public for question or comment. Patrick Dellafave, 738 Third Street commented that this ordinance sounds like the Borough is trying to skip a step. Solicitor Lozuke replied that this ordinance was recommended by our Engineers and, in fact, requires a traffic impact study and fiscal impact study for development approval. Upon hearing no additional questions or comments, Ordinance 15-2010 was closed to the public. A motion to approve Ordinance 15-2010 was made by Councilman Pheasant and seconded by Councilwoman Truhan. A roll call vote in favor was unanimous. Ordinance 15-2010 was approved.

FIRST READING/INTRODUCTION

ORDINANCE 19 - 2010

ORDINANCE AMENDING SUBSECTION 3-32.5(B) OF THE WOODBURY HEIGHTS CODE PERTAINING TO THE APPOINTMENT OF AN ADMINISTRATOR

Solicitor Lozuke read Ordinance 19-2010 by title only. A motion to approve Ordinance 19-2010 on first reading was made by Councilwoman Degnen and seconded by Councilman Pye. A roll call vote in favor was unanimous. Ordinance 19-2010 was approved on first reading.

ORDINANCES
FIRST READING/INTRODUCTION
(CONTINUED)

ORDINANCE 20 - 2010

ORDINANCE OF THE BOROUGH OF WOODBURY HEIGHTS IDENTIFYING
POSITIONS ELIGIBLE FOR THE DEFINED CONTRIBUTION RETIREMENT
PROGRAM

Solicitor Lozuke read Ordinance 20-2010 by title only. A motion to approve this ordinance on first reading was made by Councilman Pye and seconded by Councilwoman Truhan. A roll call vote in favor was unanimous. Ordinance 20-2010 was approved on first reading.

ORDINANCE 21 - 2010

ORDINANCE ESTABLISHING FEES FOR TAX COLLECTOR CALCULATIONS OF
REDEMPTIONS OF CERTIFICATES AND REDEMPTION OF TAX LIENS

Solicitor Lozuke read Ordinance 21-2010 by title only. A motion to approve this ordinance on first reading was made by Councilman Jacob and seconded by Councilwoman Degnen. A roll call vote in favor was unanimous. Ordinance 21-2010 was approved on first reading.

RESOLUTIONS

RESOLUTION 105 - 2010

RESOLUTION AUTHORIZING CHANGE ORDER#2 FOR THE FIRE HOUSE
RENOVATION PROJECT AND AUTHORIZING PAYMENT #3

Solicitor Lozuke read Resolution 105-2010 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 105-2010 was approved.

RESOLUTION 107 – 2010

RESOLUTION ACCEPTING PROPOSAL FOR TAX MAP REVISIONS

Solicitor Lozuke read Resolution 107-2010 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 107-2010 was approved.

RESOLUTION 108 - 2010

RESOLUTION AUTHORIZING PARTIAL PAYMENT NO. 1 FOR THE
COMMUNITY BUILDING PROJECT

Solicitor Lozuke read Resolution 108-2010 by title only. A motion to approve this resolution was made by Councilwoman Truhan and seconded by Councilwoman Degnen. A roll call vote in favor was unanimous. Resolution 108-2010 was approved.

RESOLUTION 109 - 2010

RESOLUTION AUTHORIZING CHANGE ORDER NO. 2 AND PARTIAL
PAYMENT NO. 2 FOR THE RECONSTRUCTION OF WEST JERSEY AVENUE
PROJECT

Solicitor Lozuke read Resolution 109-2010 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 109-2010 was approved.

RESOLUTIONS
(CONTINUED)

RESOLUTION 110 - 2010

RESOLUTION CONFIRMING NEW APPOINTMENT OF BOROUGH
ADMINISTRATOR

Solicitor Lozuke read Resolution 110-2010 by title only. A motion to approve this resolution was made by Councilman Pye and seconded by Councilwoman Degnen. A roll call vote in favor was unanimous. Resolution 110-2010 was approved.

RESOLUTION 111 – 2010

RESOLUTION AUTHORIZING AMENDMENT TO COMMUNICATIONS SITE
LEASE AGREEMENT WITH NEXTEL COMMUNICATIONS OF THE MID-
ATLANTIC, INC.

Solicitor Lozuke read Resolution 111-2010 by title only. A motion to approve this resolution was made by Councilwoman Degnen and seconded by Councilman Pye. A roll call vote in favor was unanimous. Resolution 111-2010 was approved.

RESOLUTION 112 - 2010

RESOLUTION AUTHORIZING EXECUTION OF RIGHT-OF-WAY AGREEMENT
WITH FIBER TECHNOLOGIES NETWORKS, L.L.C.

Solicitor Lozuke read Resolution 112-2010 by title only. A motion to approve this resolution was made by Councilwoman Degnen and seconded by Councilman Pye. A roll call vote in favor was unanimous. Resolution 112-2010 was approved.

RESOLUTION 113-2010

RESOLUTION AUTHORIZING AWARD OF CONTRACT FOR FIVE (5) NEW IN-
CAR DIGITAL VIDEO RECORDING SYSTEMS FOR THE BOROUGH OF
WOODBURY HEIGHTS POLICE DEPARTMENT

Solicitor Lozuke read Resolution 113-2010 by title only. A motion to approve this resolution was made by Councilman Jacob and seconded by Councilman Pheasant. A roll call vote in favor was unanimous. Resolution 113-2010 was approved.

JIF REPORT: Councilwoman Degnen reported that safety on the agenda will show management commitment of the Mayor and Council and department heads. Last year the Borough received a bronze award for the safety incentive plan and \$2,475 was awarded to use for safety items. The Borough renewed its contract this year and has participated in many JIF workshops. We are concerned about our crossing guard's safety and have given them physicals as well as a safety DVD for review. Our bus drivers have also received training.. It is the daily communication of our employees that makes a difference such as crew meetings, job site observations and hazard assessment. DEP has come out with a mandate regarding curbside pick up of trash cans. All trash cans should weigh less than 38 lbs to alleviate injuries to employees. November 30 is the first of the elected officials training seminar at Nicolosi's.

COMMITTEE REPORTS

Property & Environmental: Councilwoman Degnen reported that the WHES haunted trail will be held on October 23. Red Ribbon Week for drug awareness is October 23 to 31. Due to budget constraints, Councilwoman Degnen would like to delay sending out a newsletter until the end of the year.

Streets & Roads: Councilman Pye presented his report for September 2010. Councilman Pye noted that the Borough savings on vehicle repairs is \$5,850 and profit is \$870. A copy of the Streets and Roads report will be on file in the Clerk's office.

COMMITTEE REPORTS
(CONTINUED)

Public Safety: Councilman Pheasant presented his report for September 2010. Councilman Pheasant reported that Halloween curfew is 8:00 p.m. for anyone under 18 from October 28 to 31. Councilman Pheasant also noted that under the direction of Don Ley, Fire Prevention Day was held on October 3 at WHES and October 6 at St. Margaret's School. A copy of the Public Safety reports will be on file in the Clerk's office.

Water & Sewer: Councilwoman Truhan stated that a full copy of her report will be on file in the Clerk's office. The public works department has been cleaning up abandoned properties and owners will be billed for the clean up.

Recreation & Civic: Councilman Jacob reported that the Athletic Association is in full swing. Sean Dalton has received the volunteer of the year from Southwest Council. The Borough is working on several projects with the Lake Association. Gateway Girl Scouts want to do a Lake clean up this Saturday. The Veterans Day ceremony will be held on Saturday, November 13 at 11:00 a.m. The guest of honor will be Angelo Romeo. In cooperation with DARE, movie nights will be held periodically. DARE purchased the screen and Mayor and Council provide the refreshments. Brusters/Nathans "Taste of Brusters" was held on Sunday night. Seven people were hired from Woodbury Heights and now they are looking for day workers.

Councilman Scull stated that the additional tax revenue from LA Fitness, Capital Bank, Good Will and University of Penn Medical will be over \$300,000. This does not include Mr. Tire, Nathans/Brusters, Giant Fitness or the car wash.

BILL LIST: A motion to approve the bill list for October 06, 2010 and October 20, 2010 as presented this evening was made by Councilman Pye and seconded by Councilwoman Degnen. A roll call vote in favor was unanimous. The bill lists were approved.

PUBLIC PORTION: Councilman Scull opened the meeting to the public for question or comment.

Dan Paradis, Republican Candidate for Council, Mr. Paradis asked for the principal amount of the permanent bonding. Mrs. Kraus responded that including old ordinances, it is a total of \$1,116,000. This amount is a combination of all debt. Mr. Paradis added that it is his opinion that putting out a newsletter to residents at this time is inappropriate.

Tammy Dellafave, Republican Candidate for Mayor, Mrs. Dellafave asked about the new facility at public works. Mrs. Kraus replied that this project is still in the works and that the Borough would like to complete the community center first.

Maryann Wurst, Glassboro Road, Mrs. Wurst requested that the Borough clean the easement behind her property and repair the burm. Mrs. Wurst also requested that the dead trees on Academy Avenue be removed.

Isabelle Ley, Central Court, Mrs. Ley stated that the Senior Citizens cannot wait for Community Center.

Peggy Riorden, Woodbury Heights crossing guard: Mrs. Riorden advised Council of the safety issues caused by the traffic on Third Street and Central Avenue. Councilman Pheasant asked Officer Krohn to have an officer observe this area. Discussion ensued regarding various safety problems the crossing guards are experiencing.

REGULAR COUNCIL MEETING
OCTOBER 20, 2010
PAGE 6

PUBLIC PORTION
(CONTINUED)

Shelly Bronum, Glassboro Road: Mrs. Bronum asked if mini motorcycles are permissible. Solicitor Lozuke responded that any operation of an unregistered vehicle outside of one's own property or private property with permission is unlawful. Mrs. Bronum also asked if traffic on Helen Avenue could go through Gateway. She was informed that the parking lot on the Gateway property was taken out.

With no additional questions or comments, Councilman Scull closed the public portion of the meeting.

ADJOURNMENT: A motion to adjourn was made by Councilman Pheasant and seconded by Councilman Pye. All of Council agreed. The meeting adjourned at 8:50 p.m.

Respectfully submitted,

Janet Pizzi, Clerk/Administrator