

**MINUTES OF COUNCIL MEETING OF HELD
JANUARY 23, 2018
AT 33 DELAWARE STREET, WOODBURY, NJ 08096**

The meeting of January 23, 2018 was called to order by Council President Parker at 7:02 pm. City Clerk, Daneen Fuss, led the Pledge of Allegiance followed by a Moment of Silence.

Open Public Meeting Statement

Ms. Fuss stated that due notice had been given to both the public and the press by posting and publication of Resolution No 18-05 adopted at the 2018 Reorganizational Meeting of Mayor and Council on January 3, 2018.

Roll Call:

Present: Councilwoman Carter, Councilman Fleming, Councilman Miller, Councilman McIlvaine, Councilwoman O'Connor, Councilwoman Tierney, Councilman Swanson, Council President Parker, and Mayor Floyd,

Absent: Councilman Johnson

Others Present: City Clerk, Daneen Fuss; Solicitor, James Pierson; Deputy Administrator, Robert Law; Paul Breier, City Engineer

Minutes

Councilman McIlvaine made a motion to adopt the minutes of the Regular Meeting of December 26, 2017, seconded by Councilwoman Tierney, said minutes were approved. Councilman Fleming abstained from the vote.

Presentations and Discussions

William Burris, from Burris Post-Acute Redevelopers introduced himself to the Council. Mr. Burris then gave a detailed account of the history of the project from the time it was originally approved to making county mandated intersection improvements.

Mr. Burris has come to the City Council in hopes of the approval for a change in his redevelopment agreement to go from 20 single family homes to 67 condominiums. Each condominium has an estimated cost of \$200,000.00 with a five-year incentive towards their taxes. Mr. Burris stated he did a similar development in Beach Haven and has been very well received.

Mr. Burris provided an illustrative view of what the proposed exterior townhomes would look like. Councilman McIlvaine gave the graphic view of the homes to be built to all council members present and the public audience for a closer view. Councilman McIlvaine inquired of Mr. Burris whether this townhome depiction would be subject to change. Mr. Burris gave a brief statement and then stated the illustrative view of the homes would not change and this would represent the building structures.

Councilman McIlvaine inquired if this plan was the most recent one they had and how many square feet per unit. Mr. Burris advised 1600 square feet with 3 bedrooms and a loft.

Councilwoman Tierney asked if Mr. Burris would be the builder. President Parker inquired what if he was not the builder, how does that change the plan. Mr. Burris responded, that if someone else comes in to do the building, than they would be required to get approval from Council for their proposed plan.

City Solicitor, James Pierson, for clarification purposes, he advised Council that at this time Mr. Burris is requesting that the original redevelopment plan approved for the building of 20 single family houses be amended to now amend it for 67 townhouses. Mr. Burris emphasized that he has made several attempts both with the City Administration, the Planning Board and the public with what he is requesting to do now. This is not something he is presenting now for the first time. He is back now again with a new city administration and just wants to get the project started, nothing more, it has gone on long enough.

Councilman Fleming stated that we all have put a lot of time into this project, and we all want to move forward with the project. However, we cannot keep discussing what was done in the past, we have new people on Council, new City Officials and are just trying to do what is best for both parties.

Councilman McIlvaine made a motion to open the floor to the public for questions regarding the subject matter only, seconded by Councilman Fleming.

Jim Gradwell, 611 Cooper Street - stated phase 2 was for the building of the two additional buildings and not for the single family homes. He also has concerns regarding Mr. Burris's back taxes. He still has issues with the large piles of dirt and tree problems on the property, that have not been addressed. He is concerned about the entire redevelopment project in general. Mr. Burris stated Phase 2 has always been the 20 residential houses and Phase 3 is for the 2 additional buildings. Mr. Burris admitted that the original concept of residential homes was always a concern; but he is now certain no developer will come in to put residential homes due to our tax base and real estate market. This is the best option for everyone, Mr. Burris and the City receives revenues.

Charles Hughes, 31 N. Childs St. asked if the documentation for the proposed development can be given to the public. Mr. Burris invited Mr. Hughes to take photos of his presentation pieces.

Ray Angelini, 74 Lyman Ave – and is adjacent to this property, his concerns are how it would affect his property values. Mr. Burris responded that he complied with Mr. Angelini's concerns with the traffic.

Councilman McIlvaine inquired if he would reduce the number of units to 48 townhouses. Mr. Burris advised that he would have to reach his original investment of 1.5 million dollars, and that would not accomplish it. He could sell off the 20 lots and have a developer put up modular homes at \$125,000.00; but that is not the way he does business, nor does he think that is what Council would want him to do.

Mayor Floyd interjected her thoughts and suggested that Mr. Burris go back to the drawing board, work up his numbers where he is happy and the neighbors are happy. He will consider working with anyone who is knowledgeable with these type of projects.

Tracey Fallon, 56 Lynam Avenue, stated he has grown up in Woodbury and raised his children here. He believes that this project would be a detriment to the city. He is concerned for the additional traffic onto Evergreen Ave; the increase of students at Evergreen School. Not to mention increases to our budget to include additional services to the residents who live there. He is more concerned with what is good for the residents of Woodbury; not how much someone can profit from it.

George Gallenthin, 26 S. Bayard Ave., also a neighbor to the subject property stated he is concerned with the amount of increased vehicles and the safety of the children. He is also concerned with the possibility of the properties turning to low income. He stated he has no issues with the homes themselves however he is completely against the traffic. Mr. Burris responded that he did meet with the School Board and they have no problem or issues. He also addressed the traffic advising that Bayard Avenue nor Lynam Avenue will be affected.

Cindy Gallenthin, – Will the residents have the opportunity to look over the condominium agreement? Mr. Burris stated the condominium agreement will be governed by the DCA and will be made available. Everyone's concerns regarding it becoming a low-income development is not the direction he intends to follow. Councilman McIlvaine stated the City will place some type of language that will restrict the properties from being rented and only to be owner occupied.

Tony Alveario, 522 Delaware St., inquired what is the projected sale point number? Mr. Burris projected somewhere short of \$200,000.00. Mr. Alveario stated he is concerned with the proposed project and the effect it will have on the surrounding property values. Mr. Burris stated he has completed two developments in Beach Haven, and they were very well received.

Councilman McIlvaine made a motion to close the floor for the presentation, seconded by Councilwoman Tierney. Motion was unanimously approved along with a five minute recess.

Council went into Recess at 8:12 and returned at 8:17 pm.

Open to the Public for Agenda Items

Councilman McIlvaine made a motion to open the floor to the public, seconded by Councilman Fleming. Motion approved by a unanimous voice vote.

Seeing no one, Councilman Swanson made a motion to close the floor to the public, seconded by Councilman McIlvaine. Motion approved by a unanimous voice vote.

Resolutions, Ordinances and Committee Reports

Finance

RESOLUTION NO. 18-44 RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF WOODBURY AUTHORIZING RELEASE OF THE PERFORMANCE GUARANTEE AND ACCEPTING THE MAINTENANCE BOND OF KLINE CONSTRUCTION CO., INC. REGARDING THE DAVID A. LAVERTY CONCESSION & CLUBHOUSE SITE WORK PROJECT

Councilman Fleming presented the above titled resolution. The City Clerk read the title of the resolution. On motion of Councilman Fleming, seconded by Councilwoman Tierney, Resolution No. 18-44 was adopted by a unanimous voice vote.

RESOLUTION NO. 18-45 RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF WOODBURY APPOINTING TREE INVENTORY CONSULTANT

Councilman Fleming presented the above titled resolution. The City Clerk read the title of the resolution. On motion of Councilman Fleming, seconded by Councilman Swanson, Resolution No. 18-45 was adopted by a unanimous voice vote.

RESOLUTION NO. 18-46 RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF WOODBURY APPOINTING DANEEN FUSS AS THE CLEAN COMMUNITIES COORDINATOR

Councilman Fleming presented the above titled resolution. The City Clerk read the title of the resolution. On motion of Councilman Fleming, seconded by Councilwoman Tierney, Resolution No. 18-46 was adopted by a unanimous voice vote.

RESOLUTION NO. 18-47 RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF WOODBURY AWARDING CONTRACT TO RICKY SLADE CONSTRUCTION, INC. FOR THE FY2017 LOCAL ROADS RESURFACING PROJECT WALNUT STREET, CHESTNUT STREET, CHERRY STREET, HUNTER STREET AND OLD POLICE STATION PARKING LOT

Councilman Fleming presented the above titled resolution. The City Clerk read the title of the resolution. On motion of Councilman Fleming, seconded by Councilwoman Tierney, Resolution No. 18-47 was adopted by a unanimous voice vote.

Councilman McIlvaine asked about the old police station parking lot. Bob Law advised there was a water main break at the site requiring new paving to be done.

RESOLUTION NO. 18-48 RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF WOODBURY, CERTIFICATION OF THE ANNUAL AUDIT

Councilman Fleming presented the above titled resolution. The City Clerk read the title of the resolution. On motion of Councilman Fleming, seconded by Councilwoman Tierney, Resolution No. 18-48 was adopted by a unanimous voice vote.

Bill stated the audit is for 2016 asked if the ledger has been rectified. Bob yes 2017 will be up to date. Bob explained the other issue as well. KM asked about the certifying officials who are no longer here.

RESOLUTION NO. 18-49 RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF WOODBURY APPROVING SUBMISSION OF CORRECTIVE ACTION PLAN FOR 2016 AUDIT

Councilman Fleming presented the above titled resolution. The City Clerk read the title of the resolution. On motion of Councilman Fleming, seconded by Councilwoman Tierney, Resolution No. 18-49 was adopted by a unanimous voice vote.

RESOLUTION NO. 18-50 RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF WOODBURY AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH RIEHL'S TOWING AND MAINTENANCE, INC. AND BERNIE'S AUTO REPAIR, LLC
Councilman Fleming presented the above titled resolution. The City Clerk read the title of the resolution. On motion of Councilman Fleming, seconded by Councilwoman Tierney, Resolution No. 18-50 was adopted by a unanimous voice vote.

RESOLUTION NO. 18-51 RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF WOODBURY IMPOSING LIEN(S) FOR PROPERTY MAINTENANCE PURSUANT TO MUNICIPALITY CODE §162-4
Councilman Fleming presented the above titled resolution. The City Clerk read the title of the resolution. On motion of Councilman Fleming, seconded by Councilwoman Tierney, Resolution No. 18-51 was adopted by a unanimous voice vote.

RESOLUTION NO. 18-52 RESOLUTION AUTHORIZING THE EXECUTION OF AN EMERGENCY REPAIR CONTRACT WITH PIONEER PIPE FOR NORTH BROAD STREET WATER MAIN BREAK
Councilman Fleming presented the above titled resolution. The City Clerk read the title of the resolution. On motion of Councilman Fleming, seconded by Councilwoman Tierney, Resolution No. 18-52 was adopted by a unanimous voice vote.

Councilman Swanson inquired if there was a figure for the cost of the repair; Robert Law, Chief Financial Officer stated he has not been informed of the figures.

Vouchers

Councilman Fleming made a motion to adopt the vouchers as presented and certified seconded by Councilwoman Tierney. Motion approved by a unanimous voice vote.

Public Safety

RESOLUTION NO. 18-53 RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF WOODBURY AUTHORIZING THE APPOINTMENT OF COLE M. DUFFY AS PART-TIME CLASS I SPECIAL LAW ENFORCEMENT OFFICER (SLEO I) FOR THE CITY OF WOODBURY
Councilwoman O'Connor presented the above titled resolution. The City Clerk read the title of the resolution. On motion of Councilman O'Connor, seconded by Councilman Swanson, Resolution No. 18-53 was adopted by a unanimous voice vote.

RESOLUTION NO. 18-54 RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF WOODBURY AUTHORIZING THE APPOINTMENT OF JUWON K. THOMAS AS PART-TIME CLASS I SPECIAL LAW ENFORCEMENT OFFICER (SLEO I) FOR THE CITY OF WOODBURY
Councilwoman O'Connor presented the above titled resolution. The City Clerk read the title of the resolution. On motion of Councilman O'Connor, seconded by Councilman Swanson, Resolution No. 18-54 was adopted by a unanimous voice vote.

RESOLUTION NO. 18-55 RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF WOODBURY AUTHORIZING THE APPOINTMENT OF NICHOLAS E. GUNNING AS PART-TIME CLASS I SPECIAL LAW ENFORCEMENT OFFICER (SLEO I) FOR THE CITY OF WOODBURY
Councilwoman O'Connor presented the above titled resolution. The City Clerk read the title of the resolution. On motion of Councilman O'Connor, seconded by Councilman Swanson, Resolution No. 18-55 was adopted by a unanimous voice vote.

Membership to Friendship Fire Company

Councilwoman O'Connor made a motion to approve a application for membership into the Friendship Fire Company for William E. Rieger, III of 113 Lupton Avenue, Woodbury, NJ.

Motion approved by Councilwoman O'Connor, seconded by Councilwoman Tierney. Councilman Swanson voted "Nay".

Reports:

Councilman Fleming – informed Council we will be considering the budget in the near future.

Councilman McIlvaine – working on an upcoming report for February 14th.

Councilwoman O'Connor - has met with the Fire Chief and Fire Marshal during the Public Safety Meeting and exchanged some new ideas. She also thanked Councilman Fleming for helping her in the transition of Committees.

President Parker – Welcomed Councilwoman Donna Miller.

Councilwoman Miller – stated she did meet with the Human Rights Commission and looks forward to meeting with her Community Development Committee in the very near future.

Councilwoman Tierney – Green Team will be meeting in February to make plans for Arbor Day. She also met with the School Board and will be redoing their Strategic Plan and she invites everyone who wants to participate in these changes information is available on the table this evening.

Councilwoman Carter - advised they had their first Park and Rec meeting and met with Woodbury Youth Basketball former and present officers to work out some changes to the program. She is also awaiting some information from the Senior Football Coach to recognize our players for their achievements during their past season.

Committee Reports

Report of the Mayor

Mayor Floyd advised that the first Human rights commission meeting was held and they would like it to be known as the Commission of Human Rights. It was a very informative meeting and the following individuals were appointed; Tony Doran is the President, Scott Merrell as Secretary.

The Mayor spoke on her plans to revamp the Health Board Ordinance, stating that the county has most of the responsibilities. She is asking the Council to consider the City Council becoming the Board of Health. She is looking into having Council and the existing staff take on more responsibility. The Solicitor is in the process of updating the ordinance and will come before Council for their review.

Mayor Floyd advised that the two year anniversary of the chicken ordinance is up in February. The Pilot program went well and we will probably anticipate continuing the program with some subtle changes on the ordinance to be on next meeting's agenda.

Planning/Zoning Board had their Reorganization Meeting and she has appointed several new members.

Report of the City Clerk – City Clerk, Daneen will be ordering new Code Books so if anyone needs one, please let her know. She has become aware that PSE&G is not notifying her each time they are planning to do work in the City, so we are working on having better communication.

Department Announcements

Police Chief Ryan thanked Mayor and Council for approving the hiring of Class 1 Officers. They will be used solely for the South Broad area. He also advised that the YMCA would like to put in a substation for the police department at their location. The YMCA has put a large amount of money to update the building. Councilman Swanson made a motion to move forward with the request, seconded by Councilwoman Tierney. Motion approved by a unanimous voice vote.

Paul Brier – thanked Council for reappointing Federici & Akin as their engineering firm for this year.

Open to the Public

Councilman Fleming made a motion to open the floor to the public for non-agenda items, seconded by Councilwoman Tierney. Motion approved by a unanimous voice vote.

Anthony Chiesa, 36 Rugby Place – inquired about the status of the Sta Fit building. Councilman McIlvaine advised that the demolition of the building is in the working, just need some paperwork to complete the project in addition to some other homes on that block.

Mr. Chiesa had another question regarding property taxes by making a donation directly to the school board in lieu of paying real estate taxes to the municipality. Mr. Law advised that any changes of that nature would require state legislation. Can Woodbury consider doing this to start the movement for future changes. Mr. Law advised that the topic could be brought up at the League of Municipalities and put pressure on our federal and state officials to move forward with changes.

Charles Hughes, 31 N. Childs Street - is the newly appointed President, Woodbury Child Development Center advised that the Center has a need to fill more positions on their Board who have some professional experience. He is asking for Council's support and participation in making this Board more successful then every. He then presented a slide show to explain the goals on this year's agenda.

Jessica Ferguson, 31 N. American Street inquired if where does the water remediation project stand. Councilman Fleming advised it is currently on hold in the last several months. Mr. Pierson

Councilwoman Tierney made a motion to close the floor, seconded by Councilman Swanson. Motion approved by a unanimous voice vote.

Adjournment

There being no further business, Councilwoman Tierney made a motion to adjourn, seconded by Councilman McIlvain . Motion approved by a unanimous voice vote. Meeting adjourned at 9:08 p.m.

Respectfully submitted,

DANEEN D. FUSS, City Clerk