

**MINUTES OF COUNCIL MEETING HELD
FEBRUARY 27, 2018
AT 33 DELAWARE STREET, WOODBURY, NJ 08096**

The meeting of February 27, 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 Reflection.

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 2, 2018.

Roll Call:

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

Absent: Councilman Fleming, Councilman Swanson

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

Minutes

Councilwoman Carter made a motion to adopt the minutes of the Regular Meeting of February 13th, seconded by Councilman Johnson, said minutes were approved.

Presentations and Discussions

None at this time.

Open to the Public for Agenda Items

Councilman Johnson made a motion to open the floor to the public, seconded by Councilwoman Tierney. Motion approved by a unanimous voice vote.

Mason Allen, 57 Aberdeen Place asked when the public could speak regarding the change in the agenda. President Parker responded at the end of the meeting.

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

***Councilman Fleming arrived at 7:05 pm**

Resolutions, Ordinances and Committee Reports

Economic Development

ORDINANCE NO. 2280-18 - ORDINANCE OF THE CITY OF WOODBURY AUTHORIZING PURSUANT TO N.J.S.A. 40A:12A-8(b) THE PURCHASE OF BLOCK 75, LOT 35 AND BLOCK 75, LOT 33 ON THE CITY OF WOODBURY TAX MAPS FROM PCII REO, LLC TO FACILITATE THE REDEVELOPMENT PLAN FOR THE DOWNTOWN BUSINESS DISTRICT Councilman McIlvaine presented the above-titled ordinance for adoption. The City Clerk read the title of the Ordinance.

Councilman McIlvaine made a motion, seconded by Councilman Johnson to open the floor for Public Hearing. Seeing no one, Councilman McIlvaine made a made to close the floor, seconded by Councilman Johnson. Motion approved. Councilman McIlvaine made a motion to adopt Ordinance #2280-18, seconded by Councilman Johnson. The motion was approved by a roll call vote resulting in the following:

Ayes	8	Councilwoman Carter, Councilman Fleming, Councilman Johnson, Councilman McIlvaine, Councilwoman Miller, Councilwoman O'Connor, Councilwoman Tierney, Council President Parker
Nays	0	
Absent	1	Councilman Swanson

Finance

ORDINANCE NO. 2279-18 - AN ORDINANCE AMENDING ORDINANCE #2263-17 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

Councilman Fleming presented the above-titled ordinance for adoption. The City Clerk read the title of the Ordinance. Councilman Johnson made a motion, seconded by Councilman Fleming to open the floor for Public Hearing. Seeing no one, Councilman Fleming made a motion to close the floor, seconded by Councilman Johnson. Motion approved. Councilman Fleming made a motion to adopt Ordinance #2279-18, seconded by Councilman McIlvaine. The motion was approved by a roll call vote resulting in the following:

- Ayes 8 Councilwoman Carter, Councilman Fleming, Councilman Johnson, Councilman McIlvaine, Councilwoman Miller, Councilwoman O'Connor, Councilwoman Tierney, Council President Parker
- Nays 0
- Absent 1 Councilman Swanson

RESOLUTION NO. 18-66 - A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF WOODBURY APPROVING PARTICIPATION WITH THE STATE OF NEW JERSEY SAFE AND SECURE COMMUNITIES PROGRAM ADMINISTERED BY THE DIVISION OF CRIMINAL JUSTICE, DEPARTMENT OF LAW AND PUBLIC SAFETY (P-18-0822) Councilman Fleming presented the above titled resolution. The City Clerk read the title of the resolution. On motion of Councilman Fleming, seconded by Councilman Johnson, Resolution No. 18-66 was adopted by a unanimous voice vote.

RESOLUTION NO. 18-67 - RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF WOODBURY AUTHORIZING RELEASE OF THE PERFORMANCE BOND OF TCW EQUITIES, LLC (WOODBURY NISSAN) REGARDING CONSTRUCTION WORK AT 439 MANTUA AVENUE (RT. 45) BLOCK 62, LOTS 4.01, 5.01, 5.02, 6 AND 7.01 Councilman Fleming presented the above titled resolution. The City Clerk read the title of the resolution. On motion of Councilman Fleming, seconded by Councilman McIlvaine, Resolution No. 18-67 was adopted by a unanimous voice vote.

RESOLUTION NO. 18-68 - RESOLUTION 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 Councilman Johnson, Resolution No. 18-68 was adopted by a unanimous voice vote.

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.

Policy

ORDINANCE NO. 2277-18 - AN ORDINANCE AMENDING THE CODE OF THE CITY OF WOODBURY TO CONFORM TO AMENDMENTS TO THE MUNICIPAL LAND USE LAW REGARDING IMPROVEMENT GUARANTEES AND INSPECTION ESCROWS Councilman Johnson presented the above-titled ordinance for adoption. The City Clerk read the title of the Ordinance. Councilman Johnson made a motion, seconded by Councilwoman Tierney to open the floor for Public Hearing. Seeing no one, Councilman Johnson made a motion to close the floor, seconded by Councilman McIlvaine. Motion approved. Councilman Johnson made a motion to adopt Ordinance #2280-18, seconded by Councilwoman Tierney. The motion was approved by a roll call vote resulting in the following:

- Ayes 8 Councilwoman Carter, Councilman Fleming, Councilman Johnson, Councilman McIlvaine, Councilwoman Miller, Councilwoman O'Connor, Councilwoman Tierney, Council President Parker
- Nays 0
- Absent 1 Councilman Swanson

ORDINANCE NO. 2278-18 AN ORDINANCE OF CITY OF WOODBURY, COUNTY OF GLOUCESTER AND STATE OF NEW JERSEY AMENDING THE CODE OF THE CITY OF WOODBURY, ENTITLED “ANIMALS” (Chickens)

Councilman McIlvaine presented the above-titled ordinance for adoption. The City Clerk read the title of the Ordinance. Councilman Johnson made a motion, seconded by Councilman McIlvaine to open the floor for Public Hearing. Seeing no one, Councilman Johnson made a motion to close the floor, seconded by Councilwoman Tierney. Motion approved. Councilman Johnson made a motion to adopt Ordinance #2278-18, seconded by Councilwoman Tierney. The motion was approved by a roll call vote resulting in the following:

Ayes 8 Councilwoman Carter, Councilman Fleming, Councilman Johnson,
Councilman McIlvaine, Councilwoman Miller, Councilwoman O’Connor,
Councilwoman Tierney, Council President Parker
Nays 0
Absent 1 Councilman Swanson

Reports:

Economic Development - Councilman McIlvaine – advised that he along with Councilwoman Tierney and Councilwoman Miller met with several Community Groups to discuss the suggestion of erecting a modular structure on the space that will become available when Sta Fit is torn down. Councilwoman Tierney took the floor reporting what the Committee came up with concerning the cost factors.

Councilwoman Tierney referenced a handout listing construction fees, costs involved with ground preparations, landscaping fees, utility connection, etc. Estimated costs will be around \$94,000. At this time if Council intends to continue with this proposed project, we need approval for Bob Law to go out to bid to hire a contractor. Councilwoman Tierney stated that several of the community groups have stated they would each be willing to donate \$2,500 towards landscaping fees. Councilman McIlvaine elaborated a little more advising that they have already received approval from the State concerning the utilities cutting into a State Highway, which is a positive in moving forward with the project. Sometimes these things could delay a project, that would not be the case here.

Mason Allen - 57 Aberdeen Place asked what would be the function of the place?

Tara Mohan – FAF briefly went over the functions and how the building will be utilized.

Mr. Mason asked what is the long term use of the building space?.

Councilman McIlvaine stated the structure will probably remain standing in this proposed space for 3+ years, until such time a developer presents a plan for the redevelopment of that area. Also, the structure itself could be sold to get some return for the investment.

Councilman Johnson asked if the insurance company has been contacted concerning this building in question. Bob Law responded they are aware. Councilman Johnson asked what if there a time frame? Councilman McIlvaine stated the building should be cleared and ready for use sometime mid-June. Councilman Johnson inquired if there is someone in City Hall taking on Scheduling? Councilwoman Tierney stated they are looking for someone from the community to volunteer. However, City Hall employees may need to take on this responsible.

Councilwoman O’Connor expressed her concerns regarding policing the building, maintenance, and safety issues. Councilman McIlvaine stated that the Chief of Police was present at the meeting, so they will police the area like all others they do.

Councilman McIlvaine thanked Councilwoman Tierney for her input and time she took to put all the details together for the project. Councilwoman Tierney in turn thanked all the Community Group volunteers who participated in the project and their willingness to help out where and when needed.

Councilwoman Tierney made a motion to Bob Law to go out to bid for a contractor to erect the structure as needed, motion seconded by Councilman McIlvaine. Motion unanimously approved.

Community Development - Councilwoman Miller advised that she had met with Loretta Winters, Pres. of the NAACP and is keeping her informed of their activities. She has also met with FAF as mentioned previously and attended the Human Rights Commission meeting.

Green Team - Councilwoman Tierney stated the Green Team is planning their next Arbor Day Tree Planting on April 27th and are still looking for a location. Also, April 14th will be another Shred Day Event at the new police building, as well as they will be collecting used clothing to help support the Woodbury Steelers Football Team.

Report of the Mayor

Mayor Floyd – stated she attended the first Human Rights Commission meeting and is happy with their progress, they will be reaching out to our 5th Legislature Patricia Egan Jones to come to the next Human Rights Commission. Also, the Greater Woodbury Chamber of Commerce will be holding their Coffee Clutch Event. Our sports programs are all getting ready for registration and the City has been busy preparing the fields. The City received \$309,000 in a Municipal DOT grant for the repaving of W. Centre St. She would like to mention, the application was submitted prior to her becoming Mayor, she mentions this because she lives on that street and she was not instrumental in submitting her street for the project.

Thank Council for approving the Chicken ordinance again which seems to be working out well.

Report of the City Clerk – Ms. Fuss had no report at this time.

Department Announcements

Librarian Michelle Yeager – Advised that the Library will be holding several 55+ events in March, flyers are available on the table. This Saturday they are holding a Composting 101 and seed release this weekend. Also, for Woman’s History Month – Faleeha Hassan will be coming to speak, a refugee from Iraq to talk about her struggles. A small business registration class will be held. The Friends of the Library are looking for individuals who want to join them in becoming involved in fund-raising, they met every second Thursday of the month at the Library.

Police – Chief Thomas Ryan stated the recent incident at the parking garage was quickly addressed by his officers and he is very proud of their response time and procedures followed in handling the situation. The individuals were not from Woodbury and all were taken into custody. Also, Chief Ryan stated he has met with the Superintendent of Woodbury Schools to discuss conducting drills and get procedures the same throughout the county regarding recent school shootings. The Police Dept. will be opening a substation at the YMCA with ribbon cuttings happening in the very near future.

Public Works Manager, Rich Leidy - had nothing to report.

City Engineer, Paul Breier - had nothing to report.

Open to the Public

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

Pastor Cuff, Chaplain for the Friendship Fire Co. – referenced Council’s intentions of renovating various places in Woodbury; however, why nothing is being done about the friendship firehouse, the structure is falling apart. He is also concerned with equipment that is being housed there and being destroyed because of the condition of the firehouse. He also, inquired why invocation are not being done now but they were done during 2017. As a Pastor, he is concerned that Council would not want to continue this practice. Mayor Floyd stated the Human Rights Commission was formed just this past January. Although the ordinance was adopted in November 2017, the Human Rights Commission only started their monthly meetings this past month and this was one of the issues raised from individuals who do not necessary practice a Christian faith, this could be perceived as being offensive. Councilman McIlvaine stated that he would not have voted for the ordinance if this would have been expressed prior to the adoption, that prayer would be eliminated.

Ellen Craig 55 N Evergreen Ave – has concerns regarding the Sober Living Homes and has made several attempts to contact council members to no avail. There are currently 3 homes in her immediate area; 1 on Evergreen Avenue next door to her; and 2 on Woodland Avenue. She has concerns that the facilities are being transformed into Drug Treatment Centers. Upon further research on her part, she was informed that there were In-patient homes in Woodbury; where they provide housing 24 hour counselling services where the individuals are being escorted from Woodbury to Cherry Hill and back to Woodbury. She also found out that they do not have a license to operate a Drug Treatment facility. She has concerns that there are no regulations and guidelines. She believes that the city needs to make sure these facilities get reported and have proper licensing. These types of facilities are becoming more and more prevalent due to the current climate of recovery facilities for drug addicts; they cannot continue without being properly licensed and regulated. Mayor Floyd stated that the City is aware of these homes popping up; she has one just down the street from her. She has reached out to John Leech, our Zoning Officer to see what the guidelines are.

Also, the City Solicitor could further pursue the issue making sure they are in compliance with state regulations. There was some conversation pertaining to zoning restrictions of a business in a residential area.

Mr. Jeff Daniels, Esq. from the Solicitor's office spoke briefly on how the state can possibly allow for this type of usage in a residential area; however having said that, they also must be in compliance with city guidelines as far as the number of residents, licensing requirements, etc. Councilman Fleming stated he believes there are other avenues the city can do to try to get this issue resolved.

Councilman Johnson inquired if John Leech and Jeff Pitzo have knowledge that these homes are operating?

Kelly Franklin, 55 N. Evergreen Avenue, this issue has been going on for three years and the response she keeps hearing is we have to “tread lightly, and not discriminate”. We haven't received answers to our questions. Mayor Floyd advised that in defense of our Zoning Officer, John Leech, our hands are tied, we need to reach out to our state legislatures. Chief Ryan responded to the responsibilities of the Code Enforcement Officer, Jeff Pitzo and how he plays a part in making sure all property complaints are looked into. Ms. Franklin stated that she has no problems and Mr. Pitzo has always responded to their concerns. The City now has to make sure that they are in better control of these homes being identified for their usage and proper licensing.

Rosemay Lukens, 41 S. Woodland Ave - had concerns that there will be more homes coming into the community. She would like to know if there can be an ordinance that limits how many homes can be established without a certain area of each other. She has spoken with John Leech and the City Administrator regarding this issue and fully understands how the City's hands are tied. She has two of these homes already on her street; and is fearful that whatever homes that go to sale could also be used for the same reasons.

Councilman Fleming inquired if the City can do this? Mr. Daniels stated that DCA at the state level writes the rules for these type of homes.

Mason Allen, 57 Aberdeen Place – has the same complaints regarding HUD homes. It seems that City Council doesn't even know what is going on, let alone the residents that are affected. He also stated that he is unhappy that the invocation has been removed because it offends “some people”, what about discrimination about the people who want to have an invocation. Now, how about if the majority rules what do right do they have?

Councilwoman Tierney stated that the ordinance adopted regarding anti-discrimination, was not the intent to take prayer out of our curriculum.

Council President Parker advised everyone that when the Human Rights Commission was established, it was done so, to include all the various issues that communities deal with. On this particular board, the group consisted of many diverse backgrounds, lifestyles and points of view. This decision was not to offend anyone particular group, it appeared to be the best solution to all The different cultures, religions, non-religious; and that was to hold a “moment of silence”, if one choices to be religious in your thoughts at that time, then so be it, you are encouraged to do just that. However, another option would be available to those individuals of a different belief, then you may reflect in whatever manner you deem appropriate.

Mr. Daniels advised that this decision was not to offend anyone's religious right, it was the best middle ground to accommodate the diverse cultures of our community. Mayor Floyd advised that the City is attempting to accommodate everyone by having a Moment of Reflection, nothing more.

Councilman McIlvaine stated that his first reaction to the change was not a favorable one; however he does understand all the various points of views expressed this evening. Personally, he plans to continue to use his “Moment of Reflection” to express his religious beliefs by saying a prayer privately.

Mr. Mason inquired again, can we change this ordinance back to it’s original format. Ms. Fuss, City Clerk advised Mr. Mason, that upon first reading of an ordinance, there is a two week period in between that a person can ask questions and present their views at the next Council meeting prior to its adoption. When that does not occur, the ordinance is adopted as presented.

Michelle Yeager – Woodbury Librarian and City residents stated she is a city employee and she is mandated to come to all the Council meetings and in doing so, she has been forced to observe the “religious prayer” prior to each meeting. She for one is happy to see the change in the format of the opening of the meeting; due to her own beliefs; and thanks Council to allow her to express them.

Sabrina Banks – speaking on behalf of the NAACP Youth Council will be conducting a seminar 10:30 on Saturday March 10th at the Carpenter Street School. She stated Pastor Boyer will be speaking on the accomplishments that the black community has made on our community.

Ray Venerable , 98 N. American street – Chairman of the Chicken presented Mayor and Council with ½ dozen eggs from their home raised chickens.

Jessica Ferguson, 124 S. American Street - thanked Mayor Floyd and Mayor Volk for all their help and persistence with the chicken ordinance. Also thank you Councilman Swanson who supported us from the beginning, even suggesting it be a two year program, instead of one year. She then thanked all the people who helped with putting the ordinance together, starting with the members on their board, the construction office and everyone for their support and guidance along the way.

Madam President thank you for your support, since you were not necessarily convinced this was going to work out as well as it has.

Ms. Ferguson, also would like to thank Rich and Michael for all their help with the painting of the second floor of the library. She also, would like to mention she supports the Moment of Reflection, allowing everyone to express their own personal beliefs. In conclusion, Jessica stated she was a Trustee of the Gloucester County Historical Society and would like to invite everyone to an event they will be holding at the GG Green Building as a fund raiser and raffle.

Frank Fletcher, 42 S. Woodland Ave – stated he lives next to one of the homes being discussed and the residents can get very loud, create litter with cigarette butts and trash. He stated he has spoken with the managers and they have been very cooperative. However, one of problems he believes is due to the turnover of the clientele; but we some support and understanding from each side, he believes we can all work together.

John Leech, Zoning Officer stated that if there is a recovery home or oxford home they are covered under the ADA. If you see something that is not going well please call the police, the more we have documented with any disturbances that occur at that residence have to be duly noted and maybe than we will start to see changes come down from the State regarding these type of homes.

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

Adjournment

There being no further business, Councilman Johnson made a motion to adjourn, seconded by Councilwoman Tierney. Motion approved by a unanimous voice vote. Meeting adjourned at 9:02 p.m.

Respectfully submitted,

DANEEN D. FUSS, City Clerk