

**MAY 21, 2013**

**PAULSBORO, N.J.**

**7:00 P.M.**

**WORK SESSION MEETING**

Council Chamber:

Mayor Hamilton presided at a Work Session Meeting of Council held on the above date and place.

Members present were: Giovannitti, Giampola, Haynes, Kidd, Stevenson, Turner.

Mayor Hamilton called the meeting to order.

Solicitor Angelini read the opening statement regarding the Open Public Meetings Act.

Mayor Hamilton opened the floor to the public.

Marvin Hamilton, 913 North Chestnut Street, had a couple of concerns that he brought to the Mayor and Council's attention about a month to a month and a half ago. He questioned the \$175,000 to be used for the reconstruction of Billings Avenue Phase IV and if this is to complete the project.

Mayor Hamilton stated it is the final phase and should complete the Billings Avenue Project.

Mr. Hamilton stated he rode around Hoffman Avenue, Thomson Avenue, Adams Street, Jefferson Street and Chestnut Street and asked if grant money could be received to repair those streets. He stated these streets need to be done and to start doing some stuff in this part of town as people have to ride through these streets to get to Billingsport. He also questioned the status of the sweeper as the streets are horrible.

Mayor Hamilton stated the street sweeper is down and has to be looked over and possibly get the County in to sweep the streets.

Councilman Haynes stated the Borough has a shared service agreement with the County and it is just a matter of contacting the County to see what the availability for the piece of equipment is. The cost is \$350.00 per day and according to how long the Borough wants it but the Borough has to make arrangements for the availability because the County has 400 some miles of road and they have three (3) or four (4) sweepers and two (2) of them are down most of the time. The County is dealing with the same kind of thing the Borough is and one of the sweepers is the exact same sweeper Paulsboro has and they have the same issues. It

would cost a couple hundred thousand dollars to purchase a new sweeper.

Mr. Hamilton stated the Street and Highway employees are doing a good job but he questioned if the Borough could get community service individuals to help.

Mayor Hamilton stated it is something that could be looked into.

Council President Giovannitti stated the Borough has had community service workers in the past. The Court revenue is down and there are other projects such as the Borough is working with the Borough Engineer to secure a grant to help with Thomson Avenue. Community Service is something the Council has to discuss as he is just one (1) person.

Councilman Giampola stated one of the problems with Community Service people is they show up but if they don't want to do the work they are asked to do, they can just walk out. There is no recourse. If the individual is given 10 hours of community service, they have one year to complete it. The County ran into this problem. Supervision becomes an issue.

Mr. Hamilton stated the workers are doing a good job with the potholes but could someone be trained to cut out the pothole because when they put the blacktop in the pothole it is loose and when someone runs over it, it pops out. Someone could be trained to cut it out in a square, then lay it down and get a roller and roll it over.

Mr. Hamilton questioned the status of the Paulsboro Plaza.

Mayor Hamilton stated there was a meeting two weeks ago and the developer is waiting for information from the County and the State.

Mr. Hamilton questioned the status of the Paulsboro Port. He heard it was not going to be in operation until 2016.

Mayor Hamilton stated he has spoken with Marlin Peterson of the GCIA and the delay is because the bids are coming in too high.

Councilman Stevenson stated he felt it was also because they haven't signed any tenants as the economy is slow.

Ann Good, 1101 Spruce Street, stated she saw in the newspaper where some towns have received grants to help clean up the community. She questioned why the Borough can't get these grants. She also felt the awning over the former Jewelry Shop should be taken down as this is one of the main streets and in the doorway there is a lot of trash piled up.

Mrs. Good congratulated and thanked the Chief and the Captain for some of the movement in her area but there is still more work to be done.

Councilman Giampola stated the Code Office has addressed the owner of the former

Jewelry Store about taken down the awning. The Borough runs into a liability if the Borough gets up on ladders and takes the awning down but the owners have been sent notices. Also, the Office Bar & Grill have been sent notices for their wall on the side of their building as well as 128 other notices have been sent.

Barry Corradetti, 1820 Overbrook Avenue, also saw that some other municipalities received funding and he knows Paulsboro in the past has received funding.

Mayor Hamilton stated the funding is done a year in advance and Paulsboro is receiving something but he didn't know how much.

Mr. Corradetti questioned Benny's on the Rail.

Solicitor Angelini explained there was an effort made by the Police Department through its representative which was the Prosecutor, John Alice, and the Attorney for Benny's on the Rail to negotiate a resolution and a lot of factors were taken into account. One factor was if this had gone up to the State it is not exactly certain what would have happened but the State may have imposed a monetary fine that the Borough would not have received and there may have been a stay of any action taken by the Borough. This was one of those situations where there was a good result all the way around and he commended the Chief and the Captain for sticking to this and negotiating as well as he commended the Mayor and the Council because there was a discussion about this and everybody sitting at this table that was there that night was adamant that no settlement would come forth unless there was a suspension. He felt it was a good result and the operations of selling any alcoholic beverages are stopped for two (2) months. It is a first step and if there are further problems down the road then he can tell without prejudging it that the sanctions will be more severe if in fact there are other problems. He also felt it would send a message to other entities that do that kind of thing in the town to not do it. He commended the Mayor and Council for getting on top of that.

Mr. Corradetti stated he hoped Benny's on the Rail is on the right track now but to him seeing is believing because he doesn't believe because every year when it comes time for their license renewal, the Borough goes through the same process. The bar is not getting the message and if this is the best the Borough could do, then he commended Mayor and Council for doing that. Hopefully it will get the point across. He also didn't understand why the bar had to remain open to serve bar food. He questioned if that is what the place is known for, they have such great food that the people are going in and out of there to eat their food. He felt it was like "opening a can of worms" as now the Police Department has to babysit because the Police are going to have to go into that bar occasionally to make sure there aren't any illegal alcoholic beverages being served.

Mayor Hamilton assured Mr. Corradetti that if the Bar doesn't follow the agreement they will be done or a harder penalty will be given. He doesn't believe they will.

Solicitor Angelini stated to keep in mind that the license renewal is coming up along with

other establishments in about a month or so and he is pretty certain the Police Chief will have some comments to make.

There wasn't any further public participation.

Administrator/CFO Ruggeri discussed the 2013 Budget and possible introduction and stated a couple of meetings ago she had presented a budget with a list of items that could possibly be added to the Budget. She asked everyone to look over it and decide whether Council wanted to move on some of the items. She has asked Auditor Petroni to come in to speak in regards to the budget, the timeliness of getting it done and where the Borough needs to go from today.

Auditor Petroni stated he wanted to bring forth the budget calendar and why it is important that Council take some action on the Budget. The Budget calendar stated that once the budget is introduced the Borough has to wait 28 days until it can adopt the budget. If Council was to introduce it tonight, it would put it in the middle of June and the State has to review it as the Borough is not eligible for self-exam this year, then there would be the issue of the deadline in getting the tax bills out because the County has to certify the tax rates. If Council delays too long, then the Borough will be in the position to delay the tax bills and have a cash flow problem or do estimated tax bills. One of the things, Council could do and he is not for or against this but he is giving Council their options, could introduce the Budget and then Council would have at least 28 days to deliberate and then do amendments in order to get ahead of this clock.

Councilman Stevenson questioned the process of amendments.

Auditor Petroni explained that once the Budget is introduced, then Council would have to have a public hearing on the Budget as it was introduced. After the public hearing, after 28 days, Council could decide on amendments. The Borough wouldn't introduce the amendments until after the public hearing on the introduced budget. If Council increases or decreases a line item by ten percent (10%) or more then the Borough would require a public hearing on the amendment. The Borough would not have to wait 28 days, only seven (7) days. If you don't increase the line item by ten percent (10%) or more then the Borough doesn't have to have another public hearing. The Borough could introduce the amendment and then adopt the Budget. There is the ability to amend depending on certain criteria, which is the increase or decrease in the line item by ten percent (10%) or more. His suggestion is to maybe introducing the budget to get on the calendar and Mayor and Council deliberate over the next month, if amend fine, but still have to get the State to review the budget as well and they have been running behind because they are short staffed. He is concerned about the time line and the tax bills. He is also worried about the "Best Practices".

Councilman Giampola asked how the Council got to this spot as there haven't been any meetings to discuss any of the wish list items.

Mayor Hamilton stated a special meeting could be held to discuss the budget items.

Mayor and Council further discussed the wish list items and the possibility of a special meeting.

Stevenson moved and Giovannitti seconded to schedule a Special Meeting on Tuesday, May 28, 2013 at 4:30 p.m. to discuss the 2013 Budget and action may or may not be taken. Roll call: Ayes: Giovannitti, Giampola, Haynes, Kidd, Stevenson, Turner. Nays: None.

**Motion carried.**

R. #101.13: EMERGENCY TEMPORARY RESOLUTION OF THE BOROUGH OF PAULSBORO. Giovannitti moved and Stevenson seconded to adopt R. #101.13. Roll call: Ayes: Giovannitti, Giampola, Haynes, Kidd, Stevenson, Turner. Nays: None. **Motion carried.**

Minutes of a Special Meeting held on April 16, 2013 at 6:00 p.m. Giovannitti moved and Giampola seconded to receive, file and approve the above minutes. All were in favor of the motion.

Minutes of a Work Session Meeting held on April 16, 2013 at 7:00 p.m. Giovannitti moved and Giampola seconded to receive, file and approve the above minutes. All were in favor of the motion.

R. #102.13: RESOLUTION PROVIDING FOR THE PAYMENT OF BILLS OUT OF THE 2013 TEMPORARY BUDGET. Giovannitti moved and Giampola seconded to pay all bills properly signed and adopt R. #102.13. Roll call: Ayes: Giovannitti, Giampola (abstained on all fire bills), Haynes, Kidd, Stevenson, Turner. Nays: None. **Motion carried.**

Email from Paul Forlenza, Municipal Excess Liability Joint Insurance Fund, regarding Opposing Assembly Bills 2756 Workers Compensation for Surviving Spouses and 1196 First Responders' Workers' Compensation Presumption. Giovannitti moved and Stevenson seconded to receive and file the email. All were in favor of the motion

R. #103.13: RESOLUTION OF THE BOROUGH OF PAULSBORO OPPOSING A-2756 WORKERS COMPENSATION FOR SURVIVING SPOUSES. Giovannitti moved and Haynes seconded\_\_ to adopt R. #103.13. Roll call: Ayes: Giovannitti, Haynes, Turner. Nays: Giampola, Stevenson. Abstained: Kidd. **Motion carried.**

R. #104.13: RESOLUTION OF THE BOROUGH OF PAULSBORO OPPOSING A-1196 FIRST RESPONDERS' WORKERS' COMPENSATION PRESUMPTION. Haynes moved and Giovannitti seconded to adopt R. #104.13. Roll call: Ayes: Giovannitti, Haynes, Turner. Nays: Giampola, Stevenson. Abstained: Kidd. **Motion carried.**

Mayor Hamilton discussed the Shared Service Agreement with the County for the

Sweeper and Drain Vacuum.

Mayor Hamilton stated for the street sweeper through the County shared service, the Borough has been working with Councilman Haynes who has been trying to tell Council what to do and how to go about doing it. At this time, the County is down sweepers but the Borough has to schedule an appointment in order to get the street sweeper.

Councilman Haynes stated he preferred that Council contact his associate, Joe D'Alessandro. It would be a conflict if he was to handle this for Paulsboro.

Mayor Hamilton asked if there was a phone number to contact Mr. D'Alessandro.

Councilman Haynes stated the phone number is #307-6431.

Solicitor Angelini explained the Borough has a shared service with the County and it is \$350.00 per day but there are only two (2) sweepers that are operating and the earlier the Borough gets in on scheduling a time frame the sooner it can be done.

Mayor Hamilton discussed the drain vacuum and the Borough had Public Works go out and dig them out but now the Borough will have to get the vacuum to come in and pull out the drainage so the water can drain so there isn't a flood. Greenwich Township was spoken to about a shared service and they are willing to help out the Borough.

Giovannitti moved and Giampola seconded to include this item with budget discussions that will be held at the Special Meeting next Tuesday. All were in favor of the motion.

Mayor Hamilton stated it will cost \$350.00 per day and for one (1) week it will cost \$1,750 per week for the street sweeper and it will cost \$10,000 for the drains through the shared service with Greenwich Township.

Administrator Ruggeri stated it is part of the wish list which includes \$10,000 for the drains and \$5,000 for disposal.

Council President Giovannitti discussed hiring Part Time Street and Highway employees. He would like to hire two (2) part time employees and this will be discussed at the next meeting. The Borough is also looking for a bus driver.

Administrator/CFO Ruggeri gave an update on the hiring of a bus driver. She has not put the ad in the newspaper yet because when she was about to, the gentleman that Council wanted to hire came to her and said he wanted to work. She informed Mr. Kulbacki to contact Pensions himself and hear it from them and then come back to her to tell her whether he wanted to do it or not. The issue is he is already collecting his pension and Pensions informed her there is an issue at Pensions with people collecting a pension and working in the place they collected pension from. The Attorney General's Office is reviewing this issue and the woman told her she couldn't tell Ms. Ruggeri not to hire him but if the

employee is willing to take the chance to go ahead but there is a possibility he could lose his pension moving forward. She has a current employee who has his CDL but is now taking the test for the passenger endorsement as a back-up driver.

Councilwoman Turner questioned if all the jobs were being posted such as the part time street and highway openings so the community has the opportunity to apply for these jobs.

Administrator/CFO Ruggeri stated the part time bus driver was not posted as she was waiting to hear from Mr. Kulbacki. The Bus Driver will be posted and the part time Street and Highway openings were not posted.

Councilwoman Turner questioned what the process was to post these positions because she is concerned that the Paulsboro people are not aware of these opportunities.

Administrator/CFO Ruggeri stated in her opinion everything should be posted. The problem is there aren't written job descriptions so she has to figure out what the position entails before she can put the positions in the newspaper. They will be posted in house and in the newspaper.

Council President Giovannitti questioned if Administrator/CFO Ruggeri could also be authorized to post for additional part time street and highway workers along with the bus driver to be posted in the buildings and wherever else such as the website.

#### Administrator/CFO Report:

Administrator/CFO Ruggeri had a meeting with T-Mobile, Erik Biermann from Sickels and John Daly, Water and Sewer Superintendent, regarding Water Tower Antenna on Nassau Avenue at the Water Tower to talk with T-Mobile about moving their equipment from the old tower to the new tower. They met because before the contractor is done painting the tower, they would like the brackets put on the new tower. They found out that on the T-Mobile side whoever was handling this matter two (2) years ago was let go and it kind of fell through the cracks at T-Mobile. Here is the Borough trying to get T-Mobile to do this and they are saying who is going to pay them to do this. Right now, the Borough received a monthly rental from T-Mobile prior in regards to this. They are going to give the Borough a proposal and whether the Borough chooses to take it or not is a different story. The Borough does have a contract with T-Mobile for them to have the equipment on the old tower. They are going to propose reducing the rental income the Borough gets each month for the portion of what it would cost them to move the equipment but the figures they threw out there were very large. She told them she isn't willing to spend that kind of money and she also told them to give her something in writing and she would bring it to Council. The current contract doesn't expire until 2021 and without reading the fine print and to decide not to go with their proposal, the Borough may be in breach of that contract.

Councilman Haynes questioned what costs T-Mobile would have other than moving their antennas from one tower to the other tower.

Administrator/CFO Ruggeri stated \$80,000 to move their equipment. They are going to try to work with the Borough and as soon as she gets the proposal, she will bring it to Council.

Administrator/CFO Ruggeri stated Michael Zumpino is present and would like to give Council an update on the USDA grants.

Mr. Zumpino met with the Administrator/CFO about a month ago and was looking for potential funding for different projects such as the Fire Station, Thomson Avenue and he will meet with Borough Engineer Fleming at a couple of other priority projects, road and water and sewer projects in the Borough. Also, the Municipal Building roof and parking lot which has been a perennial issue and very difficult to try and find funds but he wanted Council to know it is "on the radar" and it is not being ignored. He is looking for different funding sources and he reminded Council if something comes up to get them to the Administrator/CFO and he will meet with the Administrator/CFO and have it on the list and keep tracking on what is coming up. The one issue the Administrator/CFO brought up to him was the Standpipe needs a major reconditioning of that pipe, it is in bad shape and the Engineer has estimated the cost around \$825-\$850,000 with Engineering, etc. and rounding to close to \$1 million dollars to do that. The Borough has received close to \$5 million dollars in grants between the USDA, the Department of Agriculture and USEDA for the Treatment Plant and the new tower. He broached the subject of the Standpipe with Howard Henderson, the State Director for USDA and he has asked the Borough to submit an application for the standpipe which could be a 75% loan and 25-40% grant and the balances could be stretched out for the life of the improvement. He stated Triad has an existing contract with the Borough to move on the first part which is the Pre-Application Conference and preparation of the Pre-Application documents in the amount of \$4,500, the second phase is the Full Application to cost \$6,000 and the third phase relates to the work needed to finalize documents and secure a formal grant agreement for the project in the amount of \$4,000. USDA is interested and wants a proposal from the Borough to get the pre-application in and lock in the money before it is dedicated to something else.

Haynes moved and Giovannitti seconded to authorize Triad to prepare the pre-application for the standpipe. Roll call: Ayes: Giovannitti, Giampola, Haynes, Kidd, Stevenson, Turner. Nays: None. Motion carried.

#### Police Chief's Report:

Memo from Chief Chris T. Wachter regarding Paulsboro Police Officer Participation in the 2013 Police Unity Tour. Giampola moved and Giovannitti seconded to receive, file the memo and authorize the Borough Clerk to prepare proclamations. All were in favor of the motion.

Memo from Chief Chris T. Wachter requesting Executive Session to continue Agreement Negotiations. Giampola moved and Giovannitti seconded to receive, file the memo and table this matter until the next meeting. All were in favor of the motion.

There wasn't any further Borough business.

Giampola moved and Stevenson seconded to adjourn the meeting at 8:34 p.m. All were in favor of the motion.

This is a brief summary of the Work Session Meeting of the Mayor and Council of the Borough of Paulsboro held on May 21, 2013 and should not be considered a verbatim transcript of the meeting.

Respectfully submitted,

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Kathy A. VanScoy, RMC/CMC  
Borough Clerk

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W. Jeffery Hamilton, Mayor