

**JANUARY 17, 2012**

**PAULSBORO, N.J.**

**5:00 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, Haynes, Kidd, Morina (arrived at 7:09 p.m.), Tedeski.

Mayor Hamilton called the meeting to order.

Borough Clerk VanScoy read the opening statement regarding the Open Public Meetings Act.

Mayor Hamilton opened the floor to the public.

Terence Jones, Mullica Hill, Public Safety Consultant and Civil Rights Advocate, stated he has received telephone calls from residents regarding police brutality and misconduct. He discussed the December 19<sup>th</sup> minutes which he felt had mistakes. He presented an OPRA request for a copy of the audio cassettes from that meeting and then called the Clerk who informed him that the audio cassettes were mistakenly not taped during the open portion of the meeting. He further stated he cannot check the audio cassettes for mistakes in the minutes.

Solicitor Angelini stated the minutes have been approved and if Mr. Jones felt there were mistakes then he should submit it in writing to Mayor and Council. The minutes would not be changed at this meeting. Mr. Jones should list the differences of opinion in a detailed report and what the inaccuracies are and submit it to Mayor and Council.

Mr. Jones stated there are two sentences that are not exactly what he said and he found it ironic that the tape was not recording.

Solicitor Angelini again informed Mr. Jones to submit it in writing to Mayor and Council.

Mr. Jones discussed who the responsible person over the Police Department.

Mayor Hamilton stated Mayor and Council is the appropriate authority.

Mr. Jones stated when he submits an OPRA request he deals with the Police Clerk but Council passed a Resolution that the Chief of Police is the sub-record custodian. He had a 2 hours and 17 minutes long conversation with the Police Chief and felt he was very abusive.

Solicitor Angelini stated the Chief is entitled to protection and Council was not going to talk about or get into any discussions.

Mr. Jones brought up the petition he submitted with 142 names, addresses and phone numbers of the Borough's residents.

Solicitor Angelini stated this is the second time Mr. Jones has made allegations and he suggested Mr. Jones go to the County Prosecutor.

Mr. Jones stated he has.

Solicitor Angelini stated if he went to the County it is now in the hands of the Attorney General's Office and there is nothing more the Mayor and Council can do but let the chips fall where they may.

Mr. Jones stated he wanted to file a "demeanor complaint" against the Chief. He has presented an OPRA request to the Police Department and asked that any material denied not be destroyed.

Solicitor Angelini stated Mr. Jones has the right under OPRA to go further to file an action for failure to receive documents.

Mr. Jones stated the hardworking residents of Paulsboro are paying for lawsuits that he is filing. He felt he is going to win the OPRA request for the use of force reports lawsuit and should receive the reports unredacted.

Mr. Jones further discussed lawsuits, police brutality and misconduct, etc.

Mayor Hamilton again stated Council cannot talk about lawsuits.

Solicitor Angelini stated Mr. Jones has indicated his intention to file a lawsuit and he recommended to Mayor and Council to not have any conversation regarding this matter. Mr. Jones can file an internal affairs complaint but he again recommended not getting into any conversation with him as he has threatened a lawsuit.

Mr. Jones stated he doesn't want to file lawsuits as he wants what he is entitled to. He again discussed the petition that was filed.

Mayor Hamilton stated Council cannot hear or speak about anything regarding the petition as it would be part of the potential lawsuit. He further stated the Mayor and Council have heard all this before and Mr. Jones keeps alleging he is going to file a lawsuit.

He also stated himself and the Council is not judge or jury at this time and asked Mr. Jones to conclude his discussion.

Mr. Jones stated he is hoping to file a complaint regarding Chief Wachter.

Solicitor Angelini stated he would not do that at an open meeting as there are personnel rights and procedures to be followed.

Mr. Jones stated he hoped there was some level of concern as every time he comes to the meeting there is something new. He stated it seems things are out of control and he apologized for raising his voice.

Administrator Salvatore stated the procedure would be to file an Internal Affairs complaint with the Police Department against the Police Chief who would then forward it to the County Prosecutor.

Mr. Jones stated he would go directly to the County as he is not comfortable with Paulsboro.

**R. #39.12: RESOLUTION ADOPTING A TEMPORARY BUDGET FOR THE YEAR 2012.** Giovannitti moved and Haynes seconded to adopt

R. #39.12. Roll call: Ayes: Giovannitti, Haynes, Kidd, Morina, Tedeski. Nays: None.

**Motion carried.**

**R. #40.12: RESOLUTION PROVIDING FOR THE PAYMENT OF BILLS OUT OF THE 2011 RESERVE ACCOUNTS.** Giovannitti moved and Haynes seconded to pay all bills properly signed and adopt R. #40.12. Roll call: Ayes: Giovannitti, Haynes, Kidd, Morina, Tedeski. Nays: None. **Motion carried.**

**R. #41.12: RESOLUTION PROVIDING FOR THE PAYMENT OF BILLS OUT OF THE 2012 TEMPORARY BUDGET.** Giovannitti moved and Haynes seconded to pay all bills properly signed and adopt R. #41.12. Roll call: Ayes: Giovannitti, Haynes, Kidd, Morina, Tedeski. Nays: None. **Motion carried.**

Received Raffle License Application, RA-553, from Guardian Angels Regional School PTA to hold an Off-Premise Merchandise Raffle on March 13, 2012 at 8:00 p.m. Giovannitti moved and Haynes seconded to receive, file the application and approve the license. All were in favor of the motion.

Letter from Sue Davison, State of New Jersey, Department of the Treasury, Division of Taxation, regarding 0814 Paulsboro Borough – Gloucester Tax Map (Index – 18) Submitted for formal Certification and Revaluation Approval. Giovannitti moved and Haynes seconded to receive and file the letter. All were in favor of the motion.

Letter from Jeanne Giampola, Chairperson of the Paulsboro Executive Committee regarding Council vacancy. Giovannitti moved and Haynes seconded to receive and file the letter. All were in favor of the motion.

Council President Giovannitti felt the three (3) candidates should be brought in for a brief interview at a Special Meeting.

Councilman Haynes stated he didn't know why there has to be an interview process.

Giovannitti moved and Tedeski seconded to schedule a Special Meeting on January 23, 2012 at 6:00 p.m. to interview the three (3) potential candidates for the vacant Council seat. Roll call: Ayes: Giovannitti, Kidd, Tedeski. Nays: Haynes, Morina. **Motion carried.**

Borough Clerk VanScoy is to notify the three (3) potential candidates of the special meeting.

Letter from Fire Official Phil Zimm regarding resignation from the position of Fire Official.

Mayor Hamilton stated the above matter will be discussed at the next Work Session Meeting.

Giovannitti moved and Kidd seconded to hold item #11 until the next Work Session Meeting in order to get more input. All were in favor of the motion.

Mayor Hamilton discussed the appointment of the Municipal Judge as his appointment expires at the end of January.

**R. #42.12: RESOLUTION OF THE BOROUGH OF PAULSBORO APPOINTING WILLIAM J. GOLDEN AS MUNICIPAL COURT JUDGE.** Giovannitti moved and Haynes seconded to adopt R. #42.12. Roll call: Ayes: Giovannitti, Haynes, Kidd, Morina, Tedeski. Nays: None. **Motion carried.**

Mayor and Council discussed the Paulsboro Plaza ERG Application which everyone has received. He questioned if everyone has had a chance to review it.

Councilman Haynes stated the project is going on two (2) plus years in redeveloping. He further stated the Borough is not under any obligation for funding of the project but they just need an endorsement for the redevelopment in that area.

Mr. Robert English, representative of the Paulsboro Plaza redevelopment, stated it is just an endorsement of the project, a reaffirmation of the 2005 redevelopment site. They started out with condominiums but the bank would not fund the project. There is a sufficient market for rental housing that is filling the gap. They have changed the plans several times for Mayor and Council and the Land Use Board and they will change it again. He stated whatever the Borough of Paulsboro wants to do they will go along with it. The bigger issue is creating an economic viability and stage one (1) of the project does just that. They can put off the residential aspect. He further stated the endorsement letter was very helpful as it started the process but they need a Resolution of support.

There was further discussion regarding the redevelopment of the Paulsboro Plaza.

Mr. English informed Councilman Kidd that he was right regarding the Dollar General as they had a meeting with the tenants. They are talking with them to get them to stay but they were leaving as the store is deplorable. He further stated they are requesting the tenants sign five (5) to seven (7) year leases and they will pay for the "fit outs" for each tenant.

Mayor Hamilton thanked Mr. English for coming to the meeting.

**R. #43.12: RESOLUTION OF THE BOROUGH OF PAULSBORO SUPPORTING THE APPLICATION OF LINDSAY-ORE, LLC FOR A STATE INCENTIVE GRANT,**

**SUBJECT TO APPROVAL BY THE NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY.** Giovannitti moved and Tedeski seconded to adopt R. #43.12. Roll call: Ayes: Giovannitti, Haynes, Morina, Tedeski. Nays: Kidd due to his concern regarding the apartments. **Motion carried.**

Mayor Hamilton tabled item #14. to discuss R. #28.12 Alternate Fund Commissioner for JIF.

Council President Giovannitti stated he cancelled the Street and Highway Committee Meeting until February. He is looking into two (2) shredding events per year and he will get the dates in February. He further stated he had Borough Foreman Tinder look into the street sweeper which he will have more details also in February. He also had Borough Foreman Tinder and Bill Virden checked into where the Borough takes the recycling which is Pitman and it will stay in Pitman. Both Borough Foreman Tinder and Bill Virden looked into it and Camden did not get back to them.

Councilman Kidd discussed presenting a proclamation to the family of Wayne Wurtz honoring him as he was still serving as the Chairperson of the Land Use Board when he passed away. He suggested Mayor and Council present the proclamation at the first meeting in February and to send an invitation to the family to attend the meeting in February.

Kidd moved and Giovannitti seconded to prepare a proclamation to honor Wayne Wurtz and invite the family to the February 7<sup>th</sup> Regular Meeting. All were in favor of the motion.

Administrator Salvatore informed Mayor and Council there was an emergency sewer main repair on Adams Street.

Chief Wachter informed Mayor and Council of the passing of Bob Banks who served as a SLEO I Officer and as a dispatcher.

Chief Wachter stated he did not ask to be a Sub-Record Custodian of records but the Clerk informed him he would be one as the Department Head of the Police Department.

Chief Wachter submitted a memo regarding recommendation to hire full-time police officer to fill current vacancy. He recommended Tom Giorgianni who was hired under a "conditional offer of employment" in November.

**R. #44.12: RESOLUTION AUTHORIZING THE BOROUGH OF PAULSBORO TO EMPLOY THOMAS GIORGIANNI AS A PROBATIONARY POLICE OFFICER FOR THE BOROUGH OF PAULSBORO.** Giovannitti moved and Haynes seconded to adopt R. #44.12. Roll call: Ayes: Giovannitti, Haynes, Kidd, Tedeski. Nays: None. Abstained: Morina. **Motion carried.**

Chief Wachter submitted a memo regarding recommendation to advertise for Experienced SLEO II Officers. He stated he would like to resurrect the Class II SLEO officers as it would add manpower without the overall costs of pension and benefits. It also gives him the opportunity to do other things during the summer months and possibly work court security. A preference would be given to Borough residents.

Giovannitti moved and Haynes seconded to authorize Chief Wachter to advertise for three (3) SLEO Class II Officers and if the Chief can locate openings for SLEO Class I Officers to advertise for that as well. All were in favor of the motion.

Chief Wachter submitted a memo regarding the School Resource Officer Assignment. He felt it was a good move to put a School Resource Officer in the Schools. The position would be resurrected under certain rules and agreements. He met with the School to discuss the duties and responsibilities. The Officer will go to both middle schools as well. He started the officer in January and he has worked out the scheduling and manpower. The SRO is not locked in for the entire school year but for blocks at a time. He is looking for permission to negotiate the funding issue with Dr. Scambia and the School Board.

Councilman Kidd questioned how much it is going to cost the Borough.

Chief Wachter stated it will cost the Officer's time and salary.

Councilman Kidd stated he is worried about the school but he is also worried about the streets.

Mayor and Council further discussed the School Resource Officer and the financing of the SRO as well as training.

Councilwoman Tedeski left the meeting at 6:38 p.m.

Chief Wachter stated he will need permission to negotiate with the School.

Mayor and Council discussed the fact that two (2) members of Council would have to abstain due to a conflict of interest in working for the High School and another Council person also has to abstain due to the SRO being a family member.

Solicitor Angelini gave Council President Giovannitti and Councilman Morina permission to vote in the motion about to be made.

Giovannitti moved and Morina seconded to authorize Chief Wachter to start negotiating with Administrator Salvatore and the School Officials for financing of the SRO. All were in favor except Kidd opposed and Haynes abstained. **Motion carried.**

Councilman Haynes stated for a point of clarification that during the Reorganization Meeting held on January 3<sup>rd</sup>, Mayor Hamilton submitted the name of Elaine Cooper as a member of the Gill Memorial Library Board of Trustees, which was voted upon by Council and denied. However, the Gill Memorial Library Board of Trustees members' are the Mayor's appointment and doesn't need the consent of Council, therefore, the appointment of Elaine Cooper as a member of the Gill Memorial Library Board of Trustees stands commencing January 3, 2012.

There wasn't any further Borough business.

Giovannitti moved and Haynes seconded to adjourn the meeting at 6:55 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 January 17, 2012 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