

SEPTEMBER 4, 2012

PAULSBORO, N.J.

7:00 P.M.

REGULAR MEETING

Council Chamber:

Mayor Hamilton presided at the regular meeting of Council held on the above date and place.

The Opening Prayer was given by Mayor Hamilton.

Mayor Hamilton asked all those present to join in the salute to the flag, which was conducted by Borough Clerk VanScoy.

Mayor Hamilton called the meeting to order.

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

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

Mayor Hamilton presented the following proclamations:

Sgt. Sheldon Lewis (Woolwich Township) and Patrol Officer Jennifer Zubec for their involvement with the Paulsboro Police Department's Annual Youth Camp Program.

Sgt. Lewis and Patrol Officer Zubec thanked the Chief and the Captain for their support of the Youth Camp.

Mayor Hamilton also presented proclamations to the following:

Phil Scott and the wife of Warren Adams, Coaches of the Paulsboro High School Baseball Team, Tyler Adams (present), Steven Baylor, Jamal Hinton (present), Tyler Knighton, Phil Scott (present) and Lowell Trexler (present) for their assistance in a "Community Clean Up Day".

Coach Scott thanked Mayor and Council for the proclamations and stated NuStar sponsors the Baseball Team. He felt the kids are an excellent group of kids.

Mayor Hamilton opened the floor to the public.

Barbara L. Sharper, Vanneman Boulevard, discussed a new gas heater to be installed at

her residence and questioned what she was supposed to do as she has received a letter from Diane Moran from the Construction Office regarding South Jersey Gas Company getting a permit.

Councilman Haynes stated South Jersey Gas has to submit plans showing the exact locations but he will follow up with the Construction Official.

Ruth Driver, Vanneman Boulevard, requested the shuttle bus to transport the Senior Citizens to the away football games. She has a list and the first one is this Friday in Haddonfield.

Council President Giovannitti stated there are four away football games.

Giovannitti moved and Haynes seconded to provide the shuttle bus transportation for the four (4) away football games arriving 1 ½ hours before the game. All were in favor of the motion.

Monica White, West Washington Street, stated the situation on her street has gotten worse as there are about 10-15 people who congregate on her street and it is noisy, they are cursing, there was a huge fight and there is blood on the sidewalk. The property is a rental property and Mayor and Council has to understand where she is coming from because at 3:00 a.m. it is really bad. She has called the Police and they come. She hears "it takes time" but she doesn't know what else to do.

Mayor Hamilton suggested Ms. White speak with the Chief or the Captain.

Almetha Ford, 234 West Washington Street, also informed the Governing Body that West Washington Street is getting bad. It is the same people and it is ridiculous. She further stated taxes are going up and nothing is being done. She also stated she doesn't think the house has ever had an inspection done.

Councilman Stevenson stated Mayor and Council need to strengthen their codes and tighten the rules. He further stated to ask the Code Official for background and start hitting the people hard and hit them where it hurts. After a certain amount of complaints, something has to be done.

Solicitor Angelini stated Paulsboro was the first municipality in the State of New Jersey to provide a Rental Property Ordinance which there is penalties such as fines amounting to \$1,000 and revocation of license but it has to be tweaked.

Emma Hackley, 201 West Buck Street, stated she feels Buck Street is getting just like it was before. They are partying so hard that they are parked up to the undertaker's property. There are four (4) houses that keep the community in an uproar. She is sick and tired of it. She felt it was high time real action is taken.

Mayor Hamilton also suggested they speak with the Chief and the Captain to see what can be done.

Cheryl Scott, 1645 Swedesboro Avenue, questioned what is going to be done about the landlords and what else can the residents do who are subjected to these rental properties.

Solicitor Angelini stated they are to file complaints and go to court in order to make a record. The residents have to get together with the Police Department.

Mayor Hamilton stated the past administration has taken a license from a landlord before and can fine the landlord for the property.

Administrator Salvatore stated the problem is that it was told the Ordinance was unenforceable and certain amendments were needed to streamline it. The triggers should be put in one section not in two sections. The triggers for the Code Office are minimal. The police issues trigger a conviction in Municipal Court and the Police Department sends it to Mayor and Council. The Ordinance needs to be amended for the due process issue.

Administrator Salvatore explained what Mrs. Sharper's next move is for the installation of the gas heater which is she is to have her contractor come to the Code Office and fill out the permits.

There wasn't any further public participation.

Minutes of a Work Session Meeting held on July 16, 2012 at 6:00 p.m. Giovannitti moved and Haynes seconded to receive, file and adopt the above minutes. All were in favor of the motion.

R. #156.12: RESOLUTION PROVIDING FOR THE PAYMENT OF THE BILLS OUT OF THE 2012 BUDGET FOR AUGUST 7TH & 20TH, 2012. Giovannitti moved and Haynes seconded to pay all bills properly signed and adopt R. #156.12. Roll call: Ayes: Giovannitti, Giampola, Haynes, Kidd, Stevenson, Turner. Nays: None. **Motion carried.**

R. #157.12: RESOLUTION PROVIDING FOR THE PAYMENT OF THE BILLS OUT OF THE 2012 BUDGET. Giovannitti moved and Haynes seconded to pay all bills properly signed and adopt R. #157.12. Roll call: Ayes: Giovannitti, Giampola, Haynes, Kidd, Stevenson, Turner. Nays: None. **Motion carried.**

R. #158.12: RESOLUTION TO CANCEL BALANCES ON CERTAIN TAX PROPERTIES. Giovannitti moved and Haynes seconded to adopt R. #158.12. Roll call: Ayes: Giovannitti, Giampola, Haynes, Kidd, Stevenson, Turner. Nays: None. **Motion carried.**

R. #159.12: RESOLUTION CANCELLING PROPERTY TAXES FOR TOTALLY DISABLED VETERAN. Giovannitti moved and Haynes seconded to adopt R. #159.12.

Roll call: Ayes: Giovannitti, Giampola, Haynes, Kidd, Stevenson, Turner. Nays: None. **Motion carried.**

R. #160.12: RESOLUTION PROVIDING FOR ALLOWANCE OF A DISABILITY DEDUCTION. Giovannitti moved and Haynes seconded to adopt R. #160.12. Roll call: Ayes: Giovannitti, Giampola, Haynes, Kidd, Stevenson, Turner. Nays: None. **Motion carried.**

R. #161.12: RESOLUTION PROVIDING FOR THE CANCELLATION OF CERTAIN BALANCES ON WATER AND SEWER ACCOUNTS. Giovannitti moved and Haynes seconded to adopt R. #161.12. Roll call: Ayes: Giovannitti, Giampola, Haynes, Kidd, Stevenson, Turner. Nays: None. **Motion carried.**

R. #162.12: RESOLUTION AUTHORIZING THE BOROUGH OF PAULSBORO TO SUBMIT AN APPLICATION FOR FUNDING OF THE MUNICIPAL ALLIANCE PROJECT FOR 2013. Giovannitti moved and Haynes seconded to adopt R. #162.12. Roll call: Ayes: Giovannitti, Giampola, Haynes, Kidd, Stevenson, Turner. Nays: None. **Motion carried.**

R. #163.12: RESOLUTION PROVIDING FOR CHANGE ORDER NO. 4 IN CONNECTION WITH THE PAULSBORO WATER TREATMENT PLANT PROJECT IN THE BOROUGH OF PAULSBORO. Giovannitti moved and Haynes seconded to adopt R. #163.12. Roll call: Ayes: Giovannitti, Giampola, Haynes, Kidd, Stevenson, Turner. Nays: None. **Motion carried.**

R. #164.12: RESOLUTION PROVIDING FOR CHANGE ORDER NO. 1 – FINAL IN CONNECTION WITH THE PAUL HOUSE STABILIZATION, PHASE II PROJECT IN THE BOROUGH OF PAULSBORO. Giovannitti moved and Haynes seconded to adopt R. #164.12. Roll call: Ayes: Giovannitti, Giampola, Haynes, Kidd, Stevenson, Turner. Nays: None. **Motion carried.**

R. #165.12: RESOLUTION FOR RENEWAL OF MEMBERSHIP IN THE SOUTHERN NEW JERSEY REGIONAL EMPLOYEE BENEFITS FUND. Giovannitti moved and Haynes seconded to adopt R. #165.12. Roll call: Ayes: Giovannitti, Giampola, Haynes, Kidd, Stevenson, Turner. Nays: None. **Motion carried.**

R. #166.12: RESOLUTION OF THE BOROUGH OF PAULSBORO AMENDING THE AGREEMENT BETWEEN THE BOROUGH OF PAULSBORO AND THE COUNTY OF GLOUCESTER FOR A 2012 COMMUNITY DEVELOPMENT BLOCK GRANT FOR THE RESTORATION TO 764 DELAWARE STREET. Giovannitti moved and Haynes seconded to adopt R. #166.12. Roll call: Ayes: Giovannitti, Giampola, Haynes, Kidd, Stevenson, Turner. Nays: None. **Motion carried.**

R. #167.12: RESOLUTION PROVIDING FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE BUDGET IN THE BOROUGH OF PAULSBORO, COUNTY OF GLOUCESTER AND STATE OF NEW JERSEY PURSUANT TO N.J.S.

40A:4-87 (CHAPTER 159, P.L. 1948). Giovannitti moved and Haynes seconded to adopt R. #167.12. Roll call: Ayes: Giovannitti, Giampola, Haynes, Kidd, Stevenson, Turner. Nays: None. **Motion carried.**

R. #168.12: RESOLUTION OF THE BOROUGH OF PAULSBORO AUTHORIZING THE EXECUTION OF AN ESCROW AGREEMENT BY AND BETWEEN THE BOROUGH OF PAULSBORO AND EAGLE CONSTRUCTION SERVICES, INC. FOR THE PERFORMANCE OF SERVICES BY EAGLE CONSTRUCTION RENDERED IN CONNECTION WITH THE WATER TREATMENT PLANT PROJECT. Giovannitti moved and Haynes seconded to adopt R. #168.12. Roll call: Ayes: Giovannitti, Giampola, Haynes, Kidd, Stevenson, Turner. Nays: None. **Motion carried.**

R. #169.12: RESOLUTION OF THE BOROUGH OF PAULSBORO AUTHORIZING THE EXECUTION OF A SETTLEMENT AGREEMENT BY AND BETWEEN THE BOROUGH OF PAULSBORO AND THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION RESOLVING CIVIL ADMINISTRATIVE PENALTY ASSESSMENT, DOCUMENT NO. PEA110001, REGARDING THE WATER TREATMENT PLANT PROJECT. Giovannitti moved and Haynes seconded to adopt R. #169.12. Roll call: Ayes: Giovannitti, Giampola, Haynes, Kidd, Stevenson, Turner. Nays: None. **Motion carried.**

R. #170.12: RESOLUTION OF THE BOROUGH OF PAULSBORO RESCINDING RESOLUTION NO. 129.11 WHICH AUTHORIZES REMINGTON AND VERNICK TO PROVIDE ENGINEERING SERVICES FOR THE BOROUGH OF PAULSBORO FOR THE CONSTRUCTION OF A NEW PARKING LOT ON BLOCK 106, LOT 5 FOR THE FUTURE PAUL HOUSE LIBRARY. Giovannitti moved and Haynes seconded to adopt R. #170.12. Roll call: Ayes: Giovannitti, Giampola, Haynes, Kidd, Stevenson, Turner. Nays: None. **Motion carried.**

R. #171.12: RESOLUTION OF THE BOROUGH OF PAULSBORO RESCINDING RESOLUTION NO. 117.11 APPOINTING THE FIRM OF KIMMEL-BOGRETTE TO PROVIDE ARCHITECTURAL AND ENGINEERING SERVICES AND RE-AUTHORIZE THE APPOINTMENT OF KIMMEL-BOGRETTE TO PROVIDE ARCHITECTURAL SERVICES TO BUILD AN ADDITION TO AND MODIFY THE GILL MEMORIAL LIBRARY. Giovannitti moved and Haynes seconded to adopt R. #171.12. Roll call: Ayes: Giovannitti, Giampola, Haynes, Kidd, Stevenson, Turner. Nays: None. **Motion carried.**

R. #172.12: RESOLUTION OF THE BOROUGH OF PAULSBORO AMENDING CONTRACT WITH TRIAD ASSOCIATES FOR PROFESSIONAL SERVICES IN REGARDS TO GRANT IMPLEMENTATION SERVICES RELATED TO THE WATER TREATMENT PLANT PROJECT. Giovannitti moved and Haynes seconded to adopt R. #172.12. Roll call: Ayes: Giovannitti, Giampola, Haynes, Kidd, Stevenson, Turner. Nays: None. **Motion carried.**

Summary of reports and copies of minutes of meetings. Giovannitti moved and Haynes seconded to receive and file. All were in favor of the motion.

Letter from Solicitor Jeffrey A. Daniels regarding Commercial Lease: 1202 Delaware Street. Giovannitti moved and Haynes seconded to receive and file the letter. All were in favor of the motion.

Letter from Thomas Leisse, Pennoni Associates, Inc., regarding request for Sewer Feasibility Exxon Mobil Research and Engineering Technical Center.

Letter from Thomas Leisse, Pennoni Associates, Inc., regarding request for Water Feasibility Exxon Mobil Research and Engineering Technical Center.

Giovannitti moved and Haynes seconded to receive, file the letter, turn this matter over to the Administrator and Sickels and Associates to review for Escrow assessment, whether or not it is in the best interest of the Borough and to notify Pennoni Associates of their review. All were in favor of the motion.

Letter from Jason Perkins, 2 Queen Street, requesting a block party on September 8, 2012 from 12:00 to 8:00 p.m. Giovannitti moved and Haynes seconded to receive, file the letter, approve the request and notify the proper departments. All were in favor of the motion.

Memo from M. James Maley, Jr., regarding Borough of Paulsboro v. Essex Chemical Corporation, The Prudential Insurance Company and the State of New Jersey. Giovannitti moved and Haynes seconded to receive and file the letter. All were in favor of the motion.

Kidd moved and Giampola seconded to invite Mr. Maley to the next work session meeting. All were in favor of the motion.

Letter from Gene DiGiovacchino regarding Block 65, Lot 2, 121 East Madison Street.

Administrator Salvatore explained that the property is vacant but it would not be a benefit to take the property without going through the In Rem Foreclosure Process in order to get a clear title and Mr. DiGiovacchino will not contest the foreclosure.

Haynes moved and Giampola seconded to receive, file the letter and send a letter to Mr. DiGiovacchino informing that the Borough will acquire the property through the In Rem Foreclosure process. All were in favor of the motion.

Received Firemen's Membership application from C. Joseph Harrold to join the Paulsboro Volunteer Fire Department. (All investigations have been completed).

Councilman Giampola asked to have this application tabled.

Letter from Enrique Chaguay, Plains All American Pipeline, L.P., regarding July water bill.

Memo from Water and Sewer Superintendent John D. Daly regarding Plains All American Pipeline.

Giovannitti moved and Stevenson seconded to receive and file the letters. All were in favor of the motion.

Administrator Salvatore recommended refunding the sewer usage for the 2nd quarter of 2012 in the amount of \$33,683.96.

R. #173.12: RESOLUTION PROVIDING FOR THE CANCELLATION OF CERTAIN BALANCES ON WATER AND SEWER ACCOUNTS. Giovannitti moved and Haynes seconded to adopt R. #173.12. Roll call: Ayes: Giovannitti, Giampola, Haynes, Kidd, Stevenson, Turner. Nays: None. **Motion carried.**

Letter from William G. Dressel, New Jersey State League of Municipalities and David N. Grubb, Municipal Excess Liability Joint Insurance Fund, regarding League supports A-2681 and opposes A-2405/S-1651 concerning the statute of limitations on civil actions for sexual abuse. Giovannitti moved and Haynes seconded to receive and file the letter. All were in favor of the motion.

R. #174.12: RESOLUTION OF THE BOROUGH OF PAULSBORO SUPPORTING A-2681 AND OPPOSING A-2404/S-1651. Giovannitti moved and Stevenson seconded to adopt R. #174.12. Roll call: Ayes: Giovannitti, Giampola, Haynes, Kidd, Stevenson, Turner. Nays: None. **Motion carried.**

Letter from LeRoy E. Sullivan, III, P.E, Sullivan Engineering Group, Inc., regarding Plains Products Terminals, LLC, 3rd and Billingsport Road Request for Pipeline Easement in Clonmell Road. Giovannitti moved and Stevenson seconded to receive and file the letter. All were in favor of the motion.

Administrator Salvatore recommended not doing anything with the above issue as they have redirected surface water and caused erosion on the banks of Fort Billings Park and needed to take ownership of the damages. Also, one pipeline will have to go through the Park. He further stated the Borough charged BP \$4,000 per monitoring well and the Borough should receive some money for the pipeline. He has authorized Churchill Engineering, Borough Engineers, to review the erosion and he hasn't heard anything. He felt there shouldn't be any dialogue until there is a resolution to the embankment.

Kidd moved and Giovannitti seconded to authorize all parties involved to meet with the Engineer and bring back to the Governing Body at a work session meeting. All were in favor of the motion.

Administrator Salvatore stated he will contact Churchill Engineers to get a report.

OLD BUSINESS: There wasn't any old business at this time.

MAYOR AND COUNCIL REPORTS:

Councilman Kidd discussed the rental properties and he thought the Landlord could be brought before Mayor and Council. If the issues are ongoing, then bring in the Landlord for a hearing.

Councilman Kidd stated he noticed every Department Head is present except for the Code Office and he felt he should be present to answer questions. He appreciated Administrator Salvatore for getting an answer for the resident's question regarding South Jersey Gas.

Councilman Kidd also stated this is a small town and if anyone has something to say to say it to him, to his face.

Council President Giovannitti thanked the residents for coming out with their concerns.

Council President Giovannitti discussed the Landlord Ordinance process. In order to get a conviction, a judge or lawyer has to hear the case.

Administrator Salvatore stated both the Police Department and Code Office have given these issues to Mayor and Council to hold hearings and Mayor and Council didn't do it because of some legality to the Ordinance.

Council President Giovannitti has talked with the Prosecutor and he asked the Solicitor to bring it back to Mayor and Council. He has met with the Construction Office, the Prosecutor and the Solicitor. It will move forward.

Council President Giovannitti stated the Street and Highway Department, as well as Borough Foreman Tinder and Code Officer Hogle are doing a good job getting properties cut as well as getting ready for Paulsboro Day.

Council President Giovannitti further stated "Movie Night" will be held on Friday, at Fort Billings Park at 7:30 p.m.

Council President Giovannitti thanked Borough Foreman Tinder for obtaining the welding truck from Exxon Mobil.

Council President Giovannitti stated he will be putting on the Work Session Agenda the Transportation Trust Fund grant and he will be submitting the same two (2) streets which are the couple of blocks of Billings Avenue from Beacon Avenue to the railroad tracks.

Councilwoman Turner requested to use the Court Room on October 12th, 2012 for a

Domestic Violence Presentation.

Giampola moved and Kidd seconded to grant Councilwoman Turner's request to use the Court Room for the above presentation. All were in favor of the motion.

Councilwoman Turner stated the Borough will be holding a Fall Concert either on October 5th or 6th. She stated Rusty James and his band "All Souled Out" will be playing. She questioned if the Borough had the equipment as it would be cheaper.

Council President Giovannitti stated the band usually uses their own equipment. He stated the Borough has received a donation from Exxon Mobil for \$2,500 for such events.

Giampola moved and Stevenson seconded to authorize \$800.00 to the "All Souled Out" Band on October 6th at a time to be announced. All were in favor of the motion.

Councilwoman Turner requested to advertise the Paulsboro Day event on Friday.

Giovannitti moved and Stevenson seconded to advertise the Paulsboro Day Event on Friday. All were in favor of the motion.

Councilwoman Turner stated she gives her support to Administrator Salvatore and Borough Foreman Tinder regarding the park.

Councilwoman Turner discussed the playground equipment that is in storage and if it could be used at the Buck Street playground or Fort Billings Park.

Kidd moved and Giovannitti seconded to look at the playground equipment to see if it can be used at the two (2) parks. All were in favor of the motion.

Councilman Stevenson also discussed the Landlord Licensing Ordinance issue. He felt everyone's input was needed to best address this issue. He felt Mayor and the Governing Body should take reign of this problem as they are not handling the issues.

Councilman Stevenson stated the Berkley Road house has been torn down. A huge safety issue has been removed for those who live next to or near it.

Councilman Stevenson thanked the Police Department, the Neighborhood Town Watch Organization, the Fire Department and all those who participated in the National Night Out event in August as it was a great success.

Councilman Stevenson further stated he sees many issues that are confronting this Governing Body such as the water meter issue and its cost, committees and their responsibilities and powers, Code Ordinances that need to be updated and/or strengthened, Police Officer hiring for this year and next and lax Zoning issues that need to be addressed. He has spoken to Council Members of these concerns and has received excellent feedback

and ideas. He felt there has been great communication between the members of the Governing Body.

Councilman Haynes stated the Water Treatment Plant is up and running smoothly.

Councilman Haynes reported on the Water Tower Project which structurally will be done in October. He stated the Contractor will be put on notice if they don't meet the deadline and the Borough will seek liquidated damages.

Councilman Haynes thanked Neighborhood Watch, Police Department, Fire Department, neighbors and residents for the National Night Out event.

Councilman Giampola stated he is still working on the website and hoped January 1st it will be interactive. He also stated the Early Warning System is complete, up and running. The siren is going off at 10:00 p.m. for curfew.

Councilman Giampola questioned who is overseeing the new gas lines being put in on Delaware Street as there is a sinkhole under the sidewalk.

Administrator Salvatore stated he should check with Construction Official Zimm.

Councilman Giampola further stated the Boys and Girls Club and the schools are holding an art contest to decorate the Borough Hall. There will be judges and gift certificates to the winners and at Christmas time, a display will be done.

Councilman Kidd discussed the website and he gave a list of questions. He stated this has not been approved by Mayor and Council and he felt everyone should be informed.

Mayor Hamilton thanked the community and he wanted the residents to know that they are Mayor and Council's eyes. Mayor and Council can't do it alone; they need the community's help. He is looking into getting some relief for Spruce and Pine Streets. The Ordinance is being looked into but to call the Police Department in order to keep a track record to build a case.

Mayor Hamilton stated he is trying to get approval to clean up certain areas as well as trying to get an interlocal agreement with the County to get a street sweeper.

Administrator Salvatore has requested an Executive Session to discuss personnel – salary issue.

R. #175.12: RESOLUTION AUTHORIZING AN EXECUTIVE SESSION
OF THE BOROUGH COUNCIL OF THE BOROUGH OF PAULSBORO, COUNTY OF
GLOUCESTER, STATE OF NEW JERSEY. Giovannitti moved and Stevenson seconded to adopt R. #175.12. Roll call: Ayes: Giovannitti, Giampola, Haynes, Kidd, Stevenson, Turner. Nays: None. **Motion carried.**

At 9:12 p.m., Mayor and Council recessed the meeting before going into Executive Session.

Mayor and Council reconvened at 9:22 p.m. in Executive Session.

Mayor and Council came out of Executive Session at 9:46 p.m.

There wasn't any further Borough business.

Giampola moved and Kidd seconded to adjourn the meeting at 9:46 p.m. All were in favor of the motion.

This is a brief summary of the Regular Meeting of the Mayor and Council of the Borough of Paulsboro held on September 4, 2012 and should not be considered a verbatim transcript of the meeting.

Respectfully submitted,

Kathy A. VanScoy, RMC/CMC
Borough Clerk

W. Jeffery Hamilton, Mayor