

DECEMBER 19, 2011

PAULSBORO, N.J.

5:00 P.M.

WORK SESSION MEETING

Council Chamber:

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

Members present were: Haynes, Giovannitti, Hamilton, Kidd, Tedeski. Absent: Mayor Burzichelli, Morina.

Council President Haynes called the meeting to order.

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

Council President Haynes opened the floor to the public.

Terence Jones, Public Safety Consultant, stated he has come to the Regular Meetings in September, October, November and December with concerns in regards to the Police Department. He questioned if anyone on Council has done anything with the information.

Solicitor Daniels stated these matters are ongoing investigations.

Mr. Jones stated the Police Department abuse is part of the ongoing issues but he is coming here with something new. The Mayor has violated his right to freedom of speech as he reviewed the December 6th Council Meeting tape.

Solicitor Daniels stated that if Mr. Jones is going to bring up issues regarding pending litigation then the Governing Body cannot discuss them as they relate to the same matters in reference to the pending Police brutality investigations.

Mr. Jones again stated the Mayor violated his constitutional right to free speech under the Open Public Meetings Act. He is trying to bring other issues up and he will be speaking with a lawyer regarding this violation.

Solicitor Daniels stated he had a right to do that but he doesn't have the right to discuss pending litigation. The Mayor had a right to stop him when it comes to the rights of everyone involved.

Mr. Jones stated there is a person in the back of the Court room who is not going to speak but felt she has been retaliated by the Police Department because she has volunteered to assist Mr. Jones in handing out flyers regarding the rally that was held.

Solicitor Daniels stated Council can't talk about this issue as it is either part of the pending investigation or Mr. Jones has threatened to sign a complaint.

Mr. Jones asked if the Chief or the Captain could discuss this matter with her.

Solicitor Daniels stated it would not be an unreasonable request. He further stated this Council takes the charges very seriously but other Agencies conduct the investigations then once they are complete then the Mayor and Council will hear the results.

Mr. Jones stated he would like to set up a meeting with a lot of other people and he stated it is not a black and white issue.

Solicitor Daniels stated a meeting might be appropriate with the Mayor Elect but not with a lot of people. He suggested having one (1) or two (2) representatives which he felt would be a more productive dialogue if less people are there. He also informed Mr. Jones that he would not be dealing with Mayor Burzichelli anymore but with Mayor Elect Hamilton.

Cheryl Scott, 1645 Swedesboro Avenue, questioned the position of School Resource Officer and where the money was coming from.

Council President Haynes stated it was his understanding that the school would be paying for the School Resource Officer.

Administrator Salvatore stated the Borough hasn't had any discussions about the School Resource Officer yet.

Mrs. Scott also discussed the trash and the issue of the trash collectors not putting the trash can back on the curb as they put them in the street.

Alea Jones, 142 West Jefferson Street, stated she is a new resident in Paulsboro and she hasn't known fear until she has moved here and she has lived in Camden. She has come up against authoritative figures and she has fear from certain officials that have been hired to protect. She fears the day she has to call the "cops" because they just look at the color of her skin and the area she lives in. She hoped some of the complaints about the Police Department are taken seriously. She prays she doesn't need assistance from the Police Department as her fear is having to call 911.

There wasn't any further public participation.

Minutes of a Regular Meeting held on December 6, 2011 at 7:00 p.m. Hamilton moved and Tedeski seconded to receive, file and approve the above minutes. All were in favor of the

motion.

R. #186.11: RESOLUTION PROVIDING FOR THE PAYMENT OF THE BILLS OUT OF THE 2011 BUDGET.

Administrator Salvatore added Purchase Order #41699 to MD Remodeling in the amount of \$39,697.20.

Giovannitti moved and Tedeski seconded to pay all bills properly signed as well as the addition and adopt R. #186.11. Roll call: Ayes: Haynes, Giovannitti, Hamilton, Tedeski. Nays: None. Abstained: Kidd. **Motion carried.**

R. #187.11: RESOLUTION PROVIDING FOR THE TRANSFER OF FUNDS FROM CERTAIN ACCOUNTS TO OTHER ACCOUNTS IN THE 2011 BUDGET. Giovannitti moved and Hamilton seconded to adopt R. #187.11. Roll call: Ayes: Haynes, Giovannitti, Hamilton, Kidd, Tedeski. Nays: None. **Motion carried.**

R. #188.11: RESOLUTION PROVIDING FOR THE CANCELLATION OF CERTAIN BALANCES IN THE 2011 BUDGET TO SURPLUS. Giovannitti moved and Tedeski seconded to adopt R. #188.11. Roll call: Ayes: Haynes, Giovannitti, Hamilton, Kidd, Tedeski. Nays: None. **Motion carried.**

Mayor and Council discussed Ordinance No. 14.11 regarding the Paulsboro Plaza with Artis T. Ore, Robert English and Greg Sawka.

Mr. Ore stated he was pleased to meet all of Council and gave a presentation on the redevelopment of the Paulsboro Plaza.

Councilman Hamilton questioned if the Borough was going to be held responsible for any of the funding for this project.

Mr. English stated no and further discussed the four phases of the project. They have received the memorialization Resolution from the Land Use Board. They are trying to get additional resources as the site work is enormous. This project will generate three (3) million dollars in taxes. He again stated there is no cost to the Borough and they are not applying for any municipal grants just a State ERG Grant.

Councilwoman Tedeski questioned if anyone will be closed until the redevelopment is complete.

Mr. Sawka stated the first phase will be building and will not affect the current business owners and it will not interrupt their business.

Councilwoman Tedeski questioned when is the deadline for the grant?

Mr. English stated he hoped to have the application done by the first of the year.

Councilman Kidd questioned how many current businesses is part of the redevelopment plan?

Mr. English stated all the businesses have leases even Dollar General which is not up for a couple of years.

Councilman Giovannitti thanked them for coming to the meeting. He stated looking at the buildings everything looks plain.

Mr. English stated the project needs to benefit the town. The last piece was getting the banks on board as it will be worth \$30 million dollars. The project is well thought out.

Council President Haynes stated that under the Ordinance, it states a “copy of the application and EDA’s recommendation are on file with the Clerk” but they are not.

Mr. English stated he will be sending them over when they are complete.

Council President Haynes stated it is a red flag as they are not able to see the application and recommendations before the Ordinance is adopted.

Mr. English stated the Ordinance is part of the application. He stated a Letter of support and the Ordinance is the only involvement for the Borough.

Solicitor Daniels stated the Ordinance requires Mayor and Council to review and approve the grant application but one hasn’t been submitted. He doesn’t see a problem with the Ordinance but should not approve without the application.

Mr. English stated the ordinance designates the area and the Mayor should execute the support letter.

Mayor and Council further discussed adopting the ordinance without the support of the application.

Council President Haynes suggested executing a letter of support without approving the ordinance at this time.

Mr. English felt it was a good idea to send the letter of support with the grant application.

Solicitor Daniels stated he does not object to sending a letter of support.

Administrator Salvatore questioned if they are in communications with the Water and Sewer Engineer.

Mr. English stated they are communicating with the Water and Sewer Engineer as part

of their final site plan.

Giovannitti moved and Hamilton seconded to give a letter of support written by the Solicitor. All were in favor of the motion.

SECOND READING AND PUBLIC HEARING:

O. #14.11: ORDINANCE OF THE BOROUGH COUNCIL OF THE BOROUGH OF PAULSBORO APPROVING THE APPLICATION FOR A STATE INCENTIVE GRANT FOR CDIP-PAULSBORO SUMMIT L.P. SUBJECT TO THE NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY APPROVAL. Giovannitti moved and Tedeski seconded to table the Ordinance. Roll call: Ayes: Haynes, Giovannitti, Hamilton, Kidd, Tedeski. Nays: None. **Motion carried.**

Council President Haynes thanked everyone for coming to the meeting for this discussion.

Mayor and Council recessed at 6:36 p.m.

Mayor and Council reconvened the meeting at 6:45 p.m.

SECOND READING AND PUBLIC HEARING:

O. #15.11: ORDINANCE OF THE BOROUGH OF PAULSBORO AUTHORIZING THE LEASE OF A PORTION OF 1202 DELAWARE STREET, PAULSBORO, NEW JERSEY BY THE BOROUGH OF PAULSBORO IN ACCORDANCE WITH N.J.S.A. 40A:12-5. Giovannitti moved and Hamilton seconded to open the meeting to the public. All were in favor of the motion.

There wasn't any public participation.

Giovannitti moved and Tedeski seconded to close the meeting to the public. All were in favor of the motion.

Giovannitti moved and Tedeski seconded to adopt O. #15.11 on second and final reading. Roll call: Ayes: Haynes, Giovannitti, Hamilton, Kidd, Tedeski. Nays: None. **Motion carried.**

Letter from Marc Kamp, Chairman, Environmental Commission, regarding Statement of Consent form. Giovannitti moved and Hamilton seconded to receive and file the letter. All were in favor of the motion.

Marc Kamp, Chairman, Environmental Commission, introduced Rob who is the Engineering Consultant for NuStar.

Rob explained that NuStar is upgrading its existing Wastewater Treatment Plant. The

consent form is needed because NuStar is located in Paulsboro and part of the pipeline goes through Paulsboro.

R. #189.11: RESOLUTION AUTHORIZING THE EXECUTION OF THE STATEMENT OF CONSENT, SECTION A-1, OF THE NUSTAR ASPHALT REFINING LLC TREATMENT WORKS APPROVAL APPLICATION. Giovannitti moved and Kidd seconded to adopt R. #189.11: Roll call: Ayes: Haynes, Giovannitti, Hamilton, Kidd, Tedeski. Nays: None. **Motion carried.**

Received Bingo License Application, BA-552, Paulsboro Volunteer Fire Association #1 for their 2012 annual Bingo license. Hamilton moved and Giovannitti seconded to receive, file the application and approve the above Bingo License. All were in favor of the motion.

Received Firemen's' application for Brandon DeFebbo to join the Paulsboro Fire Department. Giovannitti moved and Hamilton seconded to receive, file and approve the above Firemen's' application (all investigations have been completed). All were in favor of the motion.

Letter from Wheelabrator Gloucester Company, L.P. regarding contract pricing effective January 1, 2012. Giovannitti moved and Tedeski seconded to receive and file the letter. All were in favor of the motion.

Councilman Kidd discussed taxes and water/sewer reminder stickers for the residents. He stated a Senior Citizen asked if when the Borough sends the bills out, it would include reminder stickers as well.

Kidd moved and Giovannitti seconded to have Paulsboro Printers print up reminder stickers for the taxes and water/sewer bills. All were in favor of the motion.

Councilman Hamilton discussed retirement salaries and wages and vacation/sick time which is at \$15,000 but the State is trying to bring that down to \$7,800.00.

Council President Haynes stated this issue is a negotiable item through the union contracts. There should be something in the contract for a "grandfather clause" that stipulates they would be entitled to the full amount. He suggested giving something to the Administrator in order to negotiate.

Council President Hamilton stated he would like to hold the Swearing In Ceremony for Councilmen Kidd and Morina as well as himself on January 1, 2012 at 12:30 p.m.

Kidd moved and Giovannitti seconded to schedule the Swearing In Ceremony on January 1, 2012 at 12:30 p.m. Roll call: Ayes: Haynes, Giovannitti, Hamilton, Kidd, Tedeski. Nays: None. **Motion carried.**

Councilman Giovannitti discussed approval to enter into a Shared Service with

Gloucester County for Fire Official Inspections for 2012. He stated the last couple of years there were issues with the fire inspections and Mr. Zimm volunteered to take over and lead two people who were certified. He further stated Edward Johnson from the Gloucester County Fire Marshal's Office was present. He also asked Glenn Roemmich and Joan Lutz to come to the meeting who are the two (2) individuals that were hired under Mr. Zimm.

Mr. Johnson stated he has a full time staff licensed to perform fire inspections. He suggested the County take over the fire safety at no cost to the Borough of Paulsboro. They will perform all life hazard and non-life hazard inspections, all permitting, do the fire prevention as well as perform fire extinguisher inspections. The County would basically be the Borough's Fire Official. The County would take the overhead and the liability. It would be completely free but the monies that are generated would go to the County.

Council discussed what the fire prevention program entailed.

Mr. Johnson stated the County reimburses for any supplies used for the fire prevention program at a percentage which last year was \$1,000.

Council President Haynes thanked Mr. Johnson for his presentation.

Joan Lutz stated she has been a firefighter in Paulsboro for 20+ years and has performed the Fire Prevention Program for 15 years. She is asking for a chance to continue to be the Assistant Fire Marshal in order to keep the Fire Prevention Program. This year she combined the program with Gibbstown. She has done 39 Life Hazard inspections in December. She will retire from her full time job on December 31st with the Federal Government and will have more time to do the inspections.

Council further discussed the Fire Prevention Program.

Councilman Giovannitti stated the Borough has the opportunity to go with Gloucester County at no cost.

Mr. Johnson stated the Borough would not be able to start with the County again until April 2012.

Council President Haynes stated he appreciated both individuals for coming to the meeting and Council has both points of view.

Administrator Salvatore did not have anything to report.

Police Chief's Report:

Memo from Chief Chris T. Wachter regarding recommendation to advertise for and to hire experienced SLEO II Officer.

Memo from Chief Chris T. Wachter regarding recommendation to advertise for and to hire SLEO I Officers.

Memo from Chief Chris T. Wachter regarding SRO Assignment.

Chief Wachter stated he is removing the above three (3) items from the Agenda and he will re-list them on the agenda for the January Work Session.

Chief Wachter stated he wanted to address the issues being raised as he did not want anyone to think the allegations are falling on deaf ears. It broke his heart to hear of Mrs. Jones' fear of the Police Department. He stated he will address her personally. He is committed and he has plans and is going to make changes but change takes time.

Councilman Kidd stated he has received calls from the neighbors by the Water Tower about the constant noise and he thought the Water Department was to speak with those neighbors.

Council President Haynes stated he will contact the Water and Sewer Superintendent tomorrow.

There wasn't any further Borough business.

Giovannitti moved and Hamilton seconded to adjourn the meeting at 7:37 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 December 19, 2011 and should not be considered a verbatim transcript of the meeting.

Respectfully submitted,

Kathy A. VanScoy, RMC/CMC
Borough Clerk

John J. Burzichelli, Mayor