

SEPTEMBER 7, 2010

PAULSBORO, N.J.

7:00 P.M.

REGULAR MEETING

Council Chamber:

Mayor Burzichelli presided at the Regular Meeting of Council held on the above date and place.

Mayor Burzichelli called the meeting to order.

Mayor Burzichelli recited "Harry Truman's Prayer as the opening prayer.

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

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

Members present were: Haynes, Giovannitti, Hamilton, Kidd, Morina, Tedeski. Absent: None.

Mayor Burzichelli welcomed back Administrator Salvatore due to the terrible tragedy on the loss of his wife.

Mayor Burzichelli opened the floor to the public.

Carol King, 229 Billings Avenue, received a ticket in the mail for a yard sale sign. She went around and picked up other yard sale signs that were around town. She called and asked if she could pay the ticket but was told that she would have to come to court. She also stated she has called the Municipal Building regarding a chimney leaning at a property on Billings Avenue. The chimney fell on the roof about six weeks later. When she called Mr. Hogle about the chimney, he informed her "people don't check their roofs". She then gets the ticket for the sign.

Mayor Burzichelli stated he is not familiar with the sign ordinance and he understood that she was upset. He informed Mrs. King that he would look into the matter.

Kathy Reistle, 338 West Broad Street, discussed the bus stop in front of Gene's Classic Cars. She rides the bus as well as other residents and she hasn't seen anyone vandalizing, littering, etc. at this bus stop. She presented Mayor and Council with a few pictures showing

where the bus stop sign was located once someone took it down.

Denise Rathof, 579 North Delaware Street, discussed the flooding around her property which she provided pictures to Mayor and Council. She felt the construction of the new water tower would cause more flooding problems and her property was more important than the tower. She would like to see something done to help alleviate this problem.

Mayor Burzichelli suggested bringing the Engineer in to meet with the four property owner's that are affected for a meeting to see what can be done in the short term.

Leonard Lombardo, 566 Nassau Avenue, also discussed the flooding problem as he lives behind Mrs. Rathof. This has been a problem for years. He felt it would help if the Borough would clear the underbrush and trees between the water tower and the properties.

Mayor Burzichelli stated there is a problem there and he hoped there was a short term relief to move the water better.

Barry Corradetti, 1820 Overbrook Avenue, stated there are other places in the Borough that floods such as Spruce Street in front of John's Seafood. He felt there was flooding problems throughout the Borough.

Mayor Burzichelli stated the flooding problems aren't all through the Borough. The properties that are affected are on the same line. There is some relief that can be done.

Mr. Corradetti thanked the Police Department for the National Night Out event. He thanked the Borough for funding some of the event and the Street and Highway Department for setting up and keeping it clean. He appreciated the participation.

Mayor Burzichelli thanked Mr. Corradetti for putting the National Night Out event together and he greatly appreciated it.

Gene Taylor, Gene's Classic Cars, discussed the bus stop in front of his location. He stated the bus stop sign is sitting behind his shop as it fell down. There are people leaning on cars and window, etc. Some people are rough.

Mayor Burzichelli stated Mr. Taylor's business is an asset to the Borough and the bus stop was moved to that location before Mr. Taylor's business. If the Borough has to, the bus stop will be moved again. The Borough has to try to get the right fit and Mr. Taylor has invested in this community.

Ann Good, 1101 Spruce Street, stated she has a complaint regarding the Street and Highway Department. They are chipping and wood is flying off and she asked if they were going to clean it up. The person looked at her as if she was speaking Chinese. She spoke with the Foreman and he told her they were lazy.

Mayor Burzichelli stated he would take care of it.

Mrs. Good stated there used to be a bus stop on every corner.

Mayor Burzichelli stated the Borough just has to find the right fit as the bus transit is real important.

Joyceline Gaines, 231 West Washington Street, discussed the property at 235 West Washington Street. The house is in array such as there is a hole in the front, the birds flock into the house, a bat flew into the house, and the front door as well as the back door is completely open. There are so many bushes. She would like to see the front and back doors closed up. She is trying to sell her house and can't. She asked if anyone wants to buy her house. She is selling it for \$98,000 as she came down \$75,000.

Mayor Burzichelli stated he will take care of it.

Steve Ivins, 590 Delaware Street, also discussed the flooding. He lives across from Mrs. Rathof. He stated there is damage to the curbs and sidewalks because of the flooding. He asked if there was any money available to repair them.

Mayor Burzichelli stated the Borough has been successful in obtaining grant money but the Borough doesn't have any money. There has to be a way to move the water. He further stated the sidewalks and curbs belong to the residents. The Borough can try to do what it can.

Angie Frisbey, 9 West Washington Street, stated she has a problem across the street with the kids. They throw the football and baseball and she doesn't want any of her windows broke. She has to ask them to move to get into her house. They are mostly teenagers. She has called the police a couple of times yesterday around 1:00 but felt like she was getting on the dispatchers nerves.

Mayor Burzichelli stated he will take this issue up and he asked her to keep calling the Police.

There wasn't any further public participation.

Minutes of a Work Session Meeting held on June 21, 2010 at 5:00 p.m.

Minutes of a Special Meeting held on July 6, 2010 at 5:30 p.m.

Minutes of a Regular Meeting held on July 6, 2010 at 7:00 p.m.

Minutes of a Work Session Meeting held on July 19, 2010 at 5:00 p.m.

Minutes of a Special Meeting held on August 12, 2010 at 12:00 p.m.

Councilman Kidd questioned the minutes of July 19, 2010. He asked to have it corrected.

Haynes moved and Hamilton seconded to receive, file and approve the above minutes as well as correcting the minutes of July 19, 2010. All were in favor of the motion.

R. #144.10: RESOLUTION PROVIDING FOR THE PAYMENT OF THE BILLS OUT OF THE 2010 BUDGET FOR AUGUST 3rd & 16th, 2010. Haynes moved and Hamilton seconded to pay all bills properly signed and adopt R. #144.10. Roll call: Ayes: Haynes, Giovannitti, Hamilton, Kidd, Morina, Tedeski. Nays: None. **Motion carried.**

R. #145.10: RESOLUTION PROVIDING FOR THE PAYMENT OF THE BILLS OUT OF THE 2010 BUDGET. Haynes moved and Hamilton seconded to pay all bills properly signed and adopt R. #145.10. Roll call: Ayes: Haynes, Giovannitti, Hamilton, Kidd, Morina, Tedeski. Nays: None. **Motion carried.**

R. #146.10: RESOLUTION AUTHORIZING CONTRACT WITH RIGGINS, INC. FOR THE SUPPLY AND DELIVERY OF UNLEADED GASOLINE #87 - \$0.023, WINTER BLEND - \$0.023 AND DIESEL FUEL - \$0.034 WITH THE DELIVERY CHARGE PER GALLON OVER AND ABOVE THE POSTED JOURNAL OF COMMERCE PRICE OF FUEL BASED ON THE PHILADELPHIA COST AS PER PD#010-041 FOR THE PERIOD COMMENCING AUGUST 4, 2010 AND TERMINATING ON AUGUST 3, 2012. Haynes moved and Hamilton seconded to adopt R. #146.10. Roll call: Ayes: Haynes, Giovannitti, Hamilton, Kidd, Morina, Tedeski. Nays: None. **Motion carried.**

R. #147.10: RESOLUTION PROVIDING FOR ALLOWANCE OF A DISABILITY DEDUCTION.

R. #148.10: RESOLUTION ALLOWING EXTENSION OF GRACE PERIOD FOR 3RD QUARTER 2010 TAXES.

R. #149.10: RESOLUTION TO CANCEL BALANCES ON CERTAIN TAX PROPERTIES.

R. #150.10: RESOLUTION PROVIDING FOR THE CANCELLATION OF CERTAIN BALANCES ON WATER AND SEWER ACCOUNTS.

R. #151.10: RESOLUTION PROVIDING FOR THE CANCELLATION OF CERTAIN BALANCES ON WATER AND SEWER ACCOUNTS.

Haynes moved and Hamilton seconded to adopt R. #147.10, #148.10, #149.10, #150.10 and #151.10. Roll call: Ayes: Haynes, Giovannitti, Hamilton, Kidd, Morina, Tedeski. Nays: None. **Motion carried.**

R. #152.20: A RESOLUTION OF THE BOROUGH COUNCIL OF THE

BOROUGH OF PAULSBORO AUTHORIZING AND PROVIDING FOR THE INCURRENCE OF INDEBTEDNESS FOR THE PURPOSE OF PROVIDING A PORTION OF THE COST OF ACQUIRING, CONSTRUCTING, ENLARGING, IMPROVING, AND/OR EXTENDING ITS WATER FACILITY TO SERVE AN AREA LAWFULLY WITHIN ITS JURISDICTION TO SERVE. Haynes moved and Hamilton seconded to adopt R. #152.10. Roll call: Ayes: Haynes, Giovannitti, Hamilton, Kidd, Morina, Tedeski. Nays: None. **Motion carried.**

R. #153.10: RESOLUTION OF THE BOROUGH OF PAULSBORO AUTHORIZING THE MAYOR TO NEGOTIATE AND FINALIZE ALL CONCLUDING DOCUMENTS FOR THE UNITED STATES DEPARTMENT OF AGRICULTURE RURAL DEVELOPMENT PROJECT. Haynes moved and Hamilton seconded to adopt R. #153.10. Roll call: Ayes: Haynes, Giovannitti, Hamilton, Kidd, Morina, Tedeski. Nays: None. **Motion carried.**

- **R. #154.10: RESOLUTION PROVIDING FOR THE RENEWAL OF A PLENARY RETAIL CONSUMPTION LICENSE #0814-33-016-010 PPN INVESTMENT CORPORATION T/A ROCKING STONE IRISH PUB & GRILL.**

- Chief Grogan stated the State hasn't taken any action on this matter

- Mayor and Council held this item until the next work session meeting.

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

Corrective Action Plan from Administrator John S. Salvatore for the year ending December 31, 2008. Haynes moved and Hamilton seconded to receive and file the plan. All were in favor of the motion.

- Letters from Tax Collector Barbara Sockwell to NJ Division of Local Government Services and Gloucester County Board of Taxation regarding 3rd quarter 2010 installment. Haynes moved and Hamilton seconded to receive and file the letters. All were in favor of the motion

- Letter from Charles J. Chelotti, Remington & Vernick Engineers, regarding Maintenance Bond Release for Camcare Health Corp – Block 94 Lots 15 & 2.01. Haynes moved and Hamilton seconded to receive and file the letter. All were in favor of the motion.

- Solicitor DeTitto stated there wasn't any need for a Resolution as maintenance bonds expire in two years.

- Letter from Erik K. Biermann, Sickels & Associates, regarding Performance Bond Release for Classic Cars – Block 97, Lot 26. Haynes moved and Hamilton seconded to

receive and file the letter. All were in favor of the motion.

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Letter from Paul J. Miola, Gloucester, Salem, Cumberland Counties Municipal Joint Insurance Fund, regarding frivolous Lawsuits – S-2184. Haynes moved and Hamilton seconded to receive and file the letter. All were in favor of the motion.

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Letter from Robert N. Agre, regarding Hubbs V. Paulsboro Borough – Appeal of the Decision of the Gloucester County Board of Taxation. Haynes moved and Hamilton seconded to receive, file the letter and hold this matter until the next work session meeting. All were in favor of the motion.

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E-mail from NJ Department of Community Affairs regarding Best Practices and Checklist. Haynes moved and Hamilton seconded to receive and file the e-mail. All were in favor of the motion.

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Councilman Kidd stated this should be addressed up at the State and he questioned if everything isn't checked on the checklist, would the aid be reduced.

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Mayor Burzichelli stated after Governor Christie lost the education funding he pulled this out of the air and it will be taken up at the State level.

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Letter from Linda Pilger, 600 King Street, regarding acquiring the land directly next to their property. Haynes moved and Hamilton seconded to receive, file, review the letter and hold this matter until the next work session meeting. All were in favor of the motion.

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Administrator Salvatore questioned if a Resolution was needed to release the performance bond for Classic Cars.

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Solicitor DeTitto stated the Governing Body has 45 days to act on the release. A Resolution can be done tonight or at the next work session meeting.

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R. #155.10: RESOLUTION AUTHORIZING THE RELEASE OF PERFORMANCE BOND FOR CLASSIC CARS, KNOWN AS 416 WEST BROAD STREET IN THE BOROUGH OF PAULSBORO. Haynes moved and Hamilton seconded to adopt R. #155.10. Roll call: Ayes: Haynes, Giovannitti, Hamilton, Kidd, Morina, Tedeski. Nays: None. **Motion carried.**

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Administrator Salvatore questioned item #29 in regards to the letter from Robert N. Agre, Hubbs v. Paulsboro Borough. He stated this matter is going to the State Tax Court and asked who is going to represent the Borough in court. Haynes moved and Tedeski seconded to discuss this matter at the next work session meeting. All were in favor of the motion.

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Administrator Salvatore stated in regards to item #28, the JIF frivolous lawsuits – S-2184, the MEL increased the line item to \$5 million dollars and there needs to be some

relief.

- **OLD BUSINESS:** There wasn't any old business.

MAYOR AND COUNCIL REPORTS:

Councilman Giovannitti stated the issue with the chipper machine was handled by Borough Foreman Tinder and hopefully won't see the problem again.

Councilman Giovannitti discussed the Baird Avenue Recreation complex. It used to be maintained by the Borough as it was leased by the Borough. The Borough no longer has the lease and it reverted back to the Board of Education. The Board of Education is already maintaining the property and they are doing a good job. He just wanted everyone to know.

Councilman Giovannitti discussed the bus stops on Broad Street. There were four (4) groups complaining about the littering, and the Borough had to do something. The Borough met as a committee and decided to eliminate three bus stops. There haven't been any complaints until Mr. Taylor fixed up the place for Gene's Classic Cars. He sent an email to the Council asking to move the bus stop in front of Gene's Classic Cars down three (3) blocks near the Florist or three (3) blocks up to Paul Avenue. Councilman Hamilton suggested moving the bus stop up to Paul Avenue and has offered to monitor the Paul Avenue location.

Mayor Burzichelli stated that location has two (2) Funeral Homes in that area. The bus may not be able to park because of funeral processions. He suggested discussing this matter at the next work session meeting and asked if it could wait two (2) weeks.

Councilman Giovannitti stated yes, it could wait.

Councilman Giovannitti stated Paulsboro Day is coming up and in the past there were three employees working that day. This year he doesn't see that happening. He further stated another issue to be taken up at the work session meeting is the park usage. The Borough has to look at how to utilize the park. Borough Foreman Tinder has informed him that the employees have to clean the park on Fridays and again on Mondays.

Councilman Morina welcomed everyone. He was sorry to hear about the problems with Mother Nature and the flooding. He thanked the residents for bringing the issue up.

Councilman Morina also wanted to discuss the inner gate at the Fort Billings Park at the next work session meeting.

Mayor Burzichelli stated there has been a short term clarification regarding the inner gate but will roll this matter in the work session meeting.

Councilman Morina stated there are good things happening in town. The Boys Scouts

are being honored at Paulsboro Day and feels the town pulls together when people are in need.

Councilwoman Tedeski thanked everyone for coming out to National Night Out as it was a huge success. She thanked and congratulated Neighborhood Watch and the Police Department for their participation and continued success.

Councilwoman Tedeski stated herself and Council President Haynes walked around the town and wrote down any abandoned properties. The Committee is working on an Ordinance and she has all that information.

Councilwoman Tedeski stated Paulsboro Day is Saturday from 10:00 a.m. to 5:00 p.m. at the Damminger Complex. She thanked the Paulsboro Day Committee and informed anyone if they wanted to assist with Paulsboro Day to see the Committee.

Councilman Kidd questioned if the Borough has been doing preventive maintenance in regards to the flooding at Thomson and Paul Avenues. He is hoping the Borough can get more funding. If the Borough hasn't been doing the preventive maintenance, then it should be done. He questioned where the Borough stood as to Wawa.

Mayor Burzichelli stated the Construction Code Official, the developer and the Engineer had a meeting today. It seems to be going well. The grand opening is on September 24th. The Borough will not be releasing the Letter of Credit and is working with the developer to help him to get through and is hoping the developer is going to come through.

Councilman Kidd stated he would like to have Triad on the 1st meeting of October's Agenda regarding purchasing homes for people to buy.

Councilman Kidd discussed the Buck Street playground. The kids are climbing on the fence and the weeds are so high. He wanted to know how long it took and how many hours to clean it up. He also asked how the Borough is making out with their equipment. At one time, only one truck was running.

Councilman Kidd questioned the JIF and the safety of the various playgrounds.

Administrator Salvatore stated the JIF inspects the playgrounds yearly.

Councilman Kidd discussed the streetscape project. He asked about the lights and the trees.

Mayor Burzichelli stated it looked like the count was right on the lights and there haven't been any work order changes. He further stated the Borough couldn't get any trees.

Councilman Kidd thanked the Street and Highway Department for cutting the big lot on Penn Line Street that a resident asked to have cut. He further stated the owner that the

Borough hasn't been able to find was seen taking pears or figs from trees on the property.

Councilman Kidd stated an email was sent regarding the park that was about him and the Borough doing special projects because of the limited amount of employees. He tries to stay out of the situation but was drawn into it.

Councilman Kidd discussed the bus stops. He stated Mr. Taylor did a beautiful job fixing up the property but that the bus stops have history. He was glad someone explained where the bus stop sign went as he was going to ask to have it investigated.

Councilman Hamilton asked to have a letter or proclamation for an Eagle Scout by the name of Benjamin Redrow.

Mayor Burzichelli stated to get the Borough Clerk the information and she will prepare the appropriate Proclamation.

Councilman Hamilton thanked Chief Grogan and Fire Chief Licciardello for setting up the fire houses from all over the County to come together on August 28th to recognize the steel beam being transported from New York to Arlington.

Council President Haynes thanked the Neighborhood Watch Association in offering the opportunity to walk with them. He stated you get a different perspective when you walk the town.

Council President Haynes thanked Paulsboro and Logan for responding to an emergency on the river where a boat hit a jetty.

Mayor Burzichelli recognized everyone for coming out. He stated the Governor was in town several weeks ago supporting the Port. He further stated the new Wawa will bring 25 new jobs to Paulsboro.

There wasn't any further Borough business.

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Haynes moved and Hamilton seconded to adjourn the meeting at 8:47 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 7, 2010 and should not be considered a verbatim transcript of the meeting.

Respectfully submitted,

Kathy A. VanScoy, RMC/CMC

John J. Burzichelli, Mayor

Borough Clerk