

OCTOBER 18, 2010

PAULSBORO, N.J.

5:00 P.M.

WORK SESSION MEETING

Council Chamber:

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

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

Mayor Burzichelli called the meeting to order.

Mayor Burzichelli read the opening statement regarding the Open Public Meetings Act.

Mayor Burzichelli opened the floor to the public.

Michael Licciardello, 520 Beacon Avenue, Fire Chief, stated the Fire Company will be holding their annual Open House Tuesday night for Fire Prevention from 6:00 to 9:00 p.m.

There wasn't any further public participation.

Minutes of a Regular Meeting held on October 5, 2010 at 7:00 p.m. Haynes moved and Hamilton seconded to receive, file and approve the above minutes. All were in favor of the motion.

R. #162.10: 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. #162.10. Roll call: Ayes: Haynes, Giovannitti, Hamilton, Tedeski. Nays: None. Abstained: Kidd. **Motion carried.**

R. 163.10: 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). Haynes moved and Hamilton seconded to adopt R. #163.10. Roll call: Ayes: Haynes, Giovannitti, Hamilton, Kidd, Tedeski. Nays: None. **Motion carried.**

R. #164.10: RESOLUTION OF THE BOROUGH OF PAULSBORO AUTHORIZING RENEWAL OF AN INTERLOCAL SERVICES AGREEMENT WITH THE HOUSING AUTHORITY OF GLOUCESTER COUNTY FOR THE PERFORMANCE OF CERTAIN INSPECTIONS IN CONNECTION WITH THE

SECTION 8 EXISTING HOUSING PROGRAM. Haynes moved and Hamilton seconded to adopt R. #164.10. Roll call: Ayes: Haynes, Hamilton, Kidd, Tedeski. Nays: None. Abstained: Giovannitti. **Motion carried.**

R. #165.10: RESOLUTION OF THE BOROUGH OF PAULSBORO AUTHORIZING CREDITING AN OVERPAYMENT OF TAXES TO THE 2010 FOURTH QUARTER PROPERTY TAX PERIOD FOR BLOCK 27, LOT 16. Haynes moved and Hamilton seconded to adopt R. #165.10. Roll call: Ayes: Haynes, Giovannitti, Hamilton, Kidd, Tedeski. Nays: None. **Motion carried.**

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R. #166.10: RESOLUTION OF THE BOROUGH OF PAULSBORO PROVIDING FOR THE APPROVAL OF A PERSON-TO-PERSON TRANSFER OF A PLENARY RETAIL CONSUMPTION LICENSE #0814-33-008-010 NOW HELD BY DONALD M. PENNY T/A RIVERFRONT PUB TO OWEN C. HAYNES, SR. T/A RIVERSIDE INN.

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Council President Haynes abstained for cause.

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Mayor Burzichelli stated this Resolution has to be acted upon by November 3rd. The owner of the establishment and the residents are present. He further stated that both himself and Solicitor DeTitto has been in contact with the NJABC in regards to what the Governing Body's options are in regards to conditions placed upon the license transfer. He wanted to hear from the neighbors.

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Ray Miller, 31 Riverview Avenue, stated he lives four houses down from the bar and he felt it was unbelievable that the whole property is licensed. He questioned when it became that way and where it came from. He also stated the Borough has a noise ordinance.

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Mayor Burzichelli stated he didn't have the answers to when the property became licensed but there is an ordinance regarding noise.

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Mr. Miller stated evidently the noise has been brought to Mr. Haynes' attention but he has done nothing. He would like to see it remedied. This is a disturbance that affects the neighbors. He further discussed an altercation that took place and the other noise that is emanating from the DJ. He can hear conversations that include profanity and shouting. There is nothing to stop the sound. This is a noise and disturbance issue.

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Mr. Miller discussed restrictions regarding the parking lot being licensed and suggested the restrictions on the property would be the width of the building.

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Mayor Burzichelli stated that is reasonable and questioned if Mr. Miller also felt if limiting hours of drinking outside would help.

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Mr. Miller stated it might help. He concluded that when Mayor and Council makes their decision to keep the neighbors in mind.

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Barbara Miller, 33 Riverview Avenue, stated she lives directly next door to the bar. There isn't any buffer and there are a lot of people, 25+ people on the lawn. The noise travels and it is bad. She also has people going through her property and she feels like she is in the middle of a party. She felt a time restriction was needed such as 9:00 p.m. on the week days and 11 p.m. to 12 a.m. on the weekends. She is willing to negotiate and compromise.

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Darlene Morina, 25 Riverfront, stated she lives two doors from Mr. Miller and she has lived there for 29 years. She talked with Council President Haynes regarding his brother owning the bar and was told Mr. Haynes wanted to be a good neighbor and knew he was coming into a quiet neighborhood. Mr. Haynes does not cooperate with his neighbors.

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Mayor Burzichelli asked Mr. Owen Haynes to join in the discussion.

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Owen Haynes, 65 Casperson Street, Gibbstown, owner of the Riverside Inn stated he has talked with Mrs. Miller. She asked him to put up a fence and he did. He also felt it isn't the issue of drinking but people have to go outside to smoke which is a State Law. He felt the residents should come to him to discuss the issues. He has moved the DJ from the glass porch area to more inside the bar to help alleviate the noise. He also has asked the bartenders and the DJ to inform the patrons to be quiet when they go outside.

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Mayor Burzichelli questioned if Mr. Haynes has a willingness to meet with the neighbors in regards to the hours of operation, the outside property which are some issues to work through.

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Mr. Haynes stated he wants the bar to be utilized and he doesn't allow or condone people drinking in the parking lot. He felt he deserves some courtesy as other bar owners haven't had restrictions put on them before they even own the establishment.

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Mayor Burzichelli stated this license is a unique license. He suggested Councilman Giovannitti and Councilman Kidd as well as himself sit in on a meeting on October 21st at 7:00 p.m. with the residents and Mr. Haynes to discuss the issues.

R. #167.10: EMERGENCY RESOLUTION PER NJS 40A:4-48 FOR THE CONSTRUCTION OF A WATER TOWER IN THE BOROUGH OF PAULSBORO.

Haynes moved and Hamilton seconded to adopt R. #167.10. Roll call: Ayes: Haynes, Giovannitti, Hamilton, Kidd, Tedeski. Nays: None. **Motion carried.**

Memo from Administrator Salvatore regarding BAN renewal and they are as follows:

1. Oppenheimer and Co. 1.4989
2. Fulton Financial, TBGC Inv Corp 1.25
3. Colonial Bank 1.30

Haynes moved and Hamilton seconded to receive, file the memo and spread the quotes in the minutes. All were in favor of the motion.

Raffle License RA-540, Guardian Angels Regional School PTA for an off-premise merchandise raffle on January 26, 2011 at 8:00 p.m. Haynes moved and Hamilton seconded to receive, file and approve the above raffle license. All were in favor of the motion.

Raffle License RA-541, Paulsboro Day Committee for an off-premise merchandise raffle on December 27, 2010 at 7:00 p.m. Haynes moved and Hamilton seconded to receive, file and approve the above raffle license. All were in favor of the motion.

Letter from Mark R. Brunermer, Sickels & Associates, Inc., regarding request for Bond reduction, Block 124, Lots 2, 10, 12, 13 & 13.01, Lodge Avenue. Haynes moved and Hamilton seconded to receive, file the letter. All were in favor of the motion.

R. #168.10: RESOLUTION OF THE BOROUGH OF PAULSBORO DENYING THE BOND REDUCTION FOR BLOCK 124, LOTS 2, 10, 12, 13 & 13.01. Haynes moved and Hamilton seconded to adopt R. #168.10. Roll call: Ayes: Haynes, Giovannitti, Hamilton, Kidd, Tedeski. Nays: None. **Motion carried.**

Administrator Salvatore explained R. #167.10. The project is in the design stage and there isn't any provision to pay the Engineers and this would authorize the Engineers to start working. Council will need to adopt the funding ordinance which the first meeting will be held at the first meeting in November and the second reading and adoption will be held at the second meeting in November.

Mayor Burzichelli stated he received an email that the Port has received several permits which is wonderful news.

Councilman Giovannitti discussed the Fort Billings Park use policy and asked the Governing Body for some suggestions. He has received a copy of Woolwich's Ordinance but their's is geared more for requests for the use of the athletic fields. He would like the Mayor and Council to offer some ideas or suggestions to prepare a draft use policy for Fort Billings Park.

Councilman Giovannitti discussed a yard sale ordinance. There is one person who has held a yard sale for ten days. He questioned if the Borough could limit how many yard sales a person could have.

Mayor Burzichelli stated East Greenwich has an ordinance to cover yard sales. In their ordinance there isn't a fee to hold one but there is a limit and a permit has to be issued.

Administrator Salvatore stated Fire Code Official Phil Zimm was to be present to discuss the Fire Code and what is needed.

Mayor Burzichelli stated Fire Code Official Zimm is recommending appointing two people, Glenn Roemmich and Joan Lutz to assist in performing the inspections needed at a

salary of \$3,000 per person.

Administrator Salvatore reported the Borough would be introducing a Bond Ordinance on November 3rd in the amount of \$2.1 million. The timetable for the Water Tower is as follows: the design will be February or March 2011, construction sometime in 2011 and painting will be done in 2012.

Memo from Chief Grogan regarding recommendation of the Halloween Curfew for 2010. Haynes moved and Giovannitti seconded to receive, file the memo and advertise the curfew. All were in favor of the motion.

Chief Grogan discussed appointing two (2) alternate Crossing Guards due to the safety situation at the Billingsport School. He is concerned with the stress of the Crossing Guard that is there and he doesn't want to lose a valuable person as he doesn't think he could replace him. The problem is the massive amount of cars and people who arrive at the same time. He felt the school could do something to help address the situation. He felt more school personnel could help as well as parents picking up their children on both sides of the school.

Councilman Kidd stated he will talk with Dr. Scambia about the matter.

Mayor Burzichelli suggested Councilman Giovannitti talk with the school and Councilman Kidd meet with Dr. Scambia to discuss the problem.

Chief Grogan stated he will need to go into Executive Session to discuss personnel for police discipline.

R. #169.10: RESOLUTION PROVIDING FOR AN EXECUTIVE SESSION OF BOROUGH COUNCIL OF THE BOROUGH OF PAULSBORO. Haynes moved and Hamilton seconded to adopt R. #169.10. Roll call: Ayes: Haynes, Giovannitti, Hamilton, Kidd, Tedeski. Nays: None. **Motion carried.**

At 6:30 p.m., Mayor and Council went into Executive Session to discuss personnel for police discipline.

Haynes moved and Hamilton seconded to open the meeting to the public at 6:44 p.m. All were in favor of the motion.

Fire Code Official Phil Zimm was present to discuss the Fire Code positions. He stated there is a deficiency in the Life Hazard Inspections. He further stated there has to be registration and an Ordinance would have to be done for the fees for the inspections.

Administrator Salvatore stated once in place the Fire Code office will mail everyone an annual bill. An Ordinance will have to be introduced, he suggested Phil prepare a proposal to Mayor and Council for the Ordinance for the November 15th meeting and adopt the

Ordinance at the December 7th meeting.

Administrator Salvatore stated the Borough has to install a fire alarm system in the Police Department as recommended by Fire Code Official Zimm. He will be setting up a dedicated bank account for these fees for the inspections.

Fire Code Official Phil Zimm has requested to appoint two (2) part time assistants to be paid \$3,000 per person per year.

Administrator Salvatore stated the Ordinance would have to be amended to create the two (2) positions.

Councilman Giovannitti stated Keith Hogle will be the alternate in the absence of either of the two (2) assistants.

Administrator Salvatore stated a resolution would have to be adopted appointing two (2) Fire Inspectors, Glenn Roemmich and Joan Lutz, for the last two (2) months of the year with a yearly renewal effective November 1, 2010 at an annual rate of \$3,000 per year per person. He will have the amendment to the salary ordinance ready for introduction at the next meeting. Keith Hogle will be the alternate in the absence of either of the assistants.

R. #170.10: RESOLUTION APPOINTING TWO (2) FIRE INSPECTORS FOR THE BOROUGH OF PAULSBORO. Haynes moved and Hamilton seconded to adopt R. #170.10 as described above by Administrator Salvatore. Roll call: Ayes: Haynes, Giovannitti, Hamilton, Kidd, Tedeski. Nays: None. **Motion carried.**

There wasn't any further Borough business.

- Haynes moved and Hamilton seconded to adjourn the meeting at 6:58 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 October 18, 2010 and should not be considered a verbatim transcript of the meeting.

Respectfully submitted,

Kathy A. VanScoy, RMC/CMC
Borough Clerk

John J. Burzichelli, Mayor