

SEPTEMBER 16, 2008

PAULSBORO, N.J.

7:00 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, Morina, Tedeski. Absent: Mayor Burzichelli and Administrator Salvatore.

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.

Bob Villare, 559 Mantua Avenue, discussed the ordinance regarding parking on lawns. There is a lot located next to his Doctor's Office and it is a pre-existing use as parking. The Code Enforcement Officer has told him no one could park there. He felt the ordinance is poorly written. He and his employees are being ticketed for parking in the lot. He further felt the Code Enforcement Officer is over-enforcing the ordinance. He was told to go before the Land Use Board for a non-conforming use.

Councilwoman Tedeski questioned if the Borough doesn't amend the Ordinance and the Land Use Board grants the non-conforming use, does the Borough still have to amend the Ordinance and if the Land Use Board does grant the use would it have to be handicap accessible.

Solicitor Pierson stated if the Land Use Board determines that it is a pre-existing non-conforming use then they could continue to park there but he is not sure if they would have to be handicap accessible.

Mr. Villare stated he would not be required to conform with the ADA law as he has looked into this because he doesn't have enough employees to conform. He questioned what he would do if the Land Use Board doesn't waive this.

Solicitor Pierson stated Mr. Villare could apply for a variance as it is a uniformity issue.

Mr. Villare stated that is why he felt the Ordinance should be amended as it does not define it well. He stated the Borough parks on lawns.

Solicitor Pierson suggested waiting to see what is the outcome of the Land Use Board and then see if Council wants to amend the Ordinance.

Mr. Villare thanked Council for listening and wanted to make sure Council was aware of this situation.

Patrick Schubert, 117 East Washington Street, questioned how he would receive copies of the bill list.

Solicitor Pierson informed Mr. Schubert to submit an Open Public Records Act (OPRA) form.

Mr. Schubert questioned why East Greenwich was patrolling in Paulsboro on September 12th at 3:00 a.m. He drove around town and did not see one Paulsboro Police Officer.

Captain Grogan stated the Lieutenant advised that there was an incident and East Greenwich was assisting the Borough's officers but he would look into it further.

Dr. Anthony Villare, 560 Mantua Avenue, stated he received two summons dated September 5 and one is dated September 3 for cleaning out his father's backyard and put roofing shingles out at the curb. He spoke with the secretary and said she would send a Borough man out. He then called back to speak with Mr. Hogle and did not receive a call. He finally received a call several days later and was told it was his responsibility to get rid of the shingles. He had someone pick them up and on Saturday he received the two summonses. He ran into Mr. Hogle and asked why he didn't call him or knock on his door to tell him that it was his responsibility. He was told that Mr. Hogle did not have time. He received a \$500.00 ticket from the Construction Official about putting on a roof without a permit. It seems to be a flagrant use of authority.

Solicitor Pierson stated this is now a Municipal Court matter but that it was fine for Council to hear. He informed Dr. Villare that Council could not do anything about the tickets.

Council President Haynes stated he would like a report from Keith Hogle of the incident.

Solicitor Pierson stated Council could deal with the personnel but cannot influence the Municipal Court about tickets.

Dr. Villare stated this is a lousy way to treat a resident but felt this matter goes beyond this incident as Mr. Hogle used to rent a place from his father about 10-15 years ago. He is just asking for fairness.

Council President Haynes stated Council always asks the Borough to be fair and across the board but he could not speak for Mr. Hogle.

Dr. Villare stated he has been here for 63 years and this will never be resolved.

Minutes of a Regular Meeting held on September 2, 2008 at 7:00 p.m.

Councilman Kidd questioned the minutes in regard to his comment in reference to community service.

Giovannitti moved and Hamilton seconded to receive, file, amend the section Councilman Kidd is questioning and adopt the above minutes. All were in favor of the motion.

R. #135.08: RESOLUTION PROVIDING FOR THE PAYMENT OF BILLS OUT OF THE 2008 BUDGET. Giovannitti moved and Hamilton seconded to pay all bills properly signed and adopt R. #135.08. Roll call: Ayes: Haynes, Giovannitti, Hamilton, Kidd, Morina, Tedeski. Nays: None. **Motion carried.**

- **R. #136.08: 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 Hamilton seconded to adopt R. #136.08. Roll call: Ayes: Haynes, Giovannitti, Hamilton, Kidd, Morina, Tedeski. Nays: None. **Motion carried.**

- **SECOND READING AND PUBLIC HEARING:**

- **O. #10.08: AN ORDINANCE REPEALING CHAPTER 53-12.D AND CHAPTER 46-3.A, B, AND D AND AMENDING CHAPTER 46-3.C.** Giovannitti moved and Tedeski seconded to open the meeting to the public. All were in favor of the motion.

- There wasn't any public participation.

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

- Giovannitti moved and Hamilton seconded to adopt O. #10.08 on second and final reading. Roll call: Ayes: Haynes, Giovannitti, Hamilton, Kidd, Morina, Tedeski. Nays: None. **Motion carried.**

- Letter from Charlotte N. Magnuson, Atlantic City Electric, regarding Block 43, Lot 1 Billingsport Road. moved seconded to receive and file the letter. All were in favor of the motion.

- Solicitor Pierson recommended adopting an Ordinance for a Utility Right-of-Way. He further stated Council could authorize the Solicitor and Administrator to work up a

temporary license agreement and pass a Resolution in the meantime to enter into a temporary license agreement.

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FIRST READING AND PUBLIC HEARING:

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O. #11.08: AN ORDINANCE OF THE BOROUGH OF PAULSBORO AUTHORIZING GRANT OF UTILITY EASEMENT TO ATLANTIC CITY ELECTRIC COMPANY. Giovannitti moved and Kidd seconded to adopt O. #11.08 on introduction and first reading and schedule the second reading and public hearing on October 7, 2008. Roll call: Ayes: Haynes, Giovannitti, Hamilton, Kidd, Morina, Tedeski. Nays: None. **Motion carried.**

R. #137.08: RESOLUTION OF THE BOROUGH OF PAULSBORO AUTHORIZING TEMPORARY LICENSE AGREEMENT WITH ATLANTIC CITY ELECTRIC COMPANY. Giovannitti moved and Hamilton seconded to adopt R. #137.08. Roll call: Ayes: Haynes, Giovannitti, Hamilton, Kidd, Morina, Tedeski. Nays: None. **Motion carried.**

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Memo from Keith Hogle, Housing Inspector, regarding written complaint of violation of a landlord as per Section 17 of the Landlord Licensing Ordinance. Giovannitti moved and Hamilton seconded to receive, file the memo and have Solicitor Pierson, Administrator Salvatore and Housing Inspector Hogle discuss this matter. All were in favor of the motion.

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Letter from William G. Dressel, Jr., NJLM, regarding 2009 Pension Cost Budget Shock. Giovannitti moved and Hamilton seconded to receive and file the letter. All were in favor of the motion.

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Memo from Marie Wallon regarding retirement. Giovannitti moved and Hamilton seconded to receive, file the memo and send a thank you letter. All were in favor of the motion.

Memo from Michael Reed, President, AFSCME, Local 3303, requesting permission to close the Borough offices at 12:00 pm on December 24, 2008. Hamilton moved and Giovannitti seconded to receive and file the memo. All were in favor of the motion.

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Tedeski moved and Kidd seconded to grant permission to close the offices at 12:00 p.m. on December 24, 2008. All were in favor of the motion.

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Memo from Michael Reed, President, AFSCME, Local 3303, requesting closing of Borough offices on December 26, 2008. Hamilton moved and Giovannitti seconded to receive and file the memo. All were in favor of the motion.

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Councilman Giovannitti felt Council should wait and think this request over.

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Tedeski moved and Kidd seconded to grant permission to close the Borough offices on December 26, 2008. Roll call: Ayes: Hamilton, Kidd, Tedeski. Nays: Haynes, Giovannitti, Morina. Motion was tied.

- Councilman Kidd discussed Community Service. He realizes that the Mayor was not present but he asked to bring this matter up at this work session to discuss.
- Kidd moved to move forward with Community Service.
- Councilman Morina suggested tabling this matter until the next meeting.
- Council President Haynes stated he would like to see a recommendation from the JIF.
- Councilman Kidd stated he did not have a problem with that.
- Councilman Morina stated it has to be checked into for the insurance and who is going to run the program.
- Morina moved and Giovannitti seconded to table this matter until the next meeting. All were in favor of the motion.
- Councilman Kidd discussed holding Department Head Meetings. He saw that there are Department Head Meetings being held once a week and next he would like to see what the Department Heads are meeting about.
- Council President Haynes stated they are having meetings or at least attempting to have meetings and Mayor and Council should make sure Mayor and Council doesn't slack off.
- Councilman Kidd stated it has to come full circle if it is not coming back to Mayor and Council as to what is being discussed then it isn't coming full circle.
- Councilman Giovannitti discussed the new health insurance plan but more information is needed from Administrator Salvatore.
- Council President Haynes stated he talked with Administrator Salvatore and he stated more information was needed from Steve and it should be wrapped up by this week.
- Councilman Kidd felt more than one insurance program should be aware.
- Councilman Giovannitti gave a report on the Public Works Meeting and possible utilizing manpower. They met with the Water and Sewer Superintendent Supervisor to ask if the Water and Sewer Department would give some relief on the weekends to the Street and Highway Department. The Water and Sewer Superintendent felt the person that works on the weekend could possibly help if they were not too busy. He stated sometimes the trash cans are overflowing. He will have a proposal in October.
- Council President Haynes stated the Committee is asking the weekend employees to help the Highway Department and the community to take on a little more initiative.

- Councilman Giovannitti discussed a Community Awareness Committee. This committee would be separate from the Public Works Committee.

- Councilwoman Tedeski questioned if this would be a special committee.

- Council President Haynes stated he was not for special committees.

- Councilman Giovannitti stated it would be an informal committee.

- Councilman Giovannitti discussed the New Jersey Transit bus stops. He has received a lot of complaints. He had a meeting with Councilwoman Tedeski, Marc Kamp, and three people from NJ Department of Transportation as well as Tony Salvatore from the Chamber of Commerce. NJDOT is going to investigate if another bus stop is necessary. There are 75 people who use the bus. They will be moving some bus stops which are:

State Road: Added Bus Stops

1. Along Broad Street (Rt. 44) northbound, on the easterly side thereof at:
 - a. Between Cedar Avenue and Berkeley Avenue – mid-block beginning 165' south of the southerly curb line of Cedar Avenue and extending 135 feet southerly there from;
 - b. Between Elizabeth Avenue and Vanneman Boulevard – mid-block beginning 95' south of the southerly curb line of Elizabeth Avenue and extending 135 feet southerly there from.
 - c. Between South Commerce Street and Chestnut Street – mid-block beginning 45' south of the southerly curb line of South Commerce Street and extending 135 feet southerly there from.

State Road: Deleted Bus Stops

1. Along Broad Street (Rt. 44) northbound, on the easterly side thereof at:
 - a. Cedar Avenue – near side
Beginning at the southerly curb line of Cedar Avenue and extending 105 feet southerly there from.
 - b. Pine Street – near side
Beginning at the southerly curb line of Pine Street and extending 105 feet southerly there from.
 - c. Chestnut Street – near side
Beginning at the southerly curb line of Chestnut Street and extending 105

feet southerly there from.

- Councilwoman Tedeski stated Council is limited to where they can move stops that don't interfere with resident's houses and businesses. If this doesn't work out, then they will revisit it again.

- Council further discussed the bus stops, trash cans and bus shelters.

- **R. #138.08: RESOLUTION OF THE BOROUGH OF PAULSBORO DESIGNATING BUS STOP LOCATIONS ALONG STATE HIGHWAY ROUTE 44 IN THE BOROUGH OF PAULSBORO.** Tedeski moved and Hamilton seconded to adopt R. #138.08. Roll call: Ayes: Haynes, Giovannitti, Hamilton, Morina, Tedeski. Nays: Kidd. **Motion carried.**

Councilman Giovannitti thanked Councilwoman Tedeski, Mr. Kamp, Mr. Salvatore and the NJDOT for their assistance with the bus stops.

Councilman Morina discussed a Crime Free Housing Committee. He has the names which will consist of two Council members, Councilman Morina and Councilwoman Tedeski, Dorothy Hardy, Len Curtis, Shirley Reed, Ray Miller, a representative from the Police Department and Housing Inspector Keith Hogle.

Council President Haynes stated this would be under the Mayor's Appointment to establish a committee.

Police Chief's Report:

Memo from Chief Ridinger regarding request to begin the process to replace retiree. Hamilton moved and Kidd seconded to receive and file the memo. All were in favor of the motion.

Captain Grogan stated the person who he would like to replace the person that retired is a member of the AFSCME Union and he has heard rumors that Mayor and Council would not be replacing the retiree but that this person knows the job.

Solicitor Pierson stated that Mayor and Council are getting into personnel matters and that nothing negative has been said.

Councilwoman Tedeski suggested discussing this matter next month.

- Memo from Capt. Frank Grogan regarding scheduling interviews for Sergeant's position. Hamilton moved Tedeski seconded to receive and file the memo. All were in favor of the motion.

- Council President Haynes suggested scheduling a time prior to the next Work Session Meeting at 6:00 p.m. to hold the interviews.

- Councilman Kidd questioned when the process began.
- Captain Grogan stated the Police Department started the process a year ago.
- Councilman Kidd stated he doesn't remember this matter being presented to Council to authorize the testing of the Sergeants.
- Captain Grogan felt it was brought before Mayor and Council in the spring and again in September.
- Councilman Kidd asked the Borough Clerk to check the minutes as he did not remember this coming before Mayor and Council for a vote.
- Councilwoman Tedeski stated she remembered something coming before Mayor and Council regarding the Sergeant's testing and interviews.
- Council further discussed whether to hold up the process or to proceed.
- Giovannitti moved and Tedeski seconded to schedule a special meeting on October 21, 2008 at 6:00 p.m. to conduct Sergeant interviews. Roll call: Ayes: Giovannitti, Hamilton, Morina, Tedeski. Nays: Kidd. Abstained: Haynes. **Motion carried.**
- Memo from Capt. Frank Grogan regarding promotional process. Hamilton moved and Tedeski seconded to receive and file the memo. All were in favor of the motion.

Captain Grogan explained that when Resolution No. 200.94 was written, the oral test was to be given by the South Jersey or State Chiefs. The South Jersey Chiefs no longer provides the testing. They went out on their own and are now called FWR. If the Borough continues with the same process, Council will have to change the Resolution to reflect FWR instead of the South Jersey Chiefs.

R. #139.08: RESOLUTION OF THE BOROUGH OF PAULSBORO AMENDING RESOLUTION R. #200.94 PROMOTIONAL PROCESS. Tedeski moved and Giovannitti seconded to adopt R. #139.08. Roll call: Ayes: Haynes, Giovannitti, Hamilton, Kidd, Morina, Tedeski. Nays: None. **Motion carried.**

Memo from Capt. Frank Grogan regarding 334 West Broad Street Handicap Parking spaces request. Hamilton moved and Tedeski seconded to receive and file the memo. All were in favor of the motion.

Captain Grogan explained that the family of an autistic child has requested two handicap parking spots in front of their house which is located at 334 West Broad Street. He reviewed this request and took photographs. This property appears to have a driveway, which at one point was a shared driveway by two families and based on the location of a new fence by the

house on the right hand side and the fence post that was put in the middle of the driveway which he felt was purposely done to prevent the neighbors from encroaching on the portion of their driveway but it effectively prevented them from using their own portion of their driveway. In the back fence they have a gate which is a 10 to 12 foot opening that would allow a car to pull into their backyard from the alley located behind the house. Immediately inside the fence is a portion of the old driveway that he imagines they would still be able to use. He stated this is not an easy one. He further stated that if he had that situation he would prefer to pull into his backyard with his child.

Councilman Morina felt everyone who had an autistic child will be coming forward to request handicap parking spots and this would only open a “can of worms”.

Captain Grogan’s recommendation to the family would be that they pull in behind the property and avoid the possibility of this child running out into the street.

There was further discussion regarding the safety factors of having handicap parking spots on Broad Street and the possibility of the child running out into a busy street.

Tedeski moved and Hamilton seconded to authorize the Police Chief to send a letter stating the Mayor and Council could not grant their request due to the safety factors but to utilize the back of their property. All were in favor of the motion.

Memo from Captain Frank Grogan regarding parking at Billingsport School. Giovannitti moved and Hamilton seconded to receive and file the memo. All were in favor of the motion.

Lieutenant Chris Wachter explained the recommended changes to busing at Billingsport School and also reported on some problems regarding the parking along Fifth Street from Greenwich Avenue to Nassau Avenue. The cars are creating a blockade. He recommended adopting an Ordinance for a “No parking, stopping or standing” zone on Fifth Street from Greenwich Avenue to Nassau Avenue.

Lt. Wachter stated he would like to have signs added for 50 foot stop signs and he also suggested painting a designated pick up and drop off of students’ zone.

INTRODUCTION AND FIRST READING:

O. #12.08: AN ORDINANCE OF THE BOROUGH OF PAULSBORO PROHIBITING PARKING, STOPPING OR STANDING ON THE NORTH SIDE OF THE 300 BLOCK OF 5TH STREET. Tedeski moved and Hamilton seconded to adopt O. #12.08 on introduction and first reading and schedule the second reading and public hearing on October 7, 2008. Roll call: Ayes: Haynes, Giovannitti, Hamilton, Kidd, Morina, Tedeski. Nays: None. **Motion carried.**

R. #140.08: RESOLUTION OF THE BOROUGH OF PAULSBORO AUTHORIZING THE INSTALLATION OF NO PARKING, STOPPING OR STANDING HERE TO CORNER SIGNS ON GREENWICH AVENUE AT THE

INTERSECTION OF 5th STREET. Tedeski moved and Hamilton seconded to adopt R. #140.08. Roll call: Ayes: Haynes, Giovannitti, Hamilton, Kidd, Morina, Tedeski. Nays: None. **Motion carried.**

Memo from Chief Ridinger regarding his retirement. Haynes moved Tedeski seconded to receive and file the memo. All were in favor of the motion.

Memo from Chief Ridinger regarding replacement of Chief of Police. Haynes moved and Hamilton seconded to receive, file the memo and moved on the Chief's replacement effective upon his retirement. All were in favor of the motion.

Councilman Morina discussed the kids throwing the basketball back and forth in the street in front of certain businesses and he felt the businesses should be accountable. Council has to be able to do something to make businesses responsible for the loitering outside of their businesses.

Council further discussed the different scenarios in making businesses more responsible.

Councilman Kidd thanked the Police Department for the good job they did this summer.

There wasn't any further Borough business.

Tedeski moved and Hamilton seconded to adjourn the meeting at 9:25 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 September 16, 2008 and should not be considered a verbatim transcript of the meeting.

Respectfully submitted,

Kathy A. VanScoy, RMC/CMC
Borough Clerk

John J. Burzichelli, Mayor