

SEPTEMBER 16, 2014

PAULSBORO. N.J.

7:00 P.M.

WORK SESSION MEETING

Council Chamber:

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

Members present were: Council President Giovannitti, Councilman Giampola, Councilman Haynes, Councilman Kidd, Councilman Stevenson. Absent: Councilwoman Turner.

Mayor Hamilton called the meeting to order.

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

Mayor Hamilton opened the floor to the public, asked anyone speaking, to give their name and address and reminded everyone there was a five (5) minute time limit.

There wasn't any public participation.

Council President Giovannitti moved and Councilman Stevenson seconded to close the floor to the public at 7:03 p.m. All were in favor of the motion.

R. #157.14: RESOLUTION PROVIDING FOR THE PAYMENT OF BILLS OUT OF THE 2014 BUDGET. Councilman President Giovannitti moved and Councilman Stevenson seconded to pay all bills properly signed and adopt R. #157.14. Roll call: Ayes: Council President Giovannitti, Councilman Giampola, Councilman Haynes, Councilman Kidd, Councilman Stevenson. Nays: None. **Motion carried.**

Received Firemen's Membership Application from Rachele L. Connell. Councilman Stevenson moved and Council President Giovannitti seconded to receive, file and approve the application. All were in favor of the motion

Received application to Amend Bingo License #BL-573, Paulsboro Volunteer Fire Association #1 to add a bonus number game. Council President Giovannitti moved and Councilman Haynes seconded to receive, file and approve the Bingo License amendment. All were in favor of the motion except Councilman Giampola and Councilman Stevenson abstained.

Received Bingo License Application, BA-578, Paulsboro Volunteer Fire Association #1 for a Coach Bag Bingo on October 24, 2014.

Received Raffles License Application, RA-579, Paulsboro Volunteer Fire Association #1, for an on premise merchandise raffle on October 24, 2014.

Received Raffles License Application, RA-580, Paulsboro Volunteer Fire Association #1, for an on premise cash raffle on October 24, 2014.

Received Raffles License Application, RA-581, Paulsboro Volunteer Fire Association #1, for an on premise merchandise raffle (Chinese Auction) on October 24, 2014.

Council President Giovannitti moved and Councilman Haynes seconded to receive, file and approve the Bingo and Raffle Licenses above. All were in favor of the motion except Councilmen Giampola and Stevenson abstained.

Letter from Jan Paff, Chairman, New Jersey Libertarian Party's Preempted Ordinance Project, regarding Chapter 28, Curfew, of the Code of the Borough of Paulsboro. Council President Giovannitti moved and Councilman Stevenson seconded to receive and file the letter. All were in favor of the motion

Solicitor Angelini stated he has done extensive research and he felt the current Ordinance would not withstand constitutional muster. He recommended repealing Chapter 28, Curfew and Chapter 46, Loitering.

Chief Wachter agreed these ordinances would be a liability and should be removed from the Code.

Solicitor Angelini stated the courts feel this ordinance infringes on the parents ability to bring up their kids. All towns are starting to repeal their curfew ordinances.

INTRODUCTION AND FIRST READING:

O. #07.14: ORDINANCE OF THE BOROUGH OF PAULSBORO REPEALING CHAPTER 28, CURFEW, OF THE CODE OF THE BOROUGH OF PAULSBORO. Council President Giovannitti moved and Councilman Stevenson seconded to adopt

O. #07.14 on introduction and first reading and schedule the second reading and public hearing on October 7, 2014. Roll call: Ayes: Council President Giovannitti, Councilman Giampola, Councilman Haynes, Councilman Kidd, Councilman Stevenson. Nays: None. **Motion carried.**

INTRODUCTION AND FIRST READING:

O. #08.14: ORDINANCE OF THE BOROUGH OF PAULSBORO REPEALING CHAPTER 46, LOITERING AND OTHER CODE SECTIONS INSOFAR AS THEY PERTAIN TO LOITERING OF THE CODE OF THE BOROUGH OF PAULSBORO. Council President Giovannitti moved and Councilman Haynes seconded to adopt O. #08.14 on introduction and first reading and schedule the second reading and public hearing on October 7, 2014. Roll call: Ayes: Council President Giovannitti, Councilman Giampola, Councilman Haynes, Councilman Kidd, Councilman Stevenson. Nays: None. **Motion carried.**

Receipt of Bids – Municipal Building Parking Lot Improvements:

- | | |
|---------------------------|-------------|
| 1. Charles Marandino, LLC | \$68,105.00 |
| 2. American Asphalt | \$84,685.00 |

Councilman Stevenson moved and Council President Giovannitti seconded to receive, file, accept the bids and spread the bids in the minutes. All were in favor of the motion.

Administrator/CFO Ruggeri recommended the bids be rejected due to a problem with the paperwork dealing with the grant.

R. #158.14: RESOLUTION OF THE BOROUGH OF PAULSBORO REJECTING BIDS RECEIVED FOR THE MUNICIPAL BUILDING PARKING LOT IMPROVEMENTS. Council President Giovannitti moved and Councilman Giampola seconded to adopt R. #158.14. Roll call: Ayes: Council President Giovannitti, Councilman Giampola, Councilman Haynes, Councilman Kidd, Councilman Stevenson. Nays: None. **Motion carried.**

Letter from Erik K. Biermann, Sickels & Associates, Inc., requesting Resolution approving Performance Bond from Municipal Maintenance Co. for the modification of the chemical feed system for the Treatment Plant for Wells 8 & 9 in the amount of \$29,812.00. Councilman Stevenson moved and Council President Giovannitti seconded to receive, and file the letter. All were in favor of the motion.

R. #159.14: RESOLUTION APPROVING PERFORMANCE BOND PROVIDED BY MUNICIPAL MAINTENANCE CO. IN THE AMOUNT OF \$29,812.00 FOR THE MODIFICATION OF CHEMICAL FEED SYSTEM FOR THE TREATMENT

PLANT FOR WELLS 8 & 9, IN THE BOROUGH OF PAULSBORO. Council President Giovannitti moved and Councilman Haynes seconded to adopt R. #159.14. Roll call: Ayes: Council President Giovannitti, Councilman Giampola, Councilman Haynes, Councilman Kidd, Councilman Stevenson. Nays: None. **Motion carried.**

Letter from David Roche', Sickels & Associates, Inc., requesting Resolution for Change Order No. 1 for Landberg Construction for the Reconstruction of Billings Avenue – Phase V in the amount of \$738.73. Council President Giovannitti moved and Councilman Haynes seconded to receive and file the letter. All were in favor of the motion.

R. #160.14: RESOLUTION PROVIDING FOR CHANGE ORDER NO. 1 IN CONNECTION WITH THE RECONSTRUCTION OF BILLINGS AVENUE – PHASE V IN THE BOROUGH OF PAULSBORO. Council President Giovannitti moved and Councilman Giampola seconded to adopt R. #160.14. Roll call: Ayes: Council President Giovannitti, Councilman Giampola, Councilman Haynes, Councilman Kidd, Councilman Stevenson. Nays: None. **Motion carried.**

Administrator/CFO Ruggeri's Report:

Administrator/CFO Ruggeri stated she will discuss the Municipal Building Roof Improvements bid contracts in Executive Session.

Administrator/CFO Ruggeri stated Erik Biermann from Sickels & Associates was not able to be present, therefore, the Sickels Proposal for the Damminger Complex will be discussed at the next Work Session meeting.

Administrator/CFO Ruggeri reported the Borough received \$4,100.00 from the Vehicle Sale which was held on September 12, 2014.

Police Chief's Report:

Chief Wachter stated he has already discussed the curfew and loitering ordinances. He didn't have anything further to discuss.

Mayor and Council discussed the letter of request from Michael Reed, A.F.S.C.M.E. in reference to switching Election Day, November 4, 2014 for the day after Christmas, Friday, December 26, 2014.

Council President Giovannitti moved and Councilman Stevenson seconded to approve the request. All were in favor except Councilman Haynes nayed.

Councilman Giampola discussed the Code Enforcement Officer position. The position was advertised and six (6) resumes were received and all were interviewed.

He recommended the appointment of Wayne Bender as the Code Enforcement Officer.

R. #161.12: RESOLUTION APPOINTING CODE ENFORCEMENT OFFICER FOR THE BOROUGH OF PAULSBORO FOR THE YEAR 2014. Councilman Giampola moved and Councilman Stevenson seconded to adopt R. #161.14. Roll call: Ayes: Council President Giovannitti, Councilman Giampola, Councilman Haynes, Councilman Stevenson. Nays: Councilman Kidd. Motion carried.

Mayor Hamilton discussed the Zoning Officer's Shared Service with East Greenwich Township. Due to Phil Zimm's retirement, former Construction Official and Class II member on the Land Use Board, there is a need to appoint James Sabetta, Construction Official, as the Class II member on the Land Use Board but due to Mr. Sabetta being appointed as the Zoning Officer through the Shared Service with East Greenwich Township, it created a conflict. Mayor Hamilton recommended appointing Ronald Mertz as the Zoning Officer through the Shared Service with East Greenwich Township.

R. #162.14: RESOLUTION OF THE BOROUGH OF PAULSBORO AMENDING RESOLUTION #43.14 AUTHORIZING THE APPOINTMENT OF RONALD MERTZ AS ZONING OFFICER FOR THE BOROUGH OF PAULSBORO AND AUTHORIZING THE BOROUGH OF PAULSBORO TO ENTER INTO A SHARED SERVICES AGREEMENT PURSUANT TO N.J.S.A. 40A:65-1 et seq. WITH THE TOWNSHIP OF EAST GREENWICH FOR PROVIDING TO THE BOROUGH OF PAULSBORO ZONING OFFICER SERVICES. Councilman Giampola moved and Councilman Stevenson seconded to adopt R. #162.14. Roll call: Ayes: Council President Giovannitti, Councilman Giampola, Councilman Haynes, Councilman Kidd, Councilman Stevenson. Nays: None. Motion carried.

Mayor Hamilton appointed James Sabetta, Construction Official, as the Class II Land Use Board Member.

Councilman Kidd discussed the NTSB Conrail Accident Report. He asked Borough Clerk VanScoy to hold off on sending the letter requesting a meeting with NTSB as he wanted to contact NTSB in order to get a copy of the full report.

Councilman Kidd moved that he will contact NTSB to schedule a meeting with Mayor and Council.

Councilman Giampola felt the Borough should contact Jim Maley who is the Attorney for the JIF and is handling the lawsuits against the Borough to see if it is a good idea to meet with NTSB as he did not feel it was a wise idea as there will be people from the public at this meeting. He would like to have Mr. Maley's opinion.

Councilman Kidd stated the special meeting would be just between the Mayor and Council and NTSB.

Solicitor Angelini stated he would have to see if this would be an exception from the OPRA law as he did not feel the Borough could exclude the public.

Councilman Stevenson stated the report is distinctive and straightforward and he did not feel a meeting was necessary.

Mayor Hamilton stated Council needed Mr. Maley's opinion and suggested asking Mr. Maley to attend an Executive Session to discuss the NTSB report.

Solicitor Angelini suggested having the Administrator contact Mr. Maley to invite him to a meeting.

Councilman Haynes seconded the above motion. All were in favor of the motion except Councilman Giampola nayed.

R. #163.14: RESOLUTION PROVIDING FOR AN EXECUTIVE SESSION OF THE BOROUGH OF PAULSORO. Councilman Kidd moved and Council President Giovannitti seconded to adopt R. #163.14. Roll call: Ayes: Council President Giovannitti, Councilman Giampola, Councilman Haynes, Councilman Kidd, Councilman Stevenson. Nays: None. Motion carried.

The general nature of the subject to be discussed at said closed meeting shall be to discuss personnel in reference to the hiring of the Accounting Clerk position and the Municipal Building Roof Improvement bidders contractual matter.

At 7:35 p.m., Mayor and Council recessed.

At 7:43 p.m., Mayor and Council convened in Executive Session.

At 8:23 p.m., Mayor and Council opened the meeting to the public.

Council President Giovannitti moved and Councilman Stevenson seconded to reconvene the Work Session Meeting. All were in favor of the motion.

R. #164.14: RESOLUTION OF THE BOROUGH OF PAULSBORO AUTHORIZING AWARD OF BID FOR THE MUNICIPAL BUILDING ROOF IMPROVEMENTS TO GEN II CONTRACTING IN THE AMOUNT OF \$246,630. Councilman Haynes moved and Council President Giovannitti seconded to adopt R. #164.14. Roll call: Ayes: Council President Giovannitti, Councilman Giampola, Councilman Haynes, Councilman Kidd, Councilman Stevenson. Nays: None. Motion carried.

There wasn't any further Borough business.

Councilman Haynes moved and Councilman Stevenson seconded to adjourn the meeting at 8:24 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, 2014 and should not be considered a verbatim transcript of the meeting.

Respectfully submitted,

Kathy A. VanScoy, RMC/CMC
Borough Clerk

W. Jeffery Hamilton, Mayor