

OCTOBER 7, 2014

PAULSBORO, N.J.

7:00 P.M.

REGULAR MEETING

Council Chamber:

Mayor Hamilton presided at the regular meeting of Council held on the above date and place.

The Opening Prayer was given by Mayor Hamilton.

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

Mayor Hamilton called the meeting to order.

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

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

Mayor Hamilton stated there was a meeting held with South Jersey Gas on September 26, 2014 with three (3) representatives from South Jersey Gas, two (2) representatives from T&M Associates (Ray Jordan and Alex Sabetta) as well as the Administrator and the Mayor. South Jersey Gas has agreed to pave Chestnut Street from Broad Street to North Delaware Street, Washington Street from the existing paving seam to Commerce Street and Buck Street from Chestnut Street to Delaware Street. This paving will be completed at no cost to the residents.

Mayor Hamilton further stated the Boys and Girls Club has been renovated and the renovation cost between \$250,000 and \$375,000. This project was also completed at no cost to the residents.

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.

Jacqueline Johnson, 432 Summit Avenue, stated someone paved in front of her driveway and did a great job but then they came back and poured more asphalt and now there is a hump in front of her driveway. Every time a vehicle drives by her house she hears a thump.

Ms. Johnson also stated she is displeased with the street sweeping.

Mayor Hamilton stated he spoke with Administrator/CFO Ruggeri and the sweeper was sent back. They contacted the Company and they will be sweeping the streets again.

Linda Pilger, 600 King Street, stated she has been getting water in her basement and her yard is washing away. She has put in stone, railroad ties, concrete, etc. and she is still getting water. She had someone come out to look at what the problem is and it was felt that there is a hump in the asphalt at the curb line which creates a downward slope. She has done everything she can financially to correct this problem. She asked Borough Foreman Tinder to come out and look at it. Mr. Tinder and Mr. Virden came out reviewed the problem and told her it was an easy fix at a minimal cost to the Borough. She is asking Mayor and Council to help with her problem.

Mayor Hamilton stated the Borough will check with Borough Foreman Tinder and look into the matter.

Joyce Gauthney, 1711 Dayton Avenue, stated in June she came to the meeting to request help with flooding, trees and poison ivy. Two (2) of her problems have been resolved and she thanked Mayor and Council. She further stated Mike Ruffalo, former Code Enforcement Officer, contacted her neighbor to have him cut back the overgrown trees and brush. The neighbor cut everything back away from her property. However, the lot next to her, 1703 Dayton Avenue, is a wreck.

George Conaway, 714 Tomlin Station Road, South Harrison, stated he is present to request reconsideration for the conditions for the Riverside Inn.

Chief Wachter stated the request would have to come from the Bar owner.

Barry Corradetti, 1820 Overbrook Avenue, complained regarding a stench by the G.C.U.A. station by the Borough Hall.

Water and Sewer Superintendent Daly stated he will contact G.C.U.A. to get a deodorizer for the stench.

Mr. Corradetti questioned the status of the water situation. He is aware the Borough is now using Wells No. 8 and 9 but what about Well No. 7.

Water and Sewer Superintendent Daly stated the issue is still between the lawyers but that Wells No. 8 and 9 are fine.

Mr. Corradetti stated but Well No. 7 is highly contaminated and he hoped Solvay Solexis will come through for the Borough.

Mayor Hamilton stated Mr. Sickels from NJDEP informed him the water from Wells No. 8 and 9 meets all standards at this time and they will be lifting the receiving of cases of water from Weiss'.

Marvin Hamilton, 913 North Chestnut Street, complained about the tractor trailers going very fast on Broad Street. He further stated he noticed in the newspaper that Evesham Township has been dealing with abandoned properties. He also complained about the following properties: 17 East Jefferson Street, 111 East Jefferson Street, 1265 Walter Street and the property at the corner of Madison and Chestnut Street as these properties need to be cut. And he hopes they get done.

Mr. Hamilton stated the Borough has done a good job with the potholes on Paul Avenue and hopes the Borough will go through the town and do other streets.

Mr. Hamilton discussed the burned out property on Broad Street near Penn Line.

Councilman Giampola stated the court has rescheduled the case for condemnation to November 3rd but the owner has told him the equipment is coming to demolish the building and the Borough has the same Ordinance that Evesham Township does.

Joan Silbaugh, Democrat Road, Gibbstown, Fire Official, spoke on Fire Prevention and that it is not just for the children. She further stated everyone should check their smoke detectors, change the batteries and make sure they are clean. She informed that smoke detectors are only good for 10 years and to be vigilant with them.

There wasn't any further public participation.

Councilman Haynes moved and Council President Giovannitti seconded to close the floor to the public at 7:27 p.m. All were in favor of the motion.

Minutes of a Regular Meeting held on September 2, 2014 at 7:00 p.m. Council President Giovannitti moved and Councilman Giampola seconded to receive, file and adopt the above minutes. All were in favor of the motion.

Minutes of a Work Session Meeting held on September 16, 2014 at 7:00 p.m. Council President Giovannitti moved and Councilman Stevenson seconded to receive, file and adopt the above minutes. All were in favor of the motion.

R. #167.14: RESOLUTION PROVIDING FOR THE PAYMENT OF BILLS OUT OF THE 2014 BUDGET. Council President Giovannitti moved and Councilman Stevenson seconded to pay all bills properly signed and adopt R. #167.14. Roll call: Ayes: Council President Giovannitti, Councilman Giampola, Councilman Haynes, Councilman Kidd, Councilman Stevenson, Councilwoman Turner. Nays: None.
Motion carried.

R. #168.14: RESOLUTION PROVIDING FOR THE CANCELLATION OF CERTAIN BALANCES ON WATER AND SEWER ACCOUNT. Council President Giovannitti moved and Councilman Haynes seconded to adopt R. #168.14. Roll call: Ayes: Council President Giovannitti, Councilman Giampola, Councilman Haynes, Councilman Kidd, Councilman Stevenson, Councilwoman Turner. Nays: None. Motion carried.

R. #169.14: RESOLUTION OF THE BOROUGH OF PAULSBORO ADOPTING A WELLNESS POLICY. Council President Giovannitti moved and Councilman Haynes seconded to adopt R. #169.14. Roll call: Ayes: Council President Giovannitti, Councilman Giampola, Councilman Haynes, Councilman Kidd, Councilman Stevenson, Councilwoman Turner. Nays: None. Motion carried.

R. #170.14: RESOLUTION AUTHORIZING A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE AMERICAN FEDERATION OF STATE, COUNTY, MUNICIPAL EMPLOYEES (AFSCME) LOCAL 3303-C AND THE BOROUGH OF PAULSBORO.

Councilman Kidd questioned where the contract was as it was not in the agenda packets.

Administrator/CFO Ruggeri stated this Resolution can be tabled until the next meeting as she is waiting on a copy.

Councilman Kidd stated he would like to receive a copy of the last contract as well as a copy of the new contract.

Council President Giovannitti moved and Councilman Haynes seconded to table R. #170.14 until the next meeting. Roll call: Ayes: Council President Giovannitti, Councilman Giampola, Councilman Haynes, Councilman Kidd, Councilman Stevenson, Councilwoman Turner. Nays: None. Motion carried.

R. #171.14: RESOLUTION PROVIDING FOR CHANGE ORDER NO. 1 IN CONNECTION WITH THE GILL MEMORIAL LIBRARY ADDITION AND RENOVATIONS IN THE BOROUGH OF PAULSBORO. Council President Giovannitti moved and Councilman Stevenson seconded to adopt R. #171.14. Roll call: Ayes: Council President Giovannitti, Councilman Giampola, Councilman Haynes, Councilman Kidd, Councilman Stevenson, Councilwoman Turner. Nays: None. Motion carried.

Summary of reports and copies of minutes of meetings. Council President Giovannitti moved and Councilman Stevenson seconded to receive and file. All were in favor of the motion.

SECOND READING AND PUBLIC HEARING:

O. #07.14: AN ORDINANCE OF THE BOROUGH OF PAULSBORO REPEALING CHAPTER 28, CURFEW OF THE CODE OF THE BOROUGH OF PAULSBORO. Council President Giovannitti moved and Councilman Giampola seconded to open the floor to the public for comments on the above ordinance. All were in favor of the motion.

Barry Corradetti, 1820 Overbrook Avenue, questioned if this meant the kids can run at all hours of the night.

Solicitor Angelini explained the curfew ordinance has been declared unconstitutional by the Courts. It is possible to look at other towns to see how they enforce curfews but if this curfew ordinance is kept on the books, the Borough can get sued and would have to pay attorney fees.

Mr. Corradetti stated he did not know how this would benefit the town and it is very disappointing. It would be the same issue with the loitering ordinance. He questioned how the Police would stop people from congregating on the streets.

Mayor Hamilton stated it is not just Paulsboro but the whole State of New Jersey and it hurts everyone.

Mrs. Joyce Gauthney, 1711, Dayton Avenue, questioned if there was anything the residents could do.

Councilman Giampola stated the Mayor and Council are “caught in the crosshairs”. The residents could petition the Legislators such as Assemblyman Burzichelli, Assemblywoman Riley and Senator Sweeney.

Council President Giovannitti stated there are some good parents and opportunities for the youth and there are other avenues or options such as Youth and Family Services. Residents can write to the legislators.

Councilman Haynes stated Mayor and Council are talking about parents and kids who don't care but they have constitutional rights. He hoped there were some guidelines that met the civil liberties.

Councilman Kidd stated what Mrs. Gauthney said is true. Get a petition up and send it to the State Legislators.

Councilman Stevenson stated the repealing of the curfew ordinance is garbage by the ACLU and everyone should make a stand against the ACLU.

Ken Norris, 445 Summit Avenue, suggested adopting a trespassing ordinance.

Solicitor Angelini stated, no, the local municipalities cannot pass an ordinance for trespassing as the State Legislature has pre-empted it under Statute 2C:17-3.

Mr. Norris, stated residents should hit the judicial network and attack Senators and Legislators through social media.

There wasn't any further public participation regarding the above Ordinance.

Council President Giovannitti moved and Councilman Giampola seconded to close the floor to the public. All were in favor of the motion.

Council President Giovannitti moved and Councilman Giampola seconded to adopt O. #07.14 on second and final reading. Roll call: Ayes: Council President Giovannitti, Councilman Giampola, Councilman Haynes, Councilman Kidd, Councilwoman Turner. Nays: Councilman Stevenson. **Motion carried.**

SECOND READING AND PUBLIC HEARING:

O. #08.14: AN ORDINANCE OF THE BOROUGH OF PAULSBORO REPEALING CHAPTER 41: 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 Giampola seconded to open the floor to the public. All were in favor of the motion.

Mr. Corradetti, 1820 Overbrook Avenue, questioned how a business owner will keep people from loitering in front of their businesses.

Solicitor Angelini stated there would be other ways such as obstructing traffic, etc. Chief Wachter would know how. The loitering ordinance is worse than the curfew ordinance as it is also unconstitutional.

Shirley Chandler, 1014 Spruce Street, questioned how the Borough was going to control the Halloween Curfew.

Councilman Haynes suggested contacting the Attorney General or the New Jersey State League of Municipalities for ideas in controlling the Halloween curfew.

Chief Wachter stated it will be a no with both organizations and it is a major concern.

There wasn't any further public participation regarding the above Ordinance.

Council President Giovannitti moved and Councilman Haynes seconded to close the floor to the public. All were in favor of the motion.

Council President Giovannitti moved and Councilman Haynes seconded to adopt O. #07.14 on second and final reading. Roll call: Ayes: Council President Giovannitti, Councilman Giampola, Councilman Haynes, Councilman Kidd, Councilman Stevenson. Nays: Councilwoman Turner. **Motion carried.**

Received Raffle License Application, #RA-582, Guardian Angels Regional School PTA for an On-Premise 50/50 Cash Raffle on November 8, 2014 from 7:00 to 11:00 p.m.

Received Raffle License Application, #RA-583, Guardian Angels Regional School PTA for an On-Premise Merchandise Raffle on November 8, 2014 from 7:00 to 11:00 p.m.

Council President Giovannitti moved and Councilman Giampola seconded to receive, file and approve raffle licenses, RA-582 & RA-583. All were in favor of the motion.

Letter from Paulsboro High School requesting permission to conduct the annual Homecoming Parade on Saturday, October 11, 2014 at 9:00 a.m. The parade will commence at the Paulsboro Fire House and proceed down Delaware Street and end at the Paulsboro High School. Council President Giovannitti moved and Councilman Giampola seconded to receive, file the letter, approve their request and notify the proper departments. All were in favor of the motion.

Letter from Elizabeth Grant, Gloucester County Department of Health, Senior & Disability Services, regarding Influenza Immunization Season and Flu Schedule. Council President Giovannitti moved and Councilman Kidd seconded to receive and file the letter. All were in favor of the motion except Councilman Haynes abstained.

Memo from Chief Chris T. Wachter request for Agency College Internship. Councilman Stevenson moved and Council President Giovannitti seconded to receive, file the memo and approve the Chief's request. All were in favor of the motion.

OLD BUSINESS: Mayor Hamilton stated he will make the appointment of Land Use Board Alternate #4 member at the October Work Session Meeting.

MAYOR AND COUNCIL REPORTS:

Utilities Committee: Councilman Haynes, Chairman:

Councilman Haynes stated he did not have a report at this time.

Construction and Licensing Committee: Councilman Giampola, Chairman:

Councilman Giampola stated he has already discussed the property on Broad Street near Pennline.

Public Property Committee/Community Betterment Committee: Councilwoman Turner, Chair:

Councilwoman Turner introduced Kelly McLaughlin, Assistant Director of Public Health Programs who gave a presentation regarding Smoke Free Outdoor Initiatives and Worksite Wellness. The initiative is to provide education and statistics on second hand smoke as there isn't any safe level. 14 municipalities have adopted smoke free parks and recreation areas. If the Borough is interested in adopting the smoke free parks and recreation areas, they will provide free signs, unlimited amount, to install at the parks and recreational areas.

Council President Giovannitti stated this is a very good initiative and to move it forward.

Councilwoman Turner moved and Councilman Kidd seconded to turn this matter over to the Solicitor to draft an ordinance. All were in favor of the motion.

Public Safety Committee: Councilman Stevenson, Chairman:

Councilman Stevenson asked the Chief to send letters to the Trucking Companies to slow their trucks down on Broad Street.

Councilman Stevenson stated it is a dark night as the Borough now has to put up kids out all hours and loitering.

Finance Committee/School Board Liaison: Councilman Kidd, Chairman:

Councilman Kidd stated he did not have anything to report but announced that there will be flu shots given at the High School on Saturday from 1:00 to 2:30 p.m.

Street and Highway Committee: Council President Giovannitti, Chairman:

Council President Giovannitti thanked everyone for coming to the meeting to share their concerns. He stated he was glad to hear Borough Foreman Tinder and Mr. Virden looked at Mrs. Pilger's problem and he asked the Administrator to get the Engineer to review it as well. He also asked the Administrator to have the Engineer to review the issue on Summit Avenue.

Council President Giovannitti stated the Borough tried to get a street sweeper but the company sent the wrong sweeper and they are working with other companies and if the Borough can't be successful with renting a sweeper then maybe the Borough will have to buy a sweeper.

Council President Giovannitti stated the Committee is working on updating the Trash and Recycling Guide.

Council President Giovannitti asked Council to purchase a ½ page ad in the PHS Yearbook.

Councilman Stevenson moved and Councilman Giampola seconded to purchase a ½ page ad in the PHS Yearbook. All were in favor of the motion.

Council President Giovannitti thanked the Police Department and the High School for a successful event. He also thanked Mayor Hamilton for getting the streets done.

Mayor Hamilton thanked everyone for coming to the meeting.

There wasn't any further Borough business.

Councilman Stevenson moved and Councilman Haynes seconded to adjourn the meeting at 8:30 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 October 7, 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