

**BOROUGH OF WESTVILLE**

Mayor and Council Regular Meeting  
114 Crown Point Road  
Wednesday, February 13, 2008

A regular meeting was called to order by Mayor Galbraith at 7:30 p.m.

The meeting was opened with the salute and pledge of allegiance to the flag.

The Clerk read the opening statement.

**Roll Call – Present:**

Mayor Galbraith, Councilman Ledrich, Councilman Muhlbaier, Councilman Pennington, Councilman Baker and Councilwoman Rodgers.

**Absent :**

Councilman Welsh.

**Also Present were:**

Administrator Bittner, Clerk & Tax Collector Helder, Solicitor Chell, Police Chief Lederer, Public Works Manager Domico, Engineer Rodgers and Housing Official Wasson.

**Meeting Minutes of January 23, 2008**

Motion by Councilman Ledrich was made to approve the meeting minutes of January 23, 2008 as written. Second motion was made by Councilman Baker and carried by unanimous roll call vote.

**Roll Call Vote – In Favor:**

Councilman Baker, Councilman Ledrich, Councilman Muhlbaier, Councilman Pennington and Councilwoman Rodgers.

**PUBLIC COMMENT ON AGENDA:**

No comment from the public.

**OLD BUSINESS:**

None.

**NEW BUSINESS:**

**RESOLUTION #35-08** Opposing Revisions to the Wrongful Death Statute  
(Res. Bk. 18)

A motion to approve the resolution was made by Councilman Baker and a second by Councilwoman Rodgers. Motion carried by unanimous roll call vote.

Roll Call Vote – In Favor:

Councilman Baker, Councilman Ledrich, Councilman Muhlbaier, Councilman Pennington and Councilwoman Rodgers.

A discussion was held on a request from Gateway Regional High School for use of the tennis courts in the Thomas West Park and Park Avenue. An agreement was worked out for their use with Gloucester Catholic. The Mayor discussed this matter.

A motion was made by Councilman Ledrich and a second by Councilman Baker to conditionally approve the request, contingent on a Certificate of Insurance and a Hold Harmless Agreement. Motion carried by unanimous roll call vote.

Roll Call Vote – In Favor:

Councilman Baker, Councilman Ledrich, Councilman Muhlbaier, Councilman Pennington & Councilwoman Rodgers.

The **CONTRACT** for Fireworks for the 4<sup>th</sup> of July Celebration is still under review for budgetary reasons as no money was allocated in the temporary budget. Once there is money in the budget, the fireworks contract can be approved as long as a Certificate of Insurance and a Hold Harmless Agreement are received.

A request from the Bible Church of Westville for permission to use the Thomas West Park for the Annual Easter Sun Rise Service on March 23, 2008 from 6:00 a.m. until 7:30 a.m. was discussed. The Administrator advised that the Certificate of Insurance and Hold Harmless Agreement should be reviewed by the Solicitor.

A motion was made by Councilman Baker, and a second by Councilwoman Rodgers to approve the request contingent on receipt of a Certificate of Insurance and a Hold Harmless Agreement. Motion carried by unanimous roll call vote.

Roll Call Vote – In Favor:

Councilman Baker, Councilman Ledrich, Councilman Muhlbaier, Councilman Pennington and Councilwoman Rodgers.

Patrolman Michael Shomo was appointed as Patrolman 4-5 years effective January 28, 2008.

A motion was made to approve the appointment by Councilman Muhlbaier and a second by Councilman Pennington. Motion carried by unanimous roll call vote.

Roll Call Vote – In Favor:

Councilman Baker, Councilman Ledrich, Councilman Muhlbaier, Councilman Pennington & Councilwoman Rodgers.

Stephen Finger was appointed Water/Sewer Operator V effective January 1, 2008.

A motion to approve the appointment was made by Councilwoman Rodgers and a second by Councilman Pennington. Motion carried by unanimous roll call vote.

Roll Call Vote – In Favor:

Councilman Baker, Councilman Ledrich, Councilman Muhlbaier, Councilman Pennington and Councilwoman Rodgers.

Correspondence from Solicitor Chell regarding the Contract between the Borough of Westville and Medefindt Architects, RA for the addition to the Library was discussed.

RESOLUTION #36-08 Awarding the Contract to Medefindt Architechs, RA, for an Addition to the Existing Library. (Res. Bk. 18)

A motion was made by Councilman Baker, and a second by Councilwoman Rodgers to approve the contract and resolution. Motion carried by unanimous roll call vote.

Roll Call Vote – In Favor:

Councilman Baker, Councilman Ledrich, Councilman Muhlbaier, Councilman Pennington and Councilwoman Rodgers.

RESOLUTION #37-08 Awarding the Bid to EN-TECH CORPORATION for \$463,535 for Sanitary Sewer Line Rehabilitation. (Res. Bk. 18). The Administrator and Engineer discussed this matter. Final approval from NJDEP was received the end of January. EN-TECH has fifteen days to sign the contract and submit Performance and Payment Bonds. A pre-construction meeting will be scheduled for the week of March 3, 2008. A bid breakdown and pre-construction videos of the lines must be seen by the Engineer.

A motion was made by Councilman Baker and a second by Councilman Pennington to approve the resolution. Motion carried by unanimous roll call vote.

Roll Call – In Favor:

Councilman Baker, Councilman Ledrich, Councilman Muhlbaier, Councilman Pennington & Councilwoman Rodgers.

The Administrator discussed the rehabilitation of 200 Broadway and a proposal received from Medefindt Architects. The Mayor suggested comparing this price with others. This matter will be acted on at the next meeting.

**COMMUNICATIONS:**

1. A letter from Gloucester County Freeholder DiMarco, Liaison, Parks & Recreation Department regarding "Movies in the Park" was received and discussed.
2. A letter from the State of New Jersey, Department of Environmental Protection regarding the Authorization of the Contract Award to EN-TECH Construction was received.
3. A letter from Gloucester County Freeholder Sweeney regarding a Trash Consolidation Update Meeting on March 14, 2008 at 6:00 p.m. in the Ceremonial Courtroom of the Old Courthouse in Woodbury was received.
4. A notice from the Gloucester County Improvement Authority Solid Waste Complex regarding a new recycling tax of \$3.00/to replace \$1.60/ton for Solid Waste Tax with a net increase of \$1.50/ton was discussed by the Public Works Manager.
5. A letter and check for \$15,879.65 from Comcast Cablevision for Franchise Fees for the use of municipal rights-of-way was received.
6. A letter from Bach Associates, PC regarding Westville Master Plan Re-examination and Proposed Round III rules (at a cost of \$8,000) was received. The Administrator advised that there is no money in the budget at this time. It is required that the master plan be re-examined very six years, and this is the final year for re-examination for Westville.

The Administrator also advised that the Codification of the Borough Ordinances needs updating at a cost of approximately \$18,000. The Mayor suggested that the Ordinance Committee meet with the Building Inspector, the Engineer, the Housing Official, the Police Chief and Public Works Manager for their input on needed admendments or suggestions for ordinances.

7. A letter from the NJDEP to a resident at 528 Highland Ave. regarding a revised UST Grant Scope of Work Approval for informational purposes was received.

**MONIES COLLECTED BY THE CLERK:**

Rent (Put in Current)	1,280.00
Police Reports	63.50
Amusement Games	410.00
Xerox Copies	1.75
Notary Fees	1.00
Street Openings	10.00
Cat Licenses	15.00
Used Car Licenses	700.00
Limousine Licenses	350.00
Limousine Driver's Licenses	18.00
Postage	20.00
Interest	<u>6.85</u>
Total	\$ 1,596.10

The foregoing monies were ordered turned over to the Chief Finance Officer.

**BILLS & VOUCHERS:**

A motion was made by Councilman Pennington and a second by Councilwoman Rodgers to dispense with the reading of the bills. Motion carried by unanimous voice vote.

A motion was made by Councilwoman Rodgers and a second by Councilman Pennington to pay the bills. Motion carried by unanimous roll call vote.

**Roll Call – In Favor:**

Councilman Baker, Councilman Ledrich, Councilman Muhlbaier, Councilman Pennington & Councilwoman Rodgers.

**Public Comment:**

Joyce Lovell, 328 Summit Ave., Chair of the Environmental Commission, requested that their "Environmental Newsletter" be included as an insert with the next Mayor's Newsletter with three specific items; how to have a pesticide free lawn, how to dispose of lawn vegetation and information on recycling. She also offered several suggestions to dispose of recyclables with private individuals. It is necessary that Mr. Martarano obtain his permit from DEP before the Borough can enter into any type of partnership with him. She then inquired as to when alternate members will be appointed. The Mayor advised that they will probably be appointed by the next meeting.

Councilmember's Comments:

Councilman Ledrich thanked everyone for their expressions of sympathy upon the passing of his mother.

Councilman Baker requested that Councilman Welsh, Chair of the Public Safety Committee, hold a meeting regarding the proposed stop sign on Edgewater Ave. and West Ave., and the proposed Neighborhood Watch Program.

Councilman Muhlbaier discussed the interesting meeting he attended in Hamilton Twp. for the TRICOJIF regarding lawsuits.

Councilwoman Rodgers requested that the video room be kept by the Library for magazines. The Administrator advised that this room is necessary for permanent vital records for births, marriages and deaths, construction records which must be kept forever and for personnel records.

Department Heads Comments:

Clerk Helder advised that quotes for thirteen chair replacements for Council have been obtained, and approval was given.

**RESOLUTION #38-08** for an Executive Session to discuss Purchase/Lease of Property, Contract Negotiations for Public Works and the Police Department, and Personnel Matters in the Police Department. (Res. Bk. 18)

A motion to approve the resolution was made by Councilmember Baker and a second by Councilman Pennington. Motion carried by unanimous roll call vote.

Roll Call – In Favor:

Councilman Baker, Councilman Ledrich, Councilman Muhlbaier, Councilman Pennington and Councilwoman Rodgers.

The meeting was recessed at 8:23 p.m.

The meeting was reconvened at 9:19 p.m.

A motion to adjourn the meeting was made by Councilman Baker and a second by Councilman Pennington, having no further business to discuss. Motion to adjourn carried by unanimous voice vote at 9:19 p.m.

Respectfully submitted,

Christine A. Helder  
Municipal Clerk