

BOROUGH OF WESTVILLE
Regular Council Meeting
114 Crown Point Road
October 14, 2009

The meeting was called to order by Mayor Welsh at 7:30 p.m.

The Salute and Pledge of Allegiance to the Flag then took place.

The Clerk read the Notice that this meeting had been duly advertised in accordance with the provisions of the "Open Public Meetings Act" by sending notice to the Gloucester County Times of Woodbury, NJ and the Courier Post of Camden, NJ.

Roll Call:

Present:

Mayor Russell W. Welsh, Jr., Council President Michael O. Ledrich, George K. Baker, Ronald S. Muhlbaier, Charles D. Murtaugh, James A. Pennington, Jr., and William C. Rebel

Also Present:

William J. Bittner, Jr., Donna M. Domico, Christine A. Helder, Frederick A. Lederer, III, Norman Rodgers and Bruce Wasson

Mayor Welsh presented the Oath of Office to Special Law Enforcement Officers Frank A. Schmitt and Michael J. Shannon

Chief Lederer spoke on the SLEO's appointments.

Sgt. Whinna discussed a program sponsored by Gloucester County and the DEA that Westville will be participating in called "Operation Medicine Cabinet" that will take place on November 14, 2009. The intent of "Operation Medicine Cabinet" is to avoid having children mistakenly take either their parents or grandparents medication by providing a secure medical box where residents can place their outdated medication. The County will provide, at no cost, a banner advertising the program as well as press releases that will be published in the newspaper. Officers Whinna and Curl will be the program coordinators and will monitor the medication drop off time from 10 am to 2 pm on the 14th of November.

MEETING MINUTES

A motion to approve the meeting minutes from September 9, 2009 and the Special Council Meeting of October 6, 2009 was made by Council Member Baker and seconded by Council Member Pennington. *Motion Unanimously approved*

PUBLIC COMMENT ON AGENDA ITEMS ONLY:

No comment from the Public was received

BOROUGH OF WESTVILLE
Regular Council Meeting
114 Crown Point Road
October 14, 2009

REPORTS OF THE COMMITTEES for the month of September:

Celebration of Public Events – William C. Rebel, Chair,
 James A. Pennington, Jr. and Russell W. Welsh, Jr., Mayor

Finance & Accounting – Michael Ledrich, Chair
 Charles D. Murtaugh and Russell W. Welsh, Jr., Mayor

Ordinance & Code Enforcement – James A. Pennington, Jr., Chair
 & Charles D. Murtaugh and Russell W. Welsh, Jr., Mayor

Public Buildings, Grounds, Parks & Playgrounds ~ Charles D. Murtaugh, Chair
 William C. Rebel and Russell W. Welsh, Jr., Mayor

Planning & Business Development – James A. Pennington, Jr., Chair
 George K. Baker & Russell W. Welsh, Jr., Mayor

Public Safety Municipal Court & Personnel – Michael O. Ledrich, Chair
 James A. Pennington, Jr., & Russell W. Welsh, Jr., Mayor

Water, Sewer, Highway, Street Lighting & Recycling - George K. Baker, Chair
 Ronald S. Muhlbaier & Russell W. Welsh, Jr., Mayor

Web Site ~ Ronald S. Muhlbaier, Chair
 Charles D. Murtaugh & Russell W. Welsh, Jr., Mayor

Engineer's Report ~ Norm Rogers
 Environmental Commission Report
 Library Report ~ (not submitted)

Motion to accept Reports of the Committees was made by Council Member Murtaugh
 and seconded by Council Member Pennington.

Motion Unanimously Passed

OLD BUSINESS:

Public Hearing on:

**ORDINANCE NO. 10-2009 ~ PROHIBITING STOPPING OR STANDING ON
 BOUNDARY LANE AND BIRCH STREET**

*Motion to open the meeting up to the public made by Council Member Baker and
 seconded by Council Member Murtaugh. No comment received from the public.*
*Motion to close the meeting to the public made by Council Member Murtaugh and
 seconded by Council President Ledrich.*

BOROUGH OF WESTVILLE
Regular Council Meeting
114 Crown Point Road
October 14, 2009

OLD BUSINESS: (Continued)

**ORDINANCE NO. 10-2009 ~ ORDINANCE PROHIBITING STOPPING OR
 STANDING ON BOUNDARY LANE AND BIRCH STREET**

A motion was made by Council Member Murtaugh with a second by Council President Ledrich.

Vote: 6-0

Yes: Council Member George K. Baker, Council President Michael O. Ledrich, Council Member Ronald S. Muhlbaier, Council Member Charles D. Murtaugh, Council Member James A. Pennington, Jr., and Council Member William C. Rebel

No: None

Abstained: None *Motion Unanimously Passed*

Public Hearing on:

**ORDINANCE NO. 11-2009 ~ RESTRICTING TRAFFIC TO ONE-WAY AT
 CHESTNUT AND LITTLE CHESTNUT STREETS**

(Mayor Welsh asked for a volunteer to explain the change to individuals in the audience and Administrator Bittner explained that it's the little portion of road that feeds the Gateway Arms apartments between Little Chestnut Street (the street that runs from Olive to Chestnut Streets and Route 45) – that section would be one-way Westbound – you can turn off Route 45 onto Chestnut but you cannot turn and continue onto Chestnut and go out to Route 45.)

A motion to open the meeting up to the public was made by Council Member Baker and seconded by Council Member Pennington. No comment received from the public.

A motion to close the meeting to the public was made by Council Member Murtaugh and seconded by Council President Rebel.

**ORDINANCE NO. 11-2009 ~ RESTRICTING TRAFFIC TO ONE-WAY AT
 CHESTNUT AND LITTLE CHESTNUT STREETS**

A motion was made by Council Member Muhlbaier with a second by Council Member Murtaugh. Motion unanimously passed.

Vote: 6-0

Yes: Council Member George K. Baker, Council President Michael O. Ledrich, Council Member Ronald S. Muhlbaier, Council Member Charles D. Murtaugh, Council Member James A. Pennington, Jr., and Council Member William C. Rebel

No: None

BOROUGH OF WESTVILLE
Regular Council Meeting
114 Crown Point Road
October 14, 2009

Abstained: None *Unanimously approved*

NEW BUSINESS:

Introduction in title only

ORDINANCE NO. 12-2009 ~ FOUR WAY STOP SIGN AT THE INTERSECTION OF BIRCH & HIGH STREETS

A motion to Introduce in Title Only, Ordinance No. 12-2009 was made by Council Member Murtaugh and seconded by Council Member Baker. *Motion Unanimously approved by Roll Call Vote.*

Introduction in title only

ORDINANCE NO. 13-2009, Amending Chapter 22, Ordinance §22-4. Creation of offices and positions to read:

The Police Department shall consist of the following offices and positions, which are hereby created:

Chief of Police

Captain

Lieutenant

Sergeant

Police Officers

Special Police Officers

Lay employees, including secretary & Crossing Guards

A motion to approve in Title Only, Ordinance No. 13-2009, was made by Council Member Pennington and seconded by Council President Ledrich. *Motion was approved by unanimous roll call vote.*

RESOLUTION NO. 93-2009 ~ APPROVING THE NEW STATUS OF GRANT ROBERTS FROM PATROLMAN 0-1 TO PATROLMAN 1-2

A motion to approve was made by Council President Ledrich and seconded by Council Member Baker. *Motion was unanimously approved by roll call vote.*

RESOLUTION NO. 94-2009 ~ APPROVING THE NEW STATUS OF MICHAEL PACKER FROM PATROLMAN 2-3 TO PATROLMAN 3-4

A motion to approve was made by Council Member Murtaugh and seconded by Council Member Baker. *Motion was unanimously approved by roll call vote.*

RESOLUTION NO. 95-2009 ~ CONFIRMING COMPLETION OF PROBATIONARY PERIOD FOR THOMAS CURL

A motion to approve was made by Council Member Pennington and seconded by Council Member Rebel. *Motion was unanimously approved by roll call vote.*

BOROUGH OF WESTVILLE
Regular Council Meeting
114 Crown Point Road
October 14, 2009

RESOLUTION NO. 96-2009 ~ AWARDING USED VEHICLE TO SECOND HIGHEST BIDDER, BAY RIDGE MOTORS, INC., OF STATEN ISLAND NY
A motion to approve was made by Council Member Murtaugh and seconded by Council Member Pennington. *Motion was unanimously approved by roll call vote.*

NEW BUSINESS: (continued)

RESOLUTION NO. 97-2009 ~ MEMORIALIZING THE APPROVAL OF A SALARY INCREASE FOR ALL NON-CONTRACTUAL EMPLOYEES FOR THE YEAR 2009
(Required by State)

A motion to approve was made by Council Member Murtaugh and seconded by Council Member Pennington.

Motion was unanimously approved by roll call vote.

RESOLUTION NO. 98-2009 ~ REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION N.J.S. 40A:4-87
(Needed by the State)

A motion to approve was made by Council President Ledrich and seconded by Council Member Pennington. *Motion was unanimously approved by roll call vote.*

RESOLUTION NO. 99-2009 ~ ADOPTING MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN
(As required by Emergency Management)

A motion to approve was made by Council Member Pennington and seconded by Council Member Murtaugh. *Motion was unanimously approved by roll call vote.*

RESOLUTION NO. 100-2009 ~ REFUNDING AN OVERPAYMENT OF PROPERTY TAXES ON BLOCK 78, LOT 2 TO BARBARA ANGELASTRO, 18 CEDAR AVENUE, IN THE AMOUNT OF \$1,034.12, DUE TO PAYMENT BY MORTGAGE HOLDER.

A motion to approve was made by Council President Ledrich and seconded by Council Member Murtaugh. *Motion was unanimously approved by roll call vote.*

RESOLUTION NO. 101-2009 ~ APPOINTING MICHAEL J. SHANNON AS A SPECIAL LAW ENFORCEMENT OFFICER II (SLEO II)

A motion to approve was made by Council Member Muhlbaier and seconded by Council Member Pennington. *Motion was unanimously approved by roll call vote.*

RESOLUTION NO. 102-2009 ~ APPOINTING FRANK A. SCHMITT AS A SPECIAL LAW ENFORCEMENT OFFICER II (SLEO II)

A motion to approve was made by Council Member Rebel and seconded by Council Member Murtaugh. *Motion was unanimously approved by roll call vote.*

RESOLUTION NO. 103-2009 ~ CREDITING WATER ACCOUNT ON 400 RIVER DRIVE IN THE AMOUNT OF \$1806.73
(Water Meter Failure)

BOROUGH OF WESTVILLE
Regular Council Meeting
114 Crown Point Road
October 14, 2009

A motion to approve was made by Council Member Baker and seconded by Council Member Pennington. *Motion was unanimously approved by roll call vote.*

NEW BUSINESS: (continued)

RESOLUTION NO. 104-2009 ~ CREDITING WATER ACCOUNTS ON 156 WALNUT STREET FOR \$167.94, 124 E. OLIVE STREET FOR \$12.93 AND 38 WALNUT STREET IN THE AMOUNT OF \$311.47 (*Meter Reading Error*)

A motion to approve was made by Council Member Baker and seconded by Council Member Pennington. *Motion was unanimously approved by roll call vote.*

RESOLUTION NO. 105-2009 ~ PLACING PROPERTY MAINTENANCE LIENS ON 222 CHESTNUT STREET FOR \$140.59; 28 HARVARD AVENUE FOR \$143.04 and 36 LEHIGH AVENUE FOR \$148.40

A motion to approve was made by Council Member Rebel and seconded by Council Member Murtaugh. *Motion was unanimously approved by roll call vote.*

RESOLUTION NO. 106-2009 ~ AMENDING THE APPLICATION FOR TAXICAB AND LIMO DRIVER

A motion to approve was made by Council Member Pennington and seconded by Council President Ledrich. *Motion was unanimously approved by roll call vote.*

COMMUNICATIONS:

- ❖ Letter from Gloucester County “Workforce Investment Board” asking Westville to participate in the Community Work Experience Program (CWEP) (Mayor Welsh and Administrator Bittner discussed the fact that the individuals do not receive a salary from Westville and that the positions are similar to apprenticeships that can range from landscaping to office positions. Public Works Manager Domico asked who would be supervising the individuals and Administrator Bittner explained that the supervisor would be the department manager where the individual works.)
 Motion to participate made by Council President Ledrich and seconded by Council Member Baker. *Unanimously approved by roll call vote.*
- ❖ Recommendation of Chief Lederer to enforce the Halloween Curfew of 8:00 p.m. from Wednesday, October 28th through Sunday, November 1st
 Motion to approve made by Council Member Pennington and seconded by Council Member Baker. *Motion unanimously approved by roll call vote.*

BOROUGH OF WESTVILLE
Regular Council Meeting
114 Crown Point Road
October 14, 2009

- ❖ Contract from the University of Pennsylvania for 1 year of veterinarian services for Remi. *(Chief Lederer explained the contract was approved by Solicitor Alice and that the contract would be paid with drug seizure funds. To pay for the contract, Chief Lederer will send a letter to the County Prosecutor's office who will issue the check from drug seizure funds).*

A motion to approve was made by Council Member Pennington and seconded by Council Member Baker. *Motion unanimously approved by roll call vote.*

COMMUNICATIONS: (continued)

- ❖ Letter from Clear Channel regarding "Amendment to Lease Agreement"
- ❖ Letter from the State of New Jersey-DEP regarding the Remedial Action Progress Report for 114 Crown Point Road
- ❖ Letter from MOTIVA Enterprises confirming investigation of environmental issues at 1058 Delsea Drive and notification of surrounding residents
- ❖ Letter from Westville Public Library Board of Trustee advising of two vacancies. *(Mayor Welsh commented that he's going to reach out to the Library and set up informal get-togethers with the individuals interested in joining the Board of Trustees)*
- ❖ Letter from the Environmental Commission regarding Westville's endorsement of "Green Acres, Water Supply and Floodplain Protection, and Farmland and Historic Preservation Bond Act of 2009"
- ❖ Thank you note from Richard Burr
- ❖ August 12, 2009 Meeting Minutes from the Gloucester County Utilities Authority
- ❖ Gloucester County Flu shot schedule
- ❖ Year to Date "Land Use Board" Sub-Committee Meeting Report
- ❖ Letter from Therese Eckel listing 2008 Land Use Board Applications
- ❖ Letter from the DRPA thanking Westville for their support of the PATCO Expansion project
- ❖ Public Notice from Deptford Township on the adoption of an Amended Land Use Plan Element of the Master Plan
- ❖ Letter from Jerry Stein (51 Edgewater Avenue) requesting a payment plan for this \$2567.80 water bill. *(Mayor Welsh asked Municipal Clerk Helder for more information and she explained that this is a rental unit and the owner was not aware that the water heater broke which emptied gallons of water into the basement. Because of the unusually high bill, Mr. Stein is asking that Westville waive the interest and allow him to make payments through 2010. Municipal Clerk Helder also explained that in order to accommodate Mr. Stein, the Borough would have to create a Resolution.)*
 Motion to approve made by Council President Ledrich and seconded by Council President Member Muhlbaier. *Motion unanimously approved by roll call vote.*

RESOLUTION 107-2009 ~ PERMITTING INSTALLMENT PAYMENTS FOR WATER ACCOUNT 349-0 FOR JERRY STEIN, 51 EDGEWATER AVENUE

BOROUGH OF WESTVILLE
Regular Council Meeting
114 Crown Point Road
October 14, 2009

A motion to approve was made by Council Member Pennington and seconded by Council President Ledrich. *Motion unanimously approved by roll call vote.*

- ❖ Email from Louanna Sills regarding a 2009 ANJEC Environmental Achievement Award
- ❖ Letter from the State of New Jersey – Department of the Treasury regarding changes to the retirement application procedures for (Public Employees' Retirement System (PERS) and Police and Firemen's Retirement System (PFRS)
- ❖ Letter from State of New Jersey – Department of Transportation confirming that a final inspection of Burr Avenue was conducted and the project was found to be completed

COMMUNICATIONS (continued)

- ❖ Volunteer application from Lorna Flowers requesting placement onto the Environmental Commission (*Mayor Welsh reviewed Ms. Flowers' application and would like to suggest that she be appointed to the Environmental Commission.*)
Motion to approve made by Council Member Baker and seconded by Council Member Murtaugh.

MONEY COLLECTED BY THE CLERK

Marriage License	\$27.00
Death Certificate	\$285.00
Burial Permit	\$25.00
Sale of Vehicles	\$800.00
Police Accident Reports	\$67.00
Rental of Municipal Building	\$2900.00
Street Opening Permits	\$20.00
Xerox Copies	\$15.25
Notary Services	\$.50
Marriage Certificates	\$70.00
Interest	\$6.98
TOTAL	\$4,216.73

BILLS & VOUCHERS:

List of bill *posted in foyer*. A motion to dispense with reading of the Bills was made by Councilman Baker and seconded by Council President Ledrich. *Motion unanimously approved by Voice Vote.*

Motion to pay all Bills and Vouchers was made by Councilman Pennington and seconded by Councilman Baker. *Motion unanimously approved by roll call vote.*

PUBLIC COMMENT:

- ❖ Ginger Horn, 111 Twedell Avenue, spoke in Support of a Bond Issue on the November ballot to support open space, farmland preservation, and historic preservation. (Land

BOROUGH OF WESTVILLE
Regular Council Meeting
114 Crown Point Road
October 14, 2009

being lost due to development.) The reason the issue is on the ballot this year is because there's no money left in the Preservation Trust Fund which is the fund that the state uses to help communities and non-profits with farmland preservation and green acres. Administrator Bittner stated that Westville has never been able to take advantage of Green Acres and Council Member Muhlbaier stressed that at this time he felt that he couldn't support the Bond issue. Mayor Welsh stated that ultimately the voters of Westville would make the decision in November when they voted.

PUBLIC COMMENT: (continued)

- ❖ Lorna Flowers, 305 Edgewater requested more lighting in the Thomas West Park. Ms. Flowers and Joyce Lovell of 328 Summit Avenue, expressed their concerns about the lighting in the Thomas West Park. Joyce Lovell is worried about drug paraphernalia bags being found in the park and felt that another light would eliminate this problem. Council will investigate the situation.
- ❖ Joyce Lovell, 328 Summit Avenue, asked what are the environmental issues that Motiva is looking into. Public Works Manager Domico stated that it was similar to the situation at 114 Crown Point Road which addresses underground contamination issues.
- ❖ Ms. Lovell clarified that the ANJEC award is a non-monetary, state-wide achievement award and recognizes the efforts for the Rain Garden, Turtle Deck in the Pond, the Butterfly Garden and the Art project at the school.

COMMENTS FROM GOVERNING BODY & DEPARTMENT HEADS:

- ❖ Engineer Norm Rodgers reported on the Woodbine Avenue resurfacing project. Administrator Bittner confirmed that CFO Jack Bruno is prepared to certify the funds. The CFO is okay introducing the Bond at the next meeting and accepting bids but wants Council to be aware that the project will cost about \$30,000. If comfortable with this information, Council can authorize Engineer Rodgers to go out to get bids for the job, if not, the issue would have to be discussed with Engineer Rodgers. (The estimate from the Engineer is about \$223,400 and the grant is for \$196,000.) Council Member Murtaugh suggested "piggybacking" the Hillside Avenue project. Public Works Manager stated that anytime you do any road projects, you have to include the storm sewers. Engineer Rodgers added that he can add an alternate bid item on the bid specifications indicating that a certain area will be paved on Hillside Avenue and that the plans need to be approved by NJDOT.

BOROUGH OF WESTVILLE
Regular Council Meeting
114 Crown Point Road
October 14, 2009

Council President Ledrich made a motion to authorize the Engineer to proceed with a second by Council Member Pennington. Motion unanimously approved by roll call vote.

- ❖ Public Works Manager Domico asked for permission to have the bus driver available on Election Day. A flyer will be sent out to the Churches noting that the bus will run from 9 am to 1 pm. *(Unanimously approved by consent.)*
- ❖ Public Works Manager Domico commended on a job well done by the Environmental Commission. Congratulations were also given by Mayor Welsh, Council President Ledrich and Council Members Pennington, Muhlbaier, Rebel, Murtaugh and Baker.

COMMENTS FROM GOVERNING BODY & DEPARTMENT HEADS:

- ❖ Council Member Rebel asked for an update on 200 Broadway. Administrator Bittner indicated that someone was interested and he was waiting to hear from him. A realtor could also be considered to move the property and the information is on the web site. Public Works Manager Domico suggested putting up a “for sale by owner” sign.
- ❖ Council Member Rebel reminded everyone that Christmas is coming and they need to start planning for the Christmas celebration.
- ❖ Council Member Murtaugh mentioned that the school installed 3 lights which have illuminated part of the Park. He also asked that the car blocking the “pedestrian right of way” at Schileen’s Pub on Delsea Drive be removed.

RESOLUTION FOR EXECUTIVE SESSION to discuss Personnel Matters in the Police Department was approved on a motion made by Council Member Pennington and seconded by Council President Ledrich. *Motion unanimously approved by roll call vote.*

Time In 8:55 P.M.

Time Out: 9:15 P.M.

Motion to adjourn the meeting was made by Council Member Pennington at 9:16 p.m. and seconded by Council President Ledrich.

Respective submitted,

Christine A. Helder, Municipal Clerk