

BOROUGH OF WESTVILLE
Regular Council Meeting
114 Crown Point Road
September 9, 2009

The meeting was called to order by Mayor Welsh at 7:35 p.m.

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

The Clerk read the notice that the 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: Councilman: George K. Baker, Michael O. Ledrich, Ronald S. Muhlbaier, Charles D. Murtaugh, James A Pennington, Jr., William C. Rebel and Mayor Russell W. Welsh, Jr.

Also Present: Administrator William J. Bittner, Jr., Public Works Manager Donna M. Domico, Clerk Christine A. Helder, Chief of Police Frederick A. Lederer, III, and Housing Officer Bruce Wasson

A motion to approve the meeting minutes from August 12, 2009 was made by Councilman Rebel and seconded by Councilman Murtaugh. *Motion unanimously approved by voice vote.*

Proclamation Honoring Jack Shiverdaker, VFW State Commander, was presented by Mayor Welsh. Mr. Shiverdaker spoke about scholarships offered to junior and senior high students, and his involvement in installing an in-house theatre for the residents of Veterans Memorial Home in Vineland.

PUBLIC COMMENT ON AGENDA ITEMS ONLY

Sandy Rathof, 100 Birch Avenue, stated that due to the volume of school traffic, she suggested Council consider the possibility of installing "resident parking only" signs in the vicinity of 100 Birch Avenue, similar to the ones in National Park. Mayor Welsh deferred to Chief Lederer who confirmed that National Park created ordinances to reserve parking for residents living on the same street as the school.

Chief Lederer also advised that he had preliminary reports completed regarding Birch & Duncan Avenues (areas surrounding Parkview School Crossing) which seem to be the worst and felt that these two intersections should be controlled by an adult crossing guard, along with two safeties.

Councilman Murtaugh commented that the Mayor and Council are currently working on the situation for the safety of the children. Mayor Welsh confirmed that the Council introduced, in titled, an Ordinance that addresses this issue and that they are fine-tuning the Ordinance to develop what will work. Mayor and Council will also meet with school officials to determine the best scenario for them.

Diane Romer of 104 Birch Avenue addressed the parking situation and also confirmed that sometimes vehicles block driveways.

To help alleviate the problem, the Borough assigned an officer at the corner to protect the children and that the officer will remain there until a better resolution can be found. Additionally, based on preliminary reports, the Chief indicated that 2 safeties and 1 crossing guard are needed at corners.

MEETING MINUTES

PUBLIC COMMENT: (Continued)

A final consideration to resolve the problem will be to close the road from 3 to 4 pm for the safety of the children. Councilman Murtaugh will keep the residents up to date.

Joyce Lovell, 328 Summit Avenue. Ms. Lovell asked a question regarding the Resolution requesting approval of revenue items in the amount of \$1305 - NJACA FY-09 Local Arts Grant. Administrator Bittner explained that this is the grant that was already received and in order to place it into our accounts, a resolution is required to officially accept the money.

OLD BUSINESS:

Alan Hirschfield (Underground Storage Tanks) reported that the New Jersey Department of Environmental Protection (NJDEP) created a new program called LSP Licensed Science Professional. Mr. Hirschfield stated that the State will assign case managers to high profile projects and it appears our project is not "high profile". What triggers "high profile" is geological receptors. Because our project is not "high profile," the State will assign a Licensed Science Professional; however there is no one currently licensed in the State. Mr. Hirschfield is currently going through the certification process which means that reports need not be submitted at this time. We will still continue remediation activities, including samplings, but we would not have to submit progress reports every six months, which will result in minor savings and basically we won't have to submit a report for three years. Mr. Hirschfield will submit the August report, but he feels that the Borough will be offered the option to submit a report in three years or opt for a Licensed Science Professional to do the compliance work.

Mr. Hirschfield also discussed the lead levels in wells that he tested and that they are in good shape.

The remediation system has been running since April 2009 and at first it was pumping vapors but now pumping water, which is good because it's cleaning the soil.

Mr. Hirschfield proposed looking into funding, possibly with the EAP. Administrator Bittner asked Mr. Hirschfield for programs that he feels would be appropriate so that he could look into possible grants.

Superintendent Domico suggested that we obtain, in writing, Paul Bauer's agreement before proceeding with the grant research.

Mayor Welsh confirmed that the remediation system should run 24 hours a day, 7 days a week. Mr. Hirschfield indicated that we may run into a problem during the winter months due to the weather.

NEW BUSINESS:

PUBLIC HEARING on

**ORDINANCE NO. 09~2009 ~ REPEALING ORDINANCE NO. 12-ENTITLED
'SEX OFFENDER RESIDENCY RESTRICTION" ORDINANCE OF MUNICIPAL
CODE OF THE BOROUGH OF WESTVILLE, COUNTY OF GLOUCESTER AND
STATE OF NEW JERSEY**

A motion to open the meeting up to the public was made by Councilman Rebel and seconded by Councilman Muhlbaier. No Comment from the public received.

Motion to close the meeting to the public made by Councilman Rebel and seconded by Councilman Muhlbaier.

MEETING MINUTES

NEW BUSINESS: (Continued)

ORDINANCE NO. 09~2009~ REPEALING ORDINANCE NO 12-07 ENTITLED "SEX OFFENDER RESIDENCY RESTRICTION" ORDINANCE OF MUNICIPAL CODE OF THE BOROUGH OF WESTVILLE, COUNTY OF GLOUCESTER AND STATE OF NEW JERSEY

Motion was made by Councilman Murtaugh to repeal the Ordinance with a second by Council President Ledrich.

Vote: 6-0

Yes: Councilman Baker, Council President Ledrich, Councilman Muhlbaier, Councilman Murtaugh, Councilman Pennington and Councilman Rebel

No: None

Abstained: None *Motion unanimously passed*

RESOLUTION NO. 85-2009 ~ CREDITING WATER ACCOUNT DUE TO AN ERROR IN METER READING IN THE AMOUNT OF \$83.96 FOR ACCOUNT 206, 321 SUMMIT AVENUE.

A Motion was made by Councilman Ledrich and seconded by Councilman Muhlbaier to approve.

Vote: 6-0

Yes: Councilman Baker, Council President Ledrich, Councilman Muhlbaier, Councilman Murtaugh, Councilman Pennington and Councilman Rebel

No: None

Abstained: None *Motion unanimously passed*

RESOLUTION NO. 86-2009 ~ REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION N.J.S. 40A:4-87, IN THE AMOUNT OF \$4,000 FROM ENTITLEMENT FROM THE STATE OF NEW JERSEY, DIVISION OF HIGHWAY SAFETY, UNDER HIGHWAY SAFETY AGGRESSIVE DRIVER GRANT

Chief Lederer commented that everything required for this resolution has been completed

A Motion was made by Council President Ledrich and seconded by Councilman Pennington to approve.

Vote: 6-0

Yes: Councilman Baker, Council President Ledrich, Councilman

RESOLUTION NO. 86-2009

Muhlbaier, Councilman Murtaugh, Councilman Pennington and Councilman Rebel

No: None

Abstained: None *Motion unanimously passed*

MEETING MINUTES

RESOLUTION 87-2009 ~ REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION N.J.S. 40A:4-87 IN THE AMOUNT OF \$7,267.37 FROM ENTITLEMENT OF THE STATE OF NEW JERSEY, DEPARTMENT OF ENVIRONMENTAL PROTECTION, AN ENTITLEMENT UNDER PUBLIC AND PRIVATE PROGRAMS OFF-SET BY REVENUES, CLEAN COMMUNITIES PROGRAM

A Motion was made by Councilman Baker and seconded by Councilman Pennington to approve.

Vote: 6-0

Yes: Councilman Baker, Council President Ledrich, Councilman Muhlbaier, Councilman Murtaugh, Councilman Pennington and Councilman Rebel

No: None

Abstained: None *Motion unanimously passed*

RESOLUTION 88-2009 ~ REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION N.J.S. 40A:4-87 IN THE AMOUNT OF \$ 1,305.00 FROM THE COUNTY OF GLOUCESTER, PUBLIC AND PRIVATE PROGRAMS OFF-SET BY REVENUES - NJACA FY09 LOCAL ARTS GRANT

A Motion was made by Councilman Rebel and seconded by Councilman Pennington to approve.

Vote: 6-0

Yes: Councilman Baker, Council President Ledrich, Councilman Muhlbaier, Councilman Murtaugh, Councilman Pennington and Councilman Rebel

No: None

Abstained: None *Motion unanimously passed*

RESOLUTION NO. 89-2009 ~ PLACING PROPERTY MAINTENANCE LIENS

1. The sum of \$119.09, Block 69, Lot 17, 129 Klinger Avenue
2. The sum of \$151.98 Block 38, Lot 10, 705 Crown Point Road
3. The sum of \$151.37 Block 50, Lot 8, 18 New Street
4. The sum of \$151.37 Block 100, Lot 4, 58 Burr Avenue

A Motion was made by Councilman Muhlbaier and seconded by Councilman Baker to approve.

Vote: 6-0

Yes: Councilman Baker, Council President Ledrich, Councilman Muhlbaier, Councilman Murtaugh, Councilman Pennington and Councilman Rebel

No: None

Abstained: None *Motion unanimously passed*

MEETING MINUTES

RESOLUTION 90-2009 ~ CONFIRMING COMPLETION OF PROBATIONARY PERIOD FOR PATROLMAN MICHAEL DENICK. Chief Lederer made recommendation to approve.

A Motion was made by Councilman Pennington and seconded by Councilman Muhlbaier to approve.

Vote: 6-0

Yes: Councilman Baker, Council President Ledrich, Councilman Muhlbaier, Councilman Murtaugh, Councilman Pennington and Councilman Rebel

No: None

Abstained: None *Motion unanimously passed*

RESOLUTION 91-2009 ~ OF THE BOROUGH OF WESTVILLE APPROVING CHANGE ORDERS #1 & 2 FOR CONTRACT WITH CURB CON, INC. FOR BURR AVENUE RECONSTRUCTION IN THE AMOUNT OF \$20,989.40

A Motion was made by Councilman Baker and seconded by Councilman Pennington to approve.

Vote: 6-0

Yes: Councilman Baker, Council President Ledrich, Councilman Muhlbaier, Councilman Murtaugh, Councilman Pennington and Councilman Rebel

No: None

Abstained: None *Motion unanimously passed*

APPLICATION from the Westville Power Boat Association for a one day Liquor License. (Approved by Chief Lederer)

A Motion was made by Councilman Baker and seconded by Councilman Muhlbaier to approve.

Vote: 6-0

Yes: Councilman Baker, Council President Ledrich, Councilman Muhlbaier, Councilman Murtaugh, Councilman Pennington and Councilman Rebel

No: None

Abstained: None *Motion unanimously passed*

Letter requesting use of the ball field located at Route 45 and Park Avenue for an adult Men's fall ball softball team. Councilman Murtaugh felt it would tear up the infield; therefore suggested that the request not be approved.

Vote: 6-0

Yes: Councilman Baker, Council President Ledrich, Councilman Muhlbaier, Councilman Murtaugh, Councilman Pennington And Councilman Rebel

No: None

Abstained: None *Motion unanimously approved to deny the request.*

MEETING MINUTES

Council President Ledrich suggested that all applications for Men's softball leagues automatically be declined. Councilman Baker suggested that Westville residents be allowed to use the field but that non-Westville residents be declined. Mayor Welsh suggested that authority be given to the Administrator to approve requests for this field.

Administrator Bittner asked Superintendent Domico to comment on Norm Rodgers report on the Reconstruction of Woodbine Avenue. Superintendent Domico stated that the report is about extended the grass strips another foot on the house side of the street on Woodbine Avenue to take advantage of low asphalt and concrete prices; however as a resident she felt that adding another foot was silly. Right of way would change - property lines would stay the same. Mayor Welsh suggested that the Highway Committee (Councilman Baker, Councilman Muhlbaier, Engineer Rodgers and Public Works Manager Domico) schedule a meeting to discuss the issue.

Public Works Manager Domico stated that they should move forward now because the numbers are good and if the bids go out quickly, the job could be completed by winter. Administrator Bittner noted that Option 3 comes closest to the budget and that Options #1 and #2 are \$33,000 to \$49,000 over budget.

COMMUNICATIONS

Mayor Welsh motioned to dispense with the reading of each letter and to accept comments from council. Motion unanimously approved by voice vote.

- Letter from MOTIVA Enterprises concerning an environmental investigation and/or remediation at 1058 Delsea Drive - the work is being performed in conjunction with the NJDEP.
- PUBLIC NOTICE regarding Zoning Application for West Deptford Township from Clearwire US LLC, 's application to install dish antenna at Block 1, Lot 6.
- NJ Transit Notice of Availability of the Pennsauken Junction Transit Center
- Meeting Minutes of July 16, 2009 from the Gloucester County Improvement Authority
- PUBLIC NOTICE regarding Land Use Board Application of EJB, LLC for a minor subdivision and Bulk Variance at 209 Harvard Avenue
- PUBLIC NOTICE from RT Environmental Services, Inc. Re: Bellmawr Landfill
- Letter from resident regarding concerns at Route 45 and Olive Street
- Letter from the State of New Jersey DEP regarding Cleanup at 212 Harvard Avenue (underground storage tanks)
- Letter from the Gloucester County Board of Freeholders regarding the County Assessor Transition Plan
- Letter from the Gloucester County Board of Freeholders regarding the County Assessor Property Revaluation Schedule
- Letter from Lion's Club Members thanking Mayor and Council for presentation of Proclamation.
- Letter from the DEP regarding Scrap Metal Industrial Stormwater General Permit
- Invitation from the Gloucester County Freeholders to attend the "Patriot Day Remembrance Ceremony" at the Gloucester County 911 Memorial in Mantua
- Letter from Donna Domico, Supt. of Public Works regarding investigating and remediating environmental contamination at 114 Crown Point Road
- Letter from Federici & Aikin regarding Vehicle Wash Facility
- Meeting Minutes from Library Board of Trustees from August 24, 2009

MEETING MINUTES

Chief Lederer commented on the letter regarding Route 45 and Olive Street. He stated that he received a letter from the NJ Department of Traffic Investigation informing him that they will investigate this intersection.

Mayor Welsh discussed the meeting minutes from the Library Trustee Meeting held on August 24th that he was not able to attend. While reading the meeting minutes, he found that Charles Genter resigned and that the Trustees that were present at the meeting decided to appoint a permanent resident onto the board and that's not the way appointments work. The Mayor wrote a letter to Gwen that he read to the Council for their approval. Approval by voice vote was given to send the letter.

Administrator Bittner reminded everyone that the Volunteer Form is still to be completed by anyone interested in volunteering.

BILLS & VOUCHERS:

Clerk advised that the List of Bills were posted in the foyer.

Motion to dispense with reading of the Bills was made by Councilman Baker and seconded by Councilman Pennington.

Motion unanimously *approved by voice vote.*

Motion to pay all Bills and Vouchers was made by Councilman Baker and seconded by Councilman Pennington.

Vote: 6-0

Yes: Councilman Baker, Council President Ledrich, Councilman Muhlbaier, Councilman Murtaugh, Councilman Pennington
And Councilman Rebel

No: None

Abstained: None *Motion unanimously passed, to deny the request.*

PUBLIC COMMENT:

Harry Blaschke, 44 Walnut Street discussed purchasing cameras for town monitoring. Discussion on placing cameras in key locations took place. Councilman Muhlbaier commented that Westville is in the process of getting FIOS and until FIOS is installed we may not have the capacity to add to the system. However, when and if FIOS becomes available, we have several residents willing to donate cameras. At a Town Watch meeting, Sgt. Grady reminded individuals of privacy issues, however any apartment house that has a public road - a camera can be installed to monitor that public road. Average cost of a camera is about \$200 but to purchase one that could be controlled the cost is about \$1000.00. Councilman Baker noted that there are additional associated fees for putting the camera online (e.g. monthly fee for being online, router fee, etc.). He further stated that one fixed camera on its own router would be more than fast enough for a few people to view simultaneously. The group interested in purchasing the cameras realize the police couldn't monitor the camera but just for the camera to be seen (especially in the area of the Post Office.) is an option. Councilman Baker stated that a viable option is to have the camera feed to the web site. (Web-site Committee: Councilman Muhlbaier, Councilman Murtaugh and Mayor Welsh will meet with Administrator Bittner to see what it will cost and get back to Council.)

MEETING MINUTES

PUBLIC COMMENT: (Continued)

Harry Blaschke, 44 Walnut Street, stated that it was discussed at the Town Watch meeting to make Ambler Street one-way between High Street and Broadway going towards Broadway because of all the "near misses".

Councilman Mulhbaier and Councilman Murtaugh advised they recently discussed this and will ask Chief Lederer to send a traffic expert (one of our Police Officers) to the location to survey the situation and to provide recommendations. (Two Ambler Street residents are not in favor of this change.)

Public Works Manager Domico stated that the Water Tower was unlit again; however a worker conducting an inspection replaced the bulbs and fuses. During the inspection it was noted that the top is very rusty so Superintendent Domico will have it painted next year.

COMMENTS FROM GOVERNING BODY & DEPARTMENT HEADS: (Continued)

Public Works Manager Domico requested to read a letter as a result of issues from a July 8th Council Meeting - tabled to Executive Session.

Councilman Rebel - maintenance concerns along Broadway - the Post Office, according to his measurement, the grass is 18 inches high - Housing Inspector Wasson confirmed that he had the owner in court that day for that reason. The property owner assured Housing Inspector Wasson that he would take care of the maintenance. Public Works Manager Domico advised that she also spoke with someone at the Post Office and was told that they would take care of the property. Solicitor Alice stated that the person responsible for the Estate is responsible for the property. Councilman Rebel stated that this is a very public building and Superintendent Domico confirmed that we still have to follow the same protocol - 10 days from the date of the letter at which time you can cut, trim, etc.

Councilman Rebel stated that most of the planters Downtown need to be maintained. He requested Route 47 & Broadway Intersection be maintained (Island); perhaps adding mulch and something low maintenance. Harry Blaschke, of 44 Walnut Street, added that he read an article in the Wall Street Journal that people in the New York area have been volunteering to help Public Works Departments with landscaping issues. Gloucester County College may need help with the property and Administrator Bittner reminded everyone that the island is State property.

Councilman Murtaugh addressed the corner of Stanley Avenue and Almonesson Road and the pile of grass and branches that needs to be cleaned up.

Councilman Murtaugh wanted to make sure that when a police officer goes to National Park that Westville is still protected.

Councilman Murtaugh asked Administrator Bittner for a progress report on the computer lap tops for Council. Prices were obtained, but too high.

Chief Lederer discussed the possibility of a grant for Police computer lap tops.

Councilman Murtaugh received an email from Pete Peterson (former resident) asking to run a softball clinic on Almonesson Road as a fundraiser. Mr. Peterson's organization may not have insurance so Administrator Bittner suggested the TULIP program which is a designed to provide low cost insurance coverage.

MEETING MINUTES

Councilman Murtaugh asked that someone talk to the individual who parks their car in the pedestrian right of way lane next to Schileen's. Public Works Manager and Chief of Police will look into this.

Councilman Murtaugh stated that a property in the 200 [224-226]block of Broadway may not have CO and with the number of people standing outside that home this issue needs to be addressed.

Councilman Murtaugh would like specs put together to put out bids for lights on the ball fields to see how much it will cost each month.

Councilman Murtaugh will meet with Chief Lederer and Principal Renee Eagan to review the parking problems at Parkview School.

COMMENTS FROM GOVERNING BODY

Mayor Welsh received a letter a letter than he will pass along to Public Works Manager Domico and Housing Inspector Wasson regarding the upkeep of an abandoned house on Harvard Avenue.

Mayor Welsh asked if a property on Hillside Avenue could be looked at by Public Works Manager Domico who suggested that budgetary issues are a concern but would get a cost estimate.

Mayor Welsh thanked all Department Heads for meeting with him last month and commented that at 1035 Broadway many things have been taken care of and looks professional both inside and outside.

RESOLUTION NO. 92 FOR EXECUTIVE SESSION to discuss Personnel Matters in the Police Department/Real Estate and Personnel Manual *was approved on a motion* made by Councilman Baker and seconded by Council President Ledrich. Meeting recessed at 9:08 p.m. for 5 minutes.

Time In: 9:13 p.m.

Time Out: 10:18

A motion was made by Council President Ledrich to hire three (3) SLEO's, with due diligence and upon completion of investigative procedures. Motion was seconded by Councilman Baker and unanimously approved by roll call vote.

Meeting Adjournment Time: 10:20 p.m.

Respectfully Submitted,

Christine A. Helder

Municipal Clerk