

BOROUGH OF WESTVILLE
Regular Council Meeting
114 Crown Point Road
February 11, 2010 ~ 7:00 p.m.
MEETING MINUTES

The meeting was called to order by Mayor Welsh at 7:00 pm and the Salute and Pledge of Allegiance to the Flag then took place.

The Clerk advised that notice of 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 Councilman, Council Members: George K. Baker; Ronald S. Muhlbaier; Charles D. Murtaugh, James A. Pennington, Jr., and William C. Rebel.

Also Present: Administrator William J. Bittner, Jr., Housing Inspector Bruce Wasson, Clerk/Tax Collector Christine Helder and Public Works Manager Donna Domico.

A motion to approve the Meeting Minutes of January 20, 2010 was made by Councilman Rebel and seconded by Council President Ledrich. *Motion unanimously approved by voice vote.*

Public Comment on Agenda items Only:
No comments received from the Public.

OLD BUSINESS:
No old business to report.

NEW BUSINESS:

1. **RESOLUTION - Urging Opposition of Senate Bill 458.**
Discussion took place on urging the legislature to amend the Open Public Records Act to address various technical and practical issues.

Motion to approve the Resolution was made by Councilman Pennington with a second by Council President Ledrich.

Vote: 6-0

Yes: Council President Ledrich, Councilman Baker, Muhlbaier, Murtaugh, Pennington and Rebel. *Motion unanimously passed by roll call vote.*

MEETING MINUTES

NEW BUSINESS: (continued)

2. **RESOLUTION** - Refunding a tax overpayment on Block 67, Lot 11 for 109 Dewey Avenue, Steven W. Ireland, Jr. in the amount of \$1306.40 due to new ownership.

Motion to approve the Resolution was made by Councilman Muhlbaier with a second by Councilman Rebel.

Vote: 6-0

Yes: Council President Ledrich, Councilman Baker, Muhlbaier, Murtaugh, Pennington and Rebel. *Motion unanimously passed by roll call vote.*

3. **RESOLUTION** - Placing a Property Maintenance Lien on 324 High Street in the amount of \$111.83.

Motion to approve the Resolution was made by Councilman Pennington with a second by Councilman Baker.

Vote: 6-0

Yes: Council President Ledrich, Councilman Baker, Muhlbaier, Murtaugh, Pennington and Rebel. *Motion unanimously passed by roll call vote.*

4. **RESOLUTION** - Crediting water account #825 (229 Maple Avenue) in the amount of \$120.05 due to a water reading meter error.

Motion to approve the Resolution was made by Councilman Pennington with a second by Councilman Baker.

Vote: 6-0

Yes: Council President Ledrich, Councilman Baker, Muhlbaier, Murtaugh, Pennington and Rebel. *Motion unanimously passed by roll call vote.*

5. **AGREEMENT** from Gloucester County regarding the "*Alliance to Prevent Alcoholism and Drug Abuse*"

Motion to approve the Agreement was made by Councilman Baker with a second by Councilman Murtaugh.

Vote: 6-0

Yes: Council President Ledrich, Councilman Baker, Muhlbaier, Murtaugh, Pennington and Rebel. *Motion unanimously passed by roll call vote.*

MEETING MINUTES

NEW BUSINESS: (continued)

6. RESOLUTION - Opposing Senate Bill 458

This Resolution calls for a referendum to consolidate the Municipal Tax Assessor, Municipal Tax Collector, Municipal Health Services and Municipal Animal Control Services with the County. Administrator Bittner stated with the exception of the Tax Collector position, the identified positions have already been moved to a County position; this bill would move the Tax Collector to a county position. If Westville lost the Tax Collector position to the county, the ability to help senior citizens with their PTR forms as well as assistance with the Water and Sewer billing would be eliminated as well as collection services and revenue.

Motion to approve the Resolution was made by Councilman Muhlbaier with a second by Councilman Rebel.

Vote: 5-1

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

No: Councilman Pennington. *Motion passed by majority roll call vote.*

7. RESOLUTION - Tonnage Grant Application.

Recycling fund from which Tonnage Grants may be made to municipalities in order to encourage local source separation and recycling programs. Public Works Manager Domico stated this Resolution supports the Grant Application her department submits to receive recycling funds.

Motion to approve the Resolution was made by Council President Ledrich with a second by Councilman Rebel.

Vote: 6-0

Yes: Council President Ledrich, Councilman Baker, Muhlbaier, Murtaugh, Pennington and Rebel. *Motion unanimously passed by roll call vote.*

8. RESOLUTION - Permitting Equal Monthly Installment Payments for Water Account #103 for Brick Management LP.

Motion to approve the Resolution was made by Councilman Baker with a second by Councilman Muhlbaier.

Vote: 6-0

Yes: Council President Ledrich, Councilman Baker, Muhlbaier, Murtaugh, Pennington and Rebel. *Motion unanimously passed by roll call vote.*

MEETING MINUTES

NEW BUSINESS: (continued)

9. **2010 AMUSEMENT GAMES APPLICATIONS.** The following businesses have completed the 2010 application process (e.g. paid a fee and submitted the required application). The applications were reviewed and approved by both the Police and Fire Departments. The final step in the renewal process is the approval of Borough Council.

- Westville Discount Liquors/Hot Shots

Motion to approve the Application was made by Councilman Baker with a second by Councilman Muhlbaier.

Vote: 6-0

Yes: Council President Ledrich, Councilman Baker, Muhlbaier, Murtaugh, Pennington and Rebel. *Motion unanimously passed by roll call vote.*

10. **USED CAR APPLICATIONS** ~ The following businesses have completed the 2010 application process (e.g. \$250 license fee and submitted the required application). The applications were reviewed and approved by both the Police and Fire Departments. The final step in the renewal process is the approval of Borough Council.

- American Auto World (Ben Silverman)
- Broadway Auto Sales (Joseph Rizzari)
- Joe Patti Used Cars (Joe Patti)
- Pellegrino Chevrolet (Mark Pellegrino)

(Please note one business {Always Affordable owned by Eric Michaels} has not paid the 2010 license fee or submitted an application for review and approval.)

Mayor Welsh commented on Always Affordable Auto Sales failure to pay and asked Administrator Bittner what steps could be taken for non-compliance. Administrator Bittner responded Westville could sign a complaint against Always Affordable Auto Sales in Municipal Court and depending on the Judge's decision, it could be a day by day fine or pay by a certain date fine. Solicitor Alice mentioned he will have information to Administrator Bittner next week.

Motion to approve was made by Councilman Baker with a second by Councilman Pennington.

Vote: 6-0

Yes: Council President Ledrich, Councilman Baker, Muhlbaier, Murtaugh, Pennington and Rebel. *Motion unanimously passed by roll call vote.*

MEETING MINUTES

NEW BUSINESS: (continued)

11. APPLICATION from the Westville Woman's Club to hold a Raffle on March 5, 2010 to be applied to school scholarships.

Motion to approve the Application was made by Councilman Baker with a second by Council President Ledrich.

Vote: 6-0

Yes: Council President Ledrich, Councilman Baker, Muhlbaier, Murtaugh, Pennington and Rebel. *Motion unanimously passed by roll call vote.*

12. APPLICATION from SODAT to hold a Raffle on April 14, 2010 to be applied to SODAT's efforts to prevent and treat the diseases of addictions.

Motion to approve the Application was made by Councilman Rebel with a second by Councilman Pennington.

Vote: 6-0

Yes: Council President Ledrich, Councilman Baker, Muhlbaier, Murtaugh, Pennington and Rebel. *Motion unanimously passed by roll call vote.*

13. REQUEST from The Bible Church of Westville to use the Thomas West Park for their Annual Sun Rise Service on April 4, 2010 at 6:30 am.

Motion to approve the Request was made by Councilman Baker with a second by Council President Ledrich.

Vote: 6-0

Yes: Council President Ledrich, Councilman Baker, Muhlbaier, Murtaugh, Pennington and Rebel. *Motion unanimously passed by roll call vote.*

14. 2010 CONTRACT FOR SAFETY AGREEMENT. Public Works Manager Domico advised that this was the renewal of the Safety Agreement Contract with JIF.

Motion to approve the Agreement was made by Council President Ledrich with a second by Councilman Baker.

Vote: 6-0

Yes: Council President Ledrich, Councilman Baker, Muhlbaier, Murtaugh, Pennington and Rebel. *Motion unanimously passed by roll call vote.*

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COMMUNICATIONS

- Letter from the Gloucester County Freeholders regarding the 2010 season of *"Movies in the Park"*
- Letter from the Gloucester County Freeholders offering the services of a Senior Landscape Architect for a Municipal or School project free of charge. (Public Works Manager Domico stated she spoke with the County last year and found the Architect does not do parking lots only parks and playgrounds. Public Works Manager Domico will contact the Architect again this year.)
- Letter from Legends Xtreme requesting permission to hold a carnival and a response letter from the Municipal Clerk declining the request. (The Ordinance that prohibits holding a Carnival, unless it's for a charitable purpose, was discussed by Councilman Baker and Administrator Bittner.)
- Letter from COMCAST regarding Municipal Rights-of-Way.
- Letter from the State of New Jersey/Department of the Public Advocate regarding *"Avoiding Water Shut-offs in Tenanted, Residential Properties"*
- Minutes from the Gloucester County Utilities Authority for the December 9, 2009 meeting
- Resolution 2010-023, from the Gloucester County Utilities Authority. This Resolution amends the Authority's Sanitary Sewerage Connection Fee for 2010
- Letter from Zeel Desai, owner of Bob's News Shop (207 Broadway) expressing his concerns about the parking problems and lack of enforcement in front of his store. Administrator Bittner noted Mr. Desai was in attendance so the issue could be addressed at this time. Additionally, Administrator Bittner commented since he received Mr. Desai's letter complaining about parking in front of his store, he's been observing the area and has noted Mr. Desai's car has been parked in front of his store on numerous occasions. Mr. Desai commented he is in and out of his store all day and if he doesn't park there, someone else will. Administrator Bittner commented there used to be a 15 minute parking limit; however currently there's a 1 hour parking limit. Solicitor Alice commented Mr. Desai could report parking infractions to the Police Department.

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COMMUNICATIONS: (continued)

Mayor Welsh will speak with Chief Lederer about enforcing the parking regulations. Administrator Bittner commented the Ordinance could be updated to reflect 15 minutes parking in front of Mr. Desair's store. Alex Blair, 185 Broadway (owner of Rita's pizza) commented the one hour parking law is favorable but should be enforced; however, if the hours were later it would be helpful. Mayor Welsh suggested the Ordinance Committee meet to discuss the 15 parking regulation along with changing the hours of the regulation.

SPECIAL DISCUSSION

- Public Works Manager Domico presented her findings on Porous Asphalt. Based on her research, Porous Asphalt is "not for road purposes" in that there were too many negatives associated with this process that's geared towards a warmer climate. Storm sewers will have to be researched for those areas prone to flooding. Mayor Welsh asked the Water and Sewer Committee to take a look at this issue. Public Works Manager Domico felt her department would be able to complete some of the work required for this project.
- Councilman Muhlbaier discussed the possibility of relocating one of the two benches within the vicinity of Woodbine and Broadway. Councilman Muhlbaier would like to move one of the benches across the street to the bus stop to make it easier for residents waiting for the bus. The consensus was to approve the change in location.
- Lengthy discussion took place regarding water shut-off notices. It was agreed the Borough would give 72 hour notices, but wait 10 days before shutting off the service, if payment was not received.
- Councilman Baker asked Public Works Manager Domico for a report that includes total costs for water and water treatment expenses and the amount budgeted for 2009. Councilman Baker also requested sewer budget information as well as the costs to maintain lift stations.

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BILLS & VOUCHERS:

Clerk advised that the list of bills was posted in the foyer. A motion to dispense with reading of the bills was made by Councilman Pennington and seconded by Council President Ledrich.

Motion to pay all bills and vouchers was made by Councilman Pennington and seconded by Council President Ledrich.

Vote: 6-0

Yes: Council President Ledrich, Councilman Baker, Muhlbaier, Murtaugh, Pennington and Rebel. *Motion unanimously passed by roll call vote.*

PUBLIC COMMENT:

- Mr. Robert J. Logan, of 14 Cedar Avenue, commented on the water outside, travelling down the street to where leaves were and the water and leaves froze and he had to go down the street to chop up the ice.

COMMENTS FROM GOVERNING BODY & DEPARTMENT HEADS

- Councilman Baker discussed the possibility of a new Borough Hall and submitted copies of drawings. He advised he had some ways and means to make the building happen.
- Councilman Muhlbaier thanked Public Works Manager Domico and her staff for the good work they did during the last two storms. He also thanked the Fire Department for keeping the rate (tax rate) the same.
- Councilman Rebel also thanked Public Works Manager Domico and her staff. Councilman Rebel inquired about the status of the insurance claim regarding the theft of the tree grates. Administrator Bittner advised he received the Police Report and will be able to provide more information after he submits the claim report. Councilman Rebel reported he took Mark Sullivan of Miller and Sons through the Banfe Building for ideas to possibly relocate the main wall; however, he felt that renovations would be out of the question and if we're interested in the building for a new Borough Hall, Westville would have to take the building "as is". Additionally, Mr. Sullivan was 99% sure an elevator would have to be installed at a cost of approximately \$60,000 to \$70,000.
- Councilman Murtaugh thanked Public Works Manager Domico and her troops for their year round hard work.

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- Public Works Manager Domico urged Mayor and Council to consider the email she wrote concerning snow routes and mandatory parking during snow storms which addresses alternate street parking during snow emergencies. Councilman Muhlbaier said he would send an email through Town Watch to get the word out about the parking issues.

COMMENTS FROM GOVERNING BODY & DEPARTMENT HEADS: (continued)

- Administrator Bittner welcomed Thomas Campo, Esq. as the County Representative at Westville's Council Meetings.
- Mayor Welsh also welcomed Thomas Campo. He then asked if the parking lot lights were fixed.

A motion to adjourn the meeting was made by Council President Ledrich and seconded by Councilman Pennington.

Meeting Adjourned: 8:25 pm

Next meeting scheduled for Wednesday, February 24, 2010.

Respectively submitted,

Christine A. Helder, Municipal Clerk