

**BOROUGH OF WESTVILLE**  
**Regular Council Meeting**  
**114 Crown Point Road**  
*October 13, 2010 ~ 7:00 p.m.*

**MEETING MINUTES**

The meeting was called to order by Mayor Welsh at 7:00 p.m. 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, 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., Clerk/Tax Collector Christine Helder, Public Works Manager Donna Domico, Police Chief Fred Lederer and Solicitor John Alice.

A motion to approve the Meeting Minutes of September 29, 2010 was made by Councilman Muhlbaier and seconded by Councilman Pennington. *Motion unanimously approved by voice vote.*

**Public Comment on Agenda items:** No comment from the Public

**OLD BUSINESS:**

**Municipal Building Discussion ~** Mayor Welsh stated information would be discussed in an Executive Session.

**NEW BUSINESS:**

- ❖ **PUBLIC AUCTION** for 200 Broadway. The Auction was opened to the public
- ❖ John Wilson bid \$15,000 and Dave Cabone bid \$16,000. Solicitor Alice read the published requirements that were part of the bid. After reading the requirements, Mr. Cabone withdrew his bid of \$16,000. Seeing no other offers, John Wilson was awarded the bid of \$15,000. (A five minute recess took place in order for the Clerk to provide a receipt for payment from Mr. Wilson for a required 10% down payment of \$1500.)

# AGENDA

## NEW BUSINESS: (Continued)

(The meeting was called back to order at 7:16 p.m.)

- ❖ **RESOLUTION No. 93-2010 ~ Authorizing the Sale of 200 Broadway to the Highest Bidder. (John Wilson)**

A motion to approve Resolution No. 93-2010 was made by Council President Ledrich and seconded by Councilman Baker. *Motion unanimously approved by roll call vote.*

- ❖ **RESOLUTION No. 94-2010 ~ Authorizing William J. Bittner, Jr. to endorse and certify an Agreement with Verizon Wireless to provide wireless phone service. (Mayor Welsh confirmed by changing service providers, the Borough will save approximately \$3,500 per year.)**

A motion to approve Resolution No. 94-2010 was made by Councilman Murtaugh and seconded by Councilman Pennington. *Motion unanimously approved by roll call vote.*

- ❖ **RESOLUTION No. 95-2010 ~ Authorizing Acceptance of a Grant from the New Jersey Division of Criminal Justice in the amount of \$1,682.71 for Police Body Armor.**

A motion to approve Resolution No. 95-2010 was made by Councilman Muhlbaier and seconded by Councilman Baker. *Motion unanimously approved by roll call vote.*

- ❖ **RESOLUTION No. 96-2010 ~ Requesting Approval of Items of Revenue and Appropriations (Entitlement from the New Jersey Clean Energy Program for \$200.00 for the Environmental Commission.)**

A motion to approve Resolution No. 96-2010 was made by Council President Ledrich and seconded by Councilman Murtaugh. *Motion unanimously approved by roll call vote.*

- ❖ **RESOLUTION 97-2010 ~ Crediting Water Account #631 (504 Broadway) in the Amount of \$94.40 due to a meter reading error.**

A motion to approve Resolution No. 97-2010 was made by Councilman Muhlbaier and seconded by Councilman Pennington. *Motion unanimously approved by roll call vote.*

## AGENDA

### NEW BUSINESS: (Continued)

- ❖ **RESOLUTION 98-2010 ~ For Authorization to Submit an Application for the Westville Municipal Alliance Grant for the Calendar Year 2011 in the amount of \$9,249.00.**

A motion to approve Resolution No. 98-2010 was made by Councilman Murtaugh and seconded by Councilman Pennington. *Motion unanimously approved by roll call vote.*

- ❖ **Letter of Resignation from Thomas Carbin, Public Works Department.**

A motion to accept Mr. Carbin's resignation was made by Councilman Baker and seconded by Councilman Pennington. *Motion unanimously passed by voice vote.*

### COMMUNICATIONS:

- ❖ **Letter from Gloucester County Board of Chosen Freeholders regarding the 2010 Gloucester County Flu Schedule.**
- ❖ **Minutes from the August 11, 2010 meeting of the Gloucester County Utilities Authority.**
- ❖ **Letter from Consulting Engineer Services regarding Roadway Improvements for Olive Street, Phase I.**
- ❖ **Minutes from the June 2, 2010 meeting of the Environmental Commission.**
- ❖ **Letter from Grace Williams thanking Mayor, Council and Borough Officials for the flowers received during her illness.**
- ❖ **Letter from the State of New Jersey, Office of the Attorney General, Department of Law and Public Safety, Division of Criminal Justice advising of SFY 2010 Body Armor Replacement Fund Program award of \$1,682.71.**

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### BILLS:

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 Baker and seconded by Councilman Pennington. *Motion unanimously passed by voice vote.*

A motion to pay all bills and vouchers that were in order was made by Councilman Murtaugh and seconded by Councilman Pennington. *Motion unanimously passed by roll call vote.*

### PUBLIC COMMENT:

- ❖ Joyce Lovell, 328 Summit Avenue (Environmental Commission) complimented Councilman Rebel on a job well done in organizing the Fall Festival event. Ms. Lovell then stated she needs able-bodied men to help with the trash bags for Westville's Clean Up Day, scheduled for Saturday, October 23, 2010.

### COMMENTS FROM GOVERNING BODY & DEPARTMENT HEADS:

- ❖ Public Works Manager Domico confirmed that to get a lower priced but better quality meter, she'll be switching meter reading vendors. Additionally, the meters will be able to be read remotely.
- ❖ Public Works Manager Domico discussed a possible contract review with Westville's Recycling vendor, FCR. Public Works Manager reported she also looked at other vendors and felt they were not as favorable as FCR.
- ❖ Councilman Pennington also thanked Councilman Rebel and the Celebrations Committee for the good job organizing the Fall Festival.
- ❖ Councilman Baker commented since the State has not done their job to eliminate the flooding at Delsea Drive, he suggested Westville budget the money in 2011 to create a pumping station to resolve the flooding problem.
- ❖ Council President Ledrich also thanked Councilman Rebel on the success of the Fall Festival.
- ❖ Clerk Helder stated that Councilman Rebel did a great job on the Fall Festival.
- ❖ Councilman Muhlbaier also thanked Councilman Rebel on the success of the Fall Festival.

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### COMMENTS FROM GOVERNING BODY & DEPARTMENT HEADS:

- ❖ Councilman Rebel agreed the event was a success and thanked those involved for their help. Councilman Rebel also stated before the event started, there were 12 cars registered and by the opening of the Festival (10 a.m.), there were 35 cars. He said the pumpkin painting, hay ride and live music were all a big hit and he looked forward to organizing the event next year.
- ❖ Councilman Murtaugh also thanked Councilman Rebel on the success of the Fall Festival.
- ❖ Chief Lederer confirmed the Jonas Cattell Run will be coming through town on Sunday, October 17<sup>th</sup>.
- ❖ Public Works Manager Domico advised Mayor and Council that #5 Well was down and she'll contact them as soon as she has an estimate on the repair costs.
- ❖ Mayor Welsh complemented Councilman Rebel, Department Heads and Office Personnel on a job well done at the Fall Festival.
- ❖ Mayor Welsh advised Council there was an updated Personnel Policy available online for their review. Mayor Welsh complemented the Department Heads for their cooperation specific to the changes in the way the Borough is organized.
- ❖ Mayor Welsh reminded Council and Department Heads to confirm their attendance for the Mayor's Prayer Breakfast on December 2<sup>nd</sup> at Auletto's.
- ❖ Mayor Welsh acknowledged the Tree Lighting Ceremony will be held on Friday evening, December 3<sup>rd</sup>. Administrator Bittner stated he received a request from a Marine Color Guard Detachment asking if Westville would like to schedule them for the event and that they would also like to set up a "Toys for Tots" drop box and possibly sponsor a family for Christmas. Discussion also took place on traffic and crowd control issues.
- ❖ Mayor Welsh asked and received approval from Council Members to cancel the Monday, November 22 Council Meeting.
- ❖ The Mayor asked Chief Lederer if the curfew for Halloween will be printed in the paper and Chief Lederer confirmed the local paper usually prints the curfews for all towns. Chief Lederer also suggested the curfew be posted on the Borough sign located on Almonesson Road.

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### COMMENTS FROM GOVERNING BODY & DEPARTMENT HEADS: (Continued)

- ❖ Mayor Welsh asked the Municipal Clerk Helder to compose thank you letters to the Classic Car owners thanking them for their participation.
- ❖ Resolution authorizing an Executive Session was read by the Clerk and a motion to approve the Resolution was made by Councilman Muhlbaier and seconded by Councilman Rebel. *Motion unanimously passed by voice vote.* RESOLUTION 99-2010 ~ Authorizing an Executive Session pursuant to NJSA 10:4-12, 13 to discuss proposed Real Estate Transaction for Municipal Purchase.

Recess took place at 7:44 p.m.

In Executive Session at 7:53 p.m.

Out of Executive Session at 9:12 pm.

### COMMENTS FROM GOVERNING BODY & DEPARTMENT HEADS: (Resumed)

- ❖ Regarding the flooding issue on Delsea Drive, Administrator Bittner will contact Congressman Rob Andrew's office to attempt to get a definition of what an improvement of the area would include and to ascertain if grant money can be used for the purpose of remediating the flooding problem. If not, are there funds available to do this.
- ❖ Councilman Pennington suggested soliciting more candidates for the part-time municipal court position since only two applications were received.
- ❖ Mayor and Council authorized Administrator Bittner to negotiate with Frank Capano in reference to the purchase price of Xavier Hall.

A motion to approve negotiations with Mr. Capano was made by Council President Ledrich and seconded by Councilman Murtaugh. *Motion unanimously approved by roll call vote.*

- ❖ Mayor and Council authorized Public Works Manager Domico to contact the owner of 233 Woodbine regarding the water theft issue. Public Works Manager Domico, will to the best of her ability, estimate approximate water usage and bill appropriately for the use of unmetered water.

A motion to approve Public Works Manager Domico to contact the homeowner and bill for unmetered water usage made by Councilman Baker and seconded by Councilman Muhlbaier. *Motion unanimously approved by roll call vote.*

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- ❖ Councilman Rebel discussed the removal of “bump outs” to allow for more parking spaces on Broadway, specifically he suggested the “bump out” at Broadway and Pine (Perks Coffee Shop) be removed. Public Works Manager Domico stated she contacted the former Borough Engineer who told her the State is not concerned with the removal of the “bump outs”. Mayor Welsh stated he spoke with the owner of Bob’s News Shop who is pleased the sign in front of his store was changed and expressed an interest in having some of the “bump outs” removed so that parking spaces would become available. Mayor Welsh stated his support in removal of the “bump out” in front of Perks and possible more “bump outs”. Public Works Manager Domico stated the State’s position is that if they are a maintenance problem they can be removed. Public Works Manager Domico stated, from her perspective, they are hazardous especially when it comes to leaves, dirt and snow. Councilman Pennington expressed his concern about penalties regarding the removal of any of the “bump outs”.

A motion to approve removal of the “bump out” at Broadway and Pine (191 Broadway-Perks Coffee) was made by Councilman Rebel and seconded by Council President Ledrich. *Motion unanimously approved by roll call vote.*

Motion to authorize Administrator Bittner to request a survey for the property that abuts Timber Avenue with the Antonelli property. Additionally, authorize Administrator Bittner to negotiate a land swap with public owned property and property owned by the Antonelli’s made by Councilman Baker and seconded by Councilman Muhlbaier. *Motion unanimously approved by roll call vote.*

Meeting Adjourned at: 9:20 p.m.

Respectively Submitted by:

Christine A. Helder  
Municipal Clerk

# AGENDA

*Next Meeting Scheduled for Wednesday, October 27, 2010*