

Borough of Westville
Council Meeting Minutes
September 10, 2008
114 Crown Point Road

A regular meeting was called to order by Mayor Russell Welsh, Jr. 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 Welsh, Council Members Ledrich, Murtaugh, Muhlbaier, Pennington and Rodgers.

Absent - Councilman Baker

Also Present were:

Administrator Bittner, Solicitor Chell, Clerk Helder, Police Chief Lederer, Public Works Manager Domico and Housing Official Wasson .

NEW BUSINESS:

RESOLUTION #109-2008 Appointing Thomas Curl as Patrolman 0-1 year and Michael DeNick as Patrolman 0-1 year. (Res. Bk. #18)

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

Mayor Welsh introduced State Senator and Gloucester County Board of Chosen Freeholders Director Stephen M. Sweeney and County Prosecutor Sean Dalton. Senator Sweeney congratulated Westville Officials for doing the right thing by consolidating with the National Park Police Department, without being forced to do the "right thing ." He stated that this is good government, and he is proud of the leadership in both towns by doing the "right thing" and thinking about the taxpayers.

Senator Sweeney then gave the Oaths of Office and congratulated Patrolman Thomas Curl, II, Patrolman Michael DeNick, Patrolman Anthony Garbarino, IV, Patrolman Michael Goodz and Patrolman Thomas Steffen. A round of applause was given to each patrolman.

County Prosecutor Sean Dalton stated that this could not have happened without the support and cooperation of the elected officials of both towns. He thanked Administrator Bill Bittner and Administrator Vicki Holmstrom for all their work in putting this merger together. He also thanked all the police officers who put their lives at risk each time they go out on patrol on our behalf.

At this time, a short recess was held.

The minutes of the meeting held on August 13, 2008 and the minutes of the Ordinance Committee Meeting, held on August 19, 2008 were approved on motion by Councilman Ledrich and a second by Councilman Pennington. Motion carried by unanimous voice vote.

Mayor Welsh publicly apologized to Councilwoman Rodgers regarding a derogatory comment he made regarding the Ordinance Committee Meeting. Mayor Welsh later found that there were circumstances beyond her control which prevented her from attending that meeting.

PUBLIC COMMENT ON AGENDA ITEMS ONLY

No comment from the public was received.

OLD BUSINESS:

Public Hearing was held on:

ORDINANCE #06-2008 DETERMINING POSITIONS ELIGIBLE FOR THE DEFINED CONTRIBUTION RETIREMENT PROGRAM. Solicitor Chell explained the guideline issues required by the Local Finance Board.

A motion was made by Councilwoman Rodgers to open the public hearing and a second by Councilman Muhlbaier. Motion carried by unanimous voice vote. With no comment being heard or received, a motion was to close the public hearing was made by Councilman Pennington and a second by Councilman Murtaugh. Motion carried by unanimous voice vote.

On motion by Councilman Muhlbaier and a second by Councilwoman Rodgers, the Ordinance was approved by unanimous roll call vote. (Ord. Bk. #4)

Public Hearing was held on:

BOND ORDINANCE #07-2008 OF THE BOROUGH OF WESTVILLE AUTHORIZING ROADWAY CONSTRUCTION ON BURR AVENUE FROM DELSEA DRIVE TO ALMONESSON ROAD FOR THE BOROUGH OF WESTVILLE, COUNTY OF GLOUCESTER; APPROPRIATING THE SUM OF \$175,000 THEREFORE; AUTHORIZING THE ISSUANCE OF GENERAL

OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE BOROUGH OF WESTVILLE, COUNTY OF GLOUCESTER, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$29,450; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING.

On motion by Councilman Pennington and a second by Councilman Muhlbaier, the public hearing was opened by unanimous voice vote. With no comment being heard or received, the public hearing was closed on motion by Councilman Muhlbaier and a second by Councilwoman Rodgers. Motion carried by unanimous voice vote.

On motion by Councilman Ledrich and a second by Councilman Pennington, the Ordinance was approved by unanimous roll call vote. (Ord. Bk. #4)

Public Hearing was held on:

ORDINANCE #08-2008 OF THE BOROUGH OF WESTVILLE RESIDENTIAL HOMEOWNER PROTECTION ORDINANCE.

Councilwoman Rodgers made a motion to open the public hearing and a second by Councilman Murtaugh. Motion carried by unanimous voice vote.

Michael Cerato, 111 Broadway, advised that he is concerned about this Ordinance and feels that Council is losing focus on the issue of economic development and the use of eminent domain. He feels that this is not the proper ordinance to deal with this. He stated there are codes and criminal laws on the books that tell you how you can use your property. He feels that this Ordinance would be overturned if it went to court.

With no further comment being heard or received, a motion was made by Councilman Pennington to close the public hearing and a second by Councilman Ledrich. Motion was approved by unanimous voice vote.

On motion by Councilman Ledrich and a second by Councilman Pennington, the Ordinance was approved by a roll call vote of 4 ayes and 1 nay by Councilwoman Rodgers. (Ord. Bk. #4)

NEW BUSINESS:

RESOLUTION #101-2008 Authorizing an Interlocal Agreement for Municipal Court Services with the Borough of National Park. (Res. Bk. #18)

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

NEW BUSINESS: (Continued)

RESOLUTION #102-2008 Authorizing an Interlocal Agreement for Provision of Police Services with National Park through a SHARE (Sharing Available Resources Efficiently) Grant. The Administrator advised that this is a SHARE Grant for a merger of police services with National Park in the amount of \$90,600.00. A portion of this money would be returned to National Park, should Westville receive the grant. (Res. Bk. #18)

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

RESOLUTION #103-2008 Approving the Application for SHARE assistance in the amount of \$73,700.00 through the State of New Jersey for Provision of Municipal Court Services.
(Res. Bk. #18)

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

RESOLUTION #104-2008 Authorizing the placement of Municipal Property Maintenance Liens on 640 Summit Avenue, 17 Harvard Avenue and 109 Dewey Avenue
(Res. Bk. #18)

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

RESOLUTION #105-2008 Amending the 2008 Budget for Clean Communities in the Amount of \$5,667.77. (Res. Bk. #18).

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

RESOLUTION #106-2008 Amending the 2008 Budget for a donation made to the Westville Public Library. The Administrator advised that Westville has already received this money, and this Resolution authorizes the Borough to spend the money.
(Res. Bk. #18)

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

RESOLUTION #107-2008 Amending the 2008 Budget for Entitlement from the County of Gloucester Housing and Community Development Program in the amount of \$75,000.00.

The Administrator advised that this is for High Street improvements at the intersections for drainage purposes. (Res. Bk. #18)

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

RESOLUTION #108-2008 Authorizing submission of a Municipal Alliance Application for 2009 in the amount of \$9,249.00. (Res. Bk. #18)

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

Police Chief Lederer recommended the appointment of Olivia Alibrando as full-time crossing guard due to the resignation of Tina Blemings.

On motion by Councilman Murtaugh and a second by Councilman Pennington, Olivia Alibrando was appointed as full-time crossing guard. Motion carried by unanimous roll call vote.

Discussion on a letter from RAAB Family Partnership, L.P. requesting that the interest fee of \$66.63 for delinquent taxes be waived because the mail did not get to the Borough until after the due date. The Tax Collector advised that the Borough should not be held responsible for when the mail is delivered, and by State law, the Borough charges interest on payments received after the due date. She also advised that RAAB Family Partnership was not the only taxpayer delinquent on that day.

A motion to deny this request was made by Councilman Murtaugh and a second by Councilman Ledrich. Motion carried by unanimous roll call vote.

An Application for a Special Permit for a Social Affair for the Westville Power Boat Association for September 20, 2008 was discussed. A motion to approve the application was made by Councilwoman Rodgers and a second by Councilman Pennington. Motion carried by unanimous roll call vote.

COMMUNICATIONS:

1. A letter from RT Environmental Services for a Waterfront Development/ Coastal Wetlands Permit Application submitted by Bellmawr Waterfront Development LLC Bellmawr Landfill Cap and Closure Project was received.
2. A letter from the NJDEP regarding the Safe Water Drinking Act was received.
3. A letter from the Westville Environmental Commission regarding a proposed environmental awareness project for improvements to the Edgewater Avenue bridge was received.

4. A letter from a resident and member of the Lions Club was discussed requesting the use of the shuttle bus for the yard sale in October and during the Borough's 4th of July Celebration next year. Public Works Manager Domico stated that she saw no problem using the bus for the yard sales for senior citizens if she can obtain a bus driver, with some restriction as to the size of packages carried on to the bus. The use of the bus for the fireworks was not recommended at this time and was tabled for discussion by the Celebrations Committee at a later date.

5. A letter from the NJ Department of Community Affairs revising the Library Aid Agreement was received.

6. Notification from NJDEP to seek public comment on their intent to approve an Air Pollution Control Operating Permit Renewal Letter for Wheelabrator was received.

7. A letter of resignation from Tina Blemings, full-time crossing guard, was received.

MONEY COLLECTED BY THE CLERK:

Rent	780.00
Police Reports	53.00
Amusemt. Games	310.00
Notary Fees	2.00
Lim. Driver Lic.	3.00
Gun Permit	7.00
Landlord Reg.	60.00
	2.49
TOTAL	\$1,217.49

The foregoing money was ordered turned over to the Chief Finance Officer.

LIST OF BILLS:

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

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

PUBLIC COMMENT:

Donna Carrelli, 139 Edgewater Avenue, requested that a "town watch" be put into place due to the many vandalism problems lately. She also requested a more direct telephone

number to the Police Department other than 911. The Mayor advised that a town watch can be put in place and the Borough would cooperate, but this should be initiated by the

Borough residents. The Police Chief advised that if it is a grass roots organization of townspeople, the Police Department can assistance them. Mrs. Carrelli requested more open communications. The Mayor discussed the possibility of using remote cameras. This matter was discussed at length and will be looked into further. Councilman Muhlbaier offered to be a liaison with this group.

Paul Demier, 105 Poplar Ave., stated that there seems to be more graffiti around town. The Public Works Manager advised that the Police arrested some children in town and plan to have them clean up the graffiti. Public Works is looking into a special chemical to help with this matter.

Kathy Gaskill, 1028 Broadway, inquired about the work done on Broadway. She advised that her car was towed away, and she had to pay for the tow. She stated that she was not notified and feels it is unfair for her to have to pay for the towing as she was on vacation. The Administrator advised that it is the responsibility of the contractor to notify residents about removing their cars. He has the name of a man at PSE&G that she can call and discuss her problem.

Bill Brody, 1028 Broadway, inquired about the run off of water from the addition to the Library which he feels would flood his front yard. The Clerk advised that the same day Mr. Brody made the complaint, the Administrator and herself met with the contractor at the site and the contractor advised them that this would not cause a problem. The Administrator advised that there is to be a retention basin for roof water there, and any overflow will run off to Harvard Avenue. The Mayor advised that this is not a finished product, and the complaint will again be addressed.

COMMENTS FROM GOVERNING BODY & OFFICIALS:

Councilman Ledrich advised that the dedication of the Michael K. Galbraith River Drive Park will take place on Saturday, September 28, 2008 from 4:00 p.m. to 7:00 p.m.

Councilman Ledrich also advised that the Public Works Manager has received several proposals for the cleaning of the pond. The main thing is to come up with the money to pay for the project, and how to keep the area on a maintenance schedule to stop this problem from reoccurring.

Councilman Muhlbaier commented on the Homeowner Residential Protection Ordinance. He stated that he would prefer that the original Ordinance be adopted instead of the one which was adopted. He hopes that this ordinance will not be abused.

Councilwoman Rodgers stated she could not approve the Homeowner Residential Protection Ordinance as is written today. She would like to see an ordinance which would cover the whole town.

Police Chief Lederer thanked everyone for their support in moving forward with the merger

Mayor Welsh advised that the movie in the Park (Ratoutoulie) will be held on Friday, September 12, 2008 at dusk. He then thanked Administrator Bittner, Police Chief Lederer and Administrator Vicki Holmstrom of National Park for all their hard work done for the police and court mergers.

The Mayor advised that he is working on a Mayor's Newsletter and anticipates it being sent out in early October, and requested that any suggested information for the newsletter be submitted by September 24, 2008 to the Clerk.

RESOLUTION #110-2008 Approving an Executive Session for the purpose of discussing Personnel Matters in Administration, Negotiation Matters for Non Contractual employees and Purchase/Lease of Property. (Res. Bk. #18)

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

The meeting was recessed at 8:40 p.m.

The meeting was reconvened at 9:30 p.m.

A motion to sponsor Jake Massing, as Class II Officer, in the Cape May County Police Academy, effective in December, 2008 was made by Councilman Pennington and a second by Councilman Ledrich. Motion carried by unanimous roll call vote.

A motion to offer the position of Municipal Court Clerk to Tammy Marx Brinfield was made by Councilman Pennington and a second by Councilman Ledrich. Motion carried by unanimous roll call vote.

The Administrator advised that the Library has requested four additional outlets and wiring for the computers be added be to the Library reconstruction at a charge of \$600.00. This matter was discussed at length.

With no further business to come before the meeting, a motion to adjourn carried at 9:50 p.m.

Respectfully submitted,

Christine A. Helder

Municipal Clerk