

BOROUGH OF WESTVILLE
Regular Council Meeting
114 Crown Point Road
April 8, 2009

A regular meeting was called to order by Mayor Russell W. Welsh, Jr. at 7:30 p.m.

The meeting was opened with the salute and pledge of allegiance to the flag.

Notice was read by the Clerk that this Meeting was duly advertised in Gloucester County Times and Courier Post.

Roll Call ~ Present: Mayor Welsh, Council Members: Ledrich, Baker, Pennington, Muhlbaier, and Murtaugh

Absent: Councilman Rebel

Also Present were: Administrator Bittner, Solicitor Alice, Police Chief Lederer and Housing Official Wasson, Clerk Helder

The meeting minutes of February 25, March 11 and 16, 2009 were approved on a motion by Councilman Baker and a second by Councilman Murtaugh. Motion was approved by unanimous voice vote.

PUBLIC COMMENT ON AGENDA ITEMS ONLY: None

Reports of the Committees

Water Division - 2009 compared to 2008, the number is up with the amount of water treated, but the number is down in the amount recycled, however, the average per day is up. Public Works Foreman Keck stated that part of the problem had to do with sedimentation in the tank and the ion content in the water. Chemicals were added to that tank and it makes the ion coagulate and settle to the bottom of the tank and that's the biggest consumer of the recycled water.

Sewer Department

Comparison in numbers - sewage pumped to GCUA was higher in 2009 than in 2008 by about 124,000 gallons but the rainfall was about 2.75 inches less. Councilman Murtaugh will reach out to the Public Works Manager for more information; however it was noted that the GCUA will start, on a daily basis, giving us a readout on what we're using as well as the rainfall amounts so we can start to compare where the extra sewage is coming from.

Library. Mayor advised that the Library Director was asked to supply a monthly report along with the other departments. The Library will provide (1) a financial statement, (2) an activity report and (3) a Director's report (these documents are supplied to the

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Trustees). The Library changed the date of their meeting - it's going to be the 4th Monday of every month (it's the Trustee's meeting and open to the public).

Receiving Reports via the Web Site. A general question was raised about receiving reports and paperwork via the web site. Administrator Bittner responded that because of Markay's retirement and other extenuating circumstances it will be better organized in the future.

PUBLIC COMMENT ON AGENDA ITEMS ONLY

No comment from the public.

PUBLIC HEARING

ORDINANCE #04-2009 To Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank (N.J.S.A. 40A: 4-45.14)

An Ordinance entitled TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14) OF THE BOROUGH OF WESTVILLE, COUNTY OF GLOUCESTER, STATE OF NEW JERSEY, the Local Government CAP Law, N.J.S. 40A:4-45. 1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions.

Ginger Horn of 111 Twedell Avenue asked "*I'm curious as to why you want to exceed the Appropriations limit.*" Administrator Bittner advised that we are currently at the limit with our spending until the budget is approved, therefore, the Cap Bank is needed.

Joyce Lovell of 328 Summit Avenue ~ asked "*What is a Cap Bank*". Administrator Bittner responded "we're permitted to bank whatever monies that we don't exceed, if you're under your cap limit by \$10,000, you can bank that \$10,000 and use it in the following year.

A motion was made to close this portion to the public and seconded, and unanimously approved by voice vote.

ORDINANCE NO. 4-2009 TO ESTABLISH THE MUNICIPAL BUDGET APPROPRIATIONS LIMITS AND TO ESTABLISH A CAP BANK. Mayor Welsh asked for any questions or concerns, if not, Council will entertain a motion to accept.

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On motion by Councilman Baker and a second by Councilman Ledrich, said Ordinance was adopted by unanimous roll call vote.

NEW BUSINESS:

1. Discussion took place regarding a proposal from T-Mobile for lease of tower space on Borough Property, specifically the Water Tower and a site at the Little League Field. Administrator Bittner will look into this further.
2. Letter of Resignation was received from Land Use Board member Michael Carotenuto. The Council has two alternates (1) Colleen Archer and (2) Kevin Galbraith. Mayor Welsh would like to talk to the candidates before finalizing the selection.
3. Letter from the Environmental Commission written by Secretary Virginia Horn regarding the appointment of Christine O'Neil McElree as an alternate was submitted to the Borough. Mayor Welsh indicated that he likes to talk to individuals before they're appointed to Boards he requested that Council table the appointment until he has a chance to talk with the individual. All members present agreed to table the appointment.
4. Request from the Gloucester County Division Senior Services to use the shuttle bus to transport seniors to and from Aulettos on May 11, 2009 was reviewed.

On motion by Councilman Murtaugh and a second by Councilman Baker, a motion was approved by unanimous voice vote.

5. Application was received for a special permit for a Social Affair by the Westville Power Boat Association to be held on their opening day May 9th, 2009.

On motion by Councilman Baker and a second by Councilman Pennington, application was approved by unanimous roll call vote.

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6. RESOLUTION #49-2009 ~ Crediting Water Account #1737 in the amount of \$275.06 and Account #1756 in the amount of \$6.88 and Account #69 in the amount of \$11.01 for Meter Reading Errors.

On motion by Councilman Ledrich and a second by Councilman Pennington, Resolution was by unanimous roll call vote.

NEW BUSINESS: (continued)

7. RESOLUTION #50-2009 ~ HONORING OUR TROOPS AND “SUPPORT OUR TROOPS DAY”, April 19, 2009. The people of this municipality support the New Jersey National Guard and Reserve in the strongest possible terms, are immensely proud of their accomplishments, and are extremely grateful for their services to this State and to the nation over the years; and WHEREAS, in the highest American tradition, the patriotic men and women of the Guard and Reserve serve voluntarily in an honorable and vital profession by responding to their community and their county in time of need.

On motion by Councilman Ledrich and a second by Councilman Pennington, Resolution was approved by unanimous roll call vote.

8. RESOLUTION #51-2009 ~ Approving reduction of Performance bond for Curbcon Inc. guarantee of \$63,224.60, leaving the Maintenance Bond in the amount of \$6,322.46. This performance bond was for the work completed on High Street.

On motion by Councilman Ledrich and a second by Councilman Pennington, Resolution was approved by a unanimous roll call vote.

9. Request from the Garden State Chapter of the Myasthenia Gravis Foundation, designating June as “Myasthenia Gravis Month”

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On motion by Councilman Murtaugh and a second by Councilman Ledrich, Resolution was approved by a unanimous voice vote.

10. Letter from the American Heart Association seeking the Borough's designation of a walking path, (Thomas West Park) by proclamation.

On motion by Councilman Murtaugh and a second by Councilman Ledrich, Resolution was approved by a unanimous voice vote.

11. Application received for a Raffle License from the Westville Women's Club

On motion by Councilman Pennington and a second by Councilman Murtaugh, application was approved by a unanimous voice vote.

12. Virginia Horn, Corresponding Secretary of the Environmental Commission made a presentation and distributed handouts regarding a proposal to create a Community Bird and Butterfly Garden at the Thomas West Park. Additionally, Ms. Horn informed Mayor and Council that the Commission applied for a grant from the County.

On motion by Councilman Ledrich and a second by Councilman Murtaugh, request was approved by a unanimous roll call vote, contingent upon written approval for the grant.

NEW BUSINESS: (continued)

13. Virginia Horn, Corresponding Secretary of the Environmental Commission made a presentation on the benefits of a Rain Garden. The Commission is looking to set up demo Rain Gardens in the Thomas West Park with the intent that homeowners can set one up on their property. The Environmental Commission has been invited to Parkview School next Fall to work with the students on environmental projects. *(Before identifying the location, boundaries need to be determined.)*

COMMUNICATIONS

1. Gloucester County Board of Freeholders regarding *Shared Services Agreement for Use of the County's Vehicle Wash Facility at Clayton Yard.*
2. Correspondence from Municipal Excess Liability JIF regarding *"The Rights and Duties of a Volunteer In Local Government"*.
3. Letter from the State Department of Environmental Protection informing the Borough of the 2009 Clean Communities entitlement of \$5,696.26.

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4. Letter from Gateway Regional High School Superintendent, Joyce Stumpo thanking Mayor and Council for the opportunity to share information regarding the School District's budget.
5. Letter from the State Department of Transportation announcing that applications are being accepted for the NJDOT Municipal Aid, Bikeway, centers of Place, Transit Village and Safe Streets to Transit Programs.
6. Correspondence from International Fireworks regarding Certificate of Insurance, Hold Harmless Agreement, Notification to the FAA, Proof of Workers' Compensation, Fire Safety Certification and Proof of Vehicle Coverage.
7. Correspondence from Archer & Greiner, P.C. Attorneys at Law regarding AMC Delancey I-295 partners for Tax Appeal.
8. Notice of Tax Appeals from County Board of Taxation
9. Notice of Tax Appeals to Sate regarding 404-408 Broadway
10. Public Notice regarding Land Use Application of Schileen's Pub, Inc. for a variance from the minimum parking requirements together with such other Variances and Waivers.
11. Thank You card from Donna Domico

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MONEY COLLECTED BY THE CLERK:

Notary Fees	\$1.00
Rent	\$900.00
Police Reports	\$159.75
Amusement Games	\$610.00
Cat Licenses	\$10.00
Peddler Permit	\$35.00
Limousine Licenses	\$550.00
Limousine Drivers License	\$30.00
Sale of Map	\$1.00
Gun Permits	\$27.00
Interest	\$2.80
TOTAL	\$2326.55

BILLS & VOUCHERS:

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

Motion to pay all Bills and Vouchers that are in order made by Councilman Baker and a second by Councilman Pennington. Motion was approved by a unanimous roll call vote.

Public Comment:

- Joyce Lovell , 428 Summit Avenue, thanked Mayor and Council for approving the Bird and Butterfly sanctuary

Comments from Governing Body & Department Heads:

- Engineer Rodgers submitted Engineer's report .
- Municipal Clerk Helder advised of upcoming Tax sale on April 9, list now contains 33 properties.

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RESOLUTION 52-2009 FOR EXECUTIVE SESSION ~ to discuss Personnel and Contractual issues was read by the Clerk.

The meeting was recessed at 8:56 pm

The meeting was reconvened at 10:10 pm

With no further business to come before Mayor and Council, a motion to adjourn carried at 10:10 pm

Respectfully Submitted,

Christine A. Helder
Municipal Clerk