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BOROUGH OF WESTVILLE
Regular Council Meeting
114 Crown Point Road
May 13, 2009

The 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 the Gloucester County Times and Courier Post.

Roll Call ~ Present

Mayor Welsh, Council Members Ledrich, Baker, Pennington, Muhlbaier, Murtaugh and Rebel.

Also present were: Administrator Bittner, Municipal Clerk Helder, Public Works Manager Domico, Police Chief Fred Lederer, Solicitor John Alice and Housing Official Wasson.

PRESENTATION TO THE LION'S CLUB:

The Mayor presented the Lion's Club President, Ed Eimer, 25 Delaware View, with a proclamation honoring the organization for their dedication and devotion to the Borough of Westville and for all the good deeds they've accomplished throughout the years.

The meeting minutes of April 8 and 22, 2009 were approved on a motion by Councilman Muhlbaier and a second by Councilman Pennington. Motion was approved by unanimous voice vote.

OATH OF OFFICE TO STUDENTS

Mayor Welsh swore in the students who were participating in the *Youth in Government* program.

PUBLIC COMMENT ON AGENDA ITEMS

No comments from the Public were received.

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OLD BUSINESS:

Public Hearing on:

RESOLUTION #54-2009 ~ AMENDING THE 2009 BUDGET.

Motion to open the meeting to the public made by Councilman Muhlbaier and a second by Councilman Pennington. Motion was approved by a unanimous voice vote

Motion to close the meeting to the public made by Councilman Muhlbaier and a second by Councilman Pennington and approved by a unanimous voice vote

No questions or comments from the Public.

RESOLUTION #54-2009 ~ AMENDING THE 2009 BUDGET

On motion made by Councilman Muhlbaier and a second by Councilman Ledrich, resolution was adopted by unanimous roll call vote.

RESOLUTION #57-2009 ~ ADOPTING THE 2009 Budget.

On motion made by Councilman Muhlbaier and a second by Councilman Ledrich, resolution was adopted by unanimous roll call vote.

Public Hearing on:

ORDINANCE NO. 05-2009 OF THE BOROUGH OF WESTVILLE, ENTITLED PRIVATE STORM DRAIN INLET RETROFITTING. An Ordinance requiring the retrofitting of existing storm drain inlets which are in direct contact with repaving, repairing, reconstruction, or resurfacing or alterations of facilities on private property, to prevent the discharge of solids and floatables (such as plastic bottles, cans, food wrappers and other litter) to the municipal separate storm sewer system(s) operated by the Borough of Westville so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

Motion to open the meeting to the public was made by Councilman Muhlbaier and a second by Councilman Pennington. Motion was approved by a unanimous voice vote

Motion to close the meeting to the public made by Councilman Ledrich and a second by Councilman Pennington. Motion was approved by a unanimous voice vote.

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No questions or comments from the Public.

ORDINANCE #05-2009 OF THE BOROUGH OF WESTVILLE, ENTITLED
PRIVATE STORM DRAIN INLET RETROFITTING

*On motion made by Councilman Pennington and a second by Councilman Baker,
ordinance was adopted by unanimous roll call vote.*

OLD BUSINESS: (continued)

Public Hearing on:

ORDINANCE NO. 06-2009 OF THE BOROUGH OF WESTVILLE, ENTITLED REFUSE
CONTAINERS/DUMPSTERS. An Ordinance requiring dumpsters and other refuse containers
that are outdoors or exposed to storm water to be covered at all times and prohibits the spilling,
dumping, leaking, or otherwise discharge of liquids, semi-liquids or solids from the containers to
the municipal separate storm sewer system(s) operated by the Borough of Westville and/or the
waters of the State so as to protect public health, safety and welfare, and to prescribe penalties
for the failure to comply.

*Motion to open the meeting to the public made by Councilman Pennington and a second by
Councilman Mublbaier and approved by a unanimous voice vote.*

*Motion to close the meeting to the public made by Councilman Ledrich and a second by
Councilman Mublbaier and approved by a unanimous voice vote.*

No questions or comments from the Public.

ORDINANCE NO. 06-2009 OF THE BOROUGH OF WESTVILLE, ENTITLED
REFUSE CONTAINERS/DUMPSTERS.

*On motion made by Councilman Pennington and a second by Councilman Ledrich,
ordinance was adopted by unanimous Roll call vote.*

NEW BUSINESS

RESOLUTION NO. 58-2009 ~ APPROVING A TOTALLY DISABLED VETERAN
TAX EXEMPTION for William M. Garner of 505 Highland Avenue (Block 6, Lot 14)
from all real estate taxes on his property and issuing a credit of \$1,181.70 as of April 13,
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On motion made by Councilman Muhlbaier and a second by Councilman Ledrich, resolution was adopted by unanimous roll call vote.

JOB DESCRIPTIONS. Mayor Welsh asked the students to read the job descriptions for their elected positions. Job descriptions were read for the following positions: Police Chief, Administrator, Court Clerk, Tax Collector, Fire Chief, Tax Assessor, Prosecutor, Municipal Judge, Public Defender, Public Works Manager, Solicitor, Municipal Clerk, Lion's Club President and Tail Twister.

PUBLIC COMMENT:

Louanna Sills, 303 Edgewater, commended the students for the excellent job they were doing and thanked them for doing whatever it is they did to get there.

Former Mayor Bill Packer, 530 River Drive, thanked all the elected officials and also thanked the governing body, department heads and officials who worked very hard to keep the tax rate stable for the Borough.

Renee Eagen, Parkview Elementary School Principal thanked Mayor, Council Members and members of the community for welcoming the students into this wonderful venue and for providing them with the opportunity to see what being involved in the community is all about.

Councilman Michael Ledrich congratulated the students, thanked the Lion's Club for their efforts and acknowledged the hard work the school did to make the Youth in Government day a special event. Councilman Ledrich also announced that the Courier Post awarded Westville the "Best of the Best" South Jersey plaque for "Town Spirit". (Plaque will be hung in the Municipal Building at 1035 Broadway.)

Councilman Baker stated that all of the participants did an excellent job and asked them to remember the experience and stressed how rewarding it is to work for and give back to the community.

Councilman Pennington thanked all the boys and girls for participating in the event because it gave the students an idea of how things operate in Westville and also provided them with an opportunity to meet the Borough Council.

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Councilman Muhlbaier congratulated everyone and said this year was very special because his granddaughter was elected to participate. He also encouraged the students to stay involved because “giving back” is very rewarding.

Councilman Rebel confirmed that this was his first time participating in this program and thought it was very educational for the children who did a wonderful job. He encouraged the students to have a lot of pride in their town and to stay involved.

Councilman Murtaugh echoed everyone else’s thoughts on the good job done by both the students and their parents. He confirmed that he also participated in the program when he attended Parkview 36 years ago and thought how interesting it was to see how the Fire, Police and other departments operated.

Comments for the Public Works Manager Donna Domico, were made by Nicholas Leahy who stated that specifications for the new Trash Truck were ready. Mr. Leahy further stated that residents should conserve water because of the approaching summer months.

PUBLIC COMMENT: (continued)

Brian Cook spoke on behalf of Police Chief Lederer. Mr. Cook read a report which confirmed that several officers received awards at the Awards Banquet. They were recognized for life saving, distinguished service and meritorial service.

Municipal Clerk Helder thanked all the participants and stressed what a good job they all did with the event.

Housing Inspector Wasson praised the students for the great job they were doing and commended Mayor and Council for their efforts as well. Mr. Wasson noted that he’s been in Public life for 37 years and this is the only town that he’s worked in that has this type of event and it’s a fantastic idea.

Administrator Bittner thanked the students for participating and winning the election, thanked school officials for their participation and acknowledged the Lion’s Club for their hard work.

Solicitor John Alice stated that the program was wonderful and reminded everyone that government is only as good as the people participating.

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Acting Mayor Brooke Moran announced that the Independence Day Celebration will be held on Saturday, June 27th at 4 pm on River Drive with a bicycle parade, clowns, face painting, funnel cake and live bands followed by fireworks at dusk.

Mayor Welsh called for a round of applause for the students who did a terrific job and thanked the Lion's Club for the wonderful job they did. Mayor Welsh confirmed that he participated in the program 30 years ago as a student and then watched two of his sons participate in the program. He said to the students.... *shoot for the stars, do what you're capable of doing and the best things will come along for you.* The Mayor also told the students that based on tonight's events, he feels he'll have some competition in upcoming elections and urged the students to get involved in community activities and that he looked forward to seeing them again at graduation.

BILLS AND VOUCHERS:

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

A motion to pay all Bills and Vouchers, that were in order, was made by Councilman Ledrich and seconded by Councilman Baker. Motion carried by *roll call vote*.

Acting Mayor Moran asked for a motion to recess at 8:14. Motion approved by unanimous voice vote at 8:14 p.m.

Meeting resumed at 8:30 pm

COMMENTS FROM THE GOVERNING BODY & DEPARTMENT HEADS:

1. Councilman Pennington requested that Council consider the Environmental Commission's request for the remaining 25% of the fee towards their Art Murals Project for Thomas West Park. (75% of the fee was covered by a grant from the GCCHC.)

Motion to approve was made by Councilman Muhlbaier and a second by Councilman Baker. Motion approved by unanimous roll call vote.

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2. Discussion on the Gateway budget took place. Councilman Ledrich reported on a meeting held on Monday, May 11th at Gateway High School, he attended with Mayor Elton of Woodbury Heights.

Council Members expressed their concerns about the budget. Councilman Ledrich stated that he felt Gateway, to effectively run the school, did as much as they could to cut the budget; he also noted that the jogging track and football field are in bad condition. Mayor Welsh advised that all four towns must approve the budget by the May 19th deadline date. Councilman Pennington commented that the Public can't continue to absorb the costs; salaries, positions, football fields, etc. Councilman Rebel asked Councilman Pennington if he had any suggestion as to where the budget could be cut.

3. RESOLUTION NO. 59-2009 ~ RESOLUTION OF DETERMINATION BY THE GOVERNING BODY OF THE AMOUNT TO BE RAISED BY TAXATION FOR THE GATEWAY REGIONAL HIGH SCHOOL BOARD OF EDUCATION FOR THE SCHOOL YEAR 2009/2010.

Councilman Ledrich made a recommendation that Council accept the amended budget as submitted.

Motion to approve made by Councilman Ledrich, seconded by Councilman Murtaugh. Five (5) yea votes; one (1) nay vote received by Councilman Pennington. Motion approved and Gateway will be so advised by Clerk.

COMMENTS FROM THE GOVERNING BODY & DEPARTMENT HEADS:
(continued)

4. Councilman Baker inquired about bonding a new trash truck and was told that CFO Bruno was waiting for figures. Public Works Manager Donna Domico advised that a
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5. INTRODUCTION OF BOND ORDINANCE #07-2009 TO PURCHASE NEW TRASH TRUCK

Motion to authorize a bond, not to exceed \$200,000, for the purchase of a new trash truck was made by Councilman Baker and seconded by Councilman Muhlbaier. Motion unanimously approved by roll call vote.

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6. Mayor Welsh recommended the appointment of Colleen Archer as Land Use Board Full Member, and Kevin Galbraith as Alternate #1.

A motion to appoint Colleen Archer as Land Use Board Full Member, and Kevin Galbraith, as Alternate #1 was made by Councilman Muhlbaier and a second by Councilman Murtaugh. Motion unanimously approved by roll call vote.

7. RESOLUTION NO. 60-2009 ~ AUTHORIZING AN EXECUTIVE SESSION was read and approved. (Time In: 9:45 p.m. Time Out: 10:27 p.m.)
8. Report by Administrator Bittner on meeting held on May 12th with Delaware River Port Authority (DRPA), at the Woodbury Train Station that he attended with Councilman Murtaugh. Governor Corzine attended and made the announcement that a light rail line will be passing through Gloucester County on an existing bed of Conrail tracks.
9. Mayor brought up the matter of possibly enforcement of a “no smoking” ban at Borough owned ballfields/buildings. It’s not an issue at this point and council is not ready to change the ordinance. By law, no smoking bans are permitted in Borough owned buildings and the consensus of the council was not to change the ordinance.
10. RESOLUTION #61-2009 ~ AUTHORIZING THE CLERK TO SIGN THE LEASE FOR T-MOBILE.

Motion to authorize the clerk to sign the lease for T-Mobile was made by Councilman Murtaugh and seconded by Councilman Ledrich. Motion was unanimously approved by roll call vote.

COMMENTS FROM THE GOVERNING BODY & DEPARTMENT HEADS:
(continued)

11. RESOLUTION #62-2009 ~ AUTHORIZING THE BOROUGH ADMINISTRATOR AND MAYOR TO DESIGNATE A PERSON OR PERSONS PURSUANT TO N.J.S.A. 40A: 14-118 AND THE NEW JERSEY CONSTITUTION TO CONDUCT AND INVESTIGATE ON BEHALF OF THE APPROPRIATE AUTHORITY, EXECUTIVE AND/OR ADMINISTRATIVE OFFICER.

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Motion to approve made by Councilman Ledrich and seconded by Councilman Pennington. Motion unanimously approved by roll call vote.

Motion to adjourn made by Councilman Pennington and seconded by Councilman Baker

Meeting was adjourned at 10:35 pm.

Respectfully Submitted,

Christine A. Helder, Municipal Clerk