

**BOROUGH OF WESTVILLE**  
**Regular Council Meeting**  
**114 Crown Point Road**  
*August 10, 2011 ~ 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 read the notice that 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: Colleen T. Archer, Charles D. Murtaugh and William C. Packer, III, James A. Pennington, Jr.

***Also Present:*** Administrator William J Bittner, Jr., Municipal Clerk/Tax Collector Christine A. Helder, Captain William Whinna, Public Works Manager Donna Domico, Solicitor Tim Scaffidi and Engineer Norman Rodgers

***Absent:*** William C. Rebel

The meeting minutes of July 13, 2011 were approved on a motion made by Councilman Packer and seconded by Councilman Murtaugh. *Motion unanimously approved by voice vote.*

**PUBLIC COMMENT ON AGENDA ITEMS ONLY.**

- ❖ Delores Achilles, 19 Delsea Drive asked about the changes specific to Resolution No. 73-2011 and Administrator Bittner commented it was only a change in the date.
- ❖ Joyce Lovell, 328 Summit Avenue asked about the changes to Resolution 74-2011, Resolution No. 83-2011, the letter received from Environmental Resources regarding Wetland Boundary approval and the Environmental Infrastructure Financing. Administrator Bittner confirmed the change in Resolution No. 74-2011 was only a date change and that they would discuss Rescinding Resolution No. 83-2011 later during the meeting. Additionally, the letter regarding Wetland Boundary is a 200 ft. Notice from Environmental Resources on behalf of Gloucester City. Administrator Bittner confirmed the letter regarding the 2012 Environmental Infrastructure Finance was specific to the Water Tower.

## Meeting Minutes

**REPORTS OF THE COMMITTEES FOR JUNE AND JULY.** Councilman Packer asked Captain Whinna the status of the Police vehicles. Captain Whinna responded some vehicles need work and he's waiting for estimates. Councilman Packer asked if there were any grants available for vehicles and Administrator Bittner confirmed not for cars. Discussion took place on the police vehicle that was recently totaled by the insurance company and that the chief's car was in the repair shop.

Councilman Murtaugh made a motion to allow Administrator Bittner to work with Captain Whinna to proceed in replacing the police vehicle that was "totaled" with a second by Councilman Packer. *Motion unanimously approved by voice vote.*

A motion to approve Reports of the Committees was made by Councilwoman Archer and seconded by Councilman Packer. *Motion unanimously approved by voice vote.*

### **REPORTS OF THE COMMITTEES FOR JUNE/JULY:**

**Celebration of Public Events** William C. Rebel, Chair, Colleen T. Archer and Charles D. Murtaugh  
**Finance & Accounting** Michael O. Ledrich, Chair, Charles D. Murtaugh, William C. Packer, III and John A. Bruno, Ex-Officio

**Ordinance & Code Enforcement** Charles D. Murtaugh, Chair, Colleen T. Archer and James A. Pennington, Jr.

**Planning & Business Development** James A. Pennington, Jr., Chair, William C. Rebel, Michael O. Ledrich and William J. Bittner, Ex-Officio

**Public Buildings, Grounds, Parks & Playgrounds** Charles D. Murtaugh, Chair William C. Rebel and James A. Pennington, Jr.

**Safety Committee, Public Safety & Municipal Court** Michael O. Ledrich, Chair, James A. Pennington, Jr., and Charles D. Murtaugh

**Water, Sewer, Highway, Street Lighting & Recycling** William C. Packer, III, Chair, Michael O. Ledrich and William C. Rebel

**Web Site** Colleen T. Archer, Chair, William C. Rebel, James A. Pennington, Jr. and William J. Bittner, Jr., Ex-Officio

**Personnel** Michael O. Ledrich, Chair, Charles D. Murtaugh and William C. Packer, III

### **Engineer's Report**

**OLD BUSINESS: No Business to Report**

## Meeting Minutes

### NEW BUSINESS:

- ❖ **RESOLUTION NO. 88-2011 ~ EXTENDING THE DUE DATE FOR THE 3<sup>rd</sup> QUARTER 2011 TAX BILLS (Extending the date to August 25, 2011)**

A motion to approve Resolution No. 88-2011 was made by Councilman Pennington and seconded by Councilman Packer. *Motion unanimously approved by roll call vote.*

- ❖ **RESOLUTION NO. 89-2011 ~ CREDITING WATER ACCOUNT DUE TO METER READING MULTIPLIER ERROR AS A RESULT OF SOFTWARE INCAPABILITY**

<u>Address</u>	<u>Amount</u>
17 Walnut Street	\$ 89.10

A motion to approve Resolution No. 89-2011 was made by Councilman Pennington and seconded by Councilwoman Archer. *Motion unanimously approved by roll call vote.*

- ❖ **RESOLUTION NO. 90-2011 ~ AUTHORIZATION TO SUBMIT AN APPLICATION FOR THE WESTVILLE MUNICIPAL ALLIANCE GRANT FOR THE CALENDAR YEAR 2012 IN THE AMOUNT OF \$9,249.00**

A motion to approve Resolution No. 90-2011 was made by Councilman Packer and seconded by Council President Ledrich. *Motion unanimously approved by roll call vote.*

- ❖ **RESOLUTION NO. 91-2011 ~ REFUNDING A HOMESTEAD TAX REBATE FOR 112 E. OLIVE STREET AND 110 DELSEA DRIVE**

Municipal Clerk/Tax Collector Helder provided a brief explanation for the refund. A motion to approve Resolution No. 91-2011 was made by Councilwoman Archer and seconded by Councilman Murtaugh. *Motion unanimously approved by roll call vote.*

- ❖ **RESOLUTION NO. 92-2011 ~ REMOVING PROPERTY TAX CREDIT BALANCES ON ACCOUNTS PREVIOUSLY GRANTED TAX EXEMPTIONS**

Municipal Clerk/Tax Collector Helder provided a brief explanation for the credit. A motion to approve Resolution No. 92-2011 was made by Councilman Packer and seconded by Council President Ledrich. *Motion unanimously approved by roll call vote.*

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### NEW BUSINESS:

- ❖ RESOLUTION NO. 93-2011 ~ PLACING PROPERTY MAINTENANCE LIENS ON THE FOLLOWING PROPERTIES:

<u>Address</u>	<u>Amount</u>
831 Broadway	\$160.58
831 Broadway	\$ 89.94
130 Stanley	\$ 89.94
427 Broadway	\$ 86.86
416 Summit	\$101.22
520 Highland	\$ 86.86
222 Chestnut	\$ 86.86
29 Spruce	\$ 86.86
148 East Olive	\$ 86.86
142 Maple	\$ 86.86
201 Delsea	\$ 86.86
301 Delsea	\$ 123.72

Discussion took place on the maintenance of the non-occupied properties and the Borough recovering the fees. A motion to approve Resolution No. 93-2011 was made by Councilwoman Archer and seconded by Councilman Packer. *Motion unanimously approved by roll call vote.*

- ❖ LETTER from the Land Use Board recommending approval of the Redevelopment and Rehabilitation Resolutions. Administrator Bittner confirmed the Resolutions were approved at a previous meeting and the only changes were dates. Administrator Bittner stated this was part of the process to determine an area in need of redevelopment. Administrator Bittner further stated that since Grabbe's did not want to participate, there will be no area in need of rehabilitation, there will just be areas of redevelopment with the properties listed excluded.
- ❖ RESOLUTION NO. 94-2011 ~ AMENDING RESOLUTION NO. 73-2011 - REAFFIRMING THE REDEVELOPMENT DESIGNATION OF CERTAIN LOTS WITHIN BLOCK 31 AND UN-DESIGNATING CERTAIN OTHER PROPERTY WITHIN BLOCK 31 IN THE DOWNTOWN PRESERVATION REDEVELOPMENT AREA AS AN AREA IN NEED OF REDEVELOPMENT IN ACCORDANCE WITH N.J.S.A. 40A:12A-1, ET SEQ

A motion to approve Resolution No. 94-2011 was made by Councilman Packer and seconded by Council President Ledrich. *Motion unanimously approved by roll call vote.*

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### NEW BUSINESS: (Continued)

- ❖ RESOLUTION NO. 95-2011 ~ AMENDING RESOLUTION NO. 74-2011 - REVOKING THE "AREA IN NEED OF REDEVELOPMENT" DESIGNATION FOR CERTAIN PROPERTIES WITHIN THE EDGEWATER AVENUE REDEVELOPMENT AREA ALONG TIMBER AVENUE AND EDGEWATER AVENUE, IN ACCORDANCE WITH N.J.S.A 40A:12A-1, ET SEQ.

A motion to approve Resolution No. 95-2011 was made by Councilman Packer and seconded by Council President Ledrich. *Motion unanimously approved by roll call vote.*

Mayor Welsh asked Municipal Clerk Helder to send letters to residents letting them know they are no longer part of the Redevelopment area.

- ❖ RESOLUTION NO. 96-2011 ~ OPPOSING S-2795 AND A-3835, CONCERNING ENFORCEMENT RESPONSIBILITY OF STATE HOUSING CODE UNDER THE "HOTEL AND MULTIPLE DWELLING LAW"

Administrator Bittner advised that if these Bills were approved, Westville's bi-annual inspection of Dorian Manor, Woodbine Avenue and Westwood Manor Apartments and the collection of the fees would be affected. Further discussion took place on landlord regulations and the State's control of inspections. Councilman Murtaugh suggested that Senator Norcross, Assemblymen Fuentes and Wilson be added to the list of Resolution recipients.

A motion to approve Resolution No. 96-2011 was made by Councilman Packer and seconded by Council President Ledrich. *Motion unanimously approved by roll call vote.*

- ❖ REQUEST from the Gloucester County Department of Health and Senior Services to use the Westville bus on September 7, 2011 for the annual Senior Citizen Picnic at the Red Bank Battlefield in National Park

A motion to allow the Westville bus to be used for the Picnic on September 7, 2011 was made by Councilman Pennington and seconded by Councilman Packer. *Motion unanimously approved by voice vote.*

- ❖ REQUEST from Patrick Murphy, Athletic Director for Gloucester Catholic to use Parkview's Tennis Courts for the girls (Fall 2011) and boys (Spring 2012) tennis teams

Council President Ledrich stated due to traffic, Gloucester Catholic can use the tennis courts when school ends, after 3 pm. A motion to allow Gloucester Cather to use the tennis courts, after 3 pm, was approved by Councilwoman Archer and seconded by Councilman Pennington.

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### NEW BUSINESS: (Continued)

- ❖ **ACKNOWLEDGEMENT of Division of Local Government Services (DLGS) - 2012 Best Practice Inventory Questionnaire**

A motion to confirm the Governing Body Acknowledged the Best Practice Inventory Questionnaire, as required by the State, was made by Council President Ledrich and seconded by Councilman Packer. *Motion unanimously approved by voice vote.*

- ❖ **DISCUSSION of Resolution No. 83-2011**

Awarding the low bid for the Water Treatment Filter Modification, etc. adopted at the July 13, 2011 Council Meeting:

Resolution Authorizing the Governing Body of the Borough of Westville to award the bid for Water Treatment Filter Modification and Electrical Upgrades to Municipal Maintenance Company for the total bid amount of \$349,777.50

Administrator Bittner stated both of the bids received were over the Engineer's estimate and it was everyone's recommendation the bids be rejected and the project be re-bid.

A motion to re-bid for the Water Treatment Filter Modification (Resolution No. 83-2011) was made by Councilman Packer and seconded by Council President Ledrich. *Motion unanimously approved by roll call vote.*

- ❖ **RESOLUTION NO. 97-2011 ~ RESCINDING RESOLUTION NO. 83-2011 (Awarding the low bid for the Water Treatment Filter Modification, etc. adopted at the July 13, 2011 Council Meeting)**

A motion to approve Resolution No. 97-2011 was made by Councilman Packer and seconded by Council President Ledrich. *Motion unanimously approved by roll call vote.*

- ❖ **RESOLUTION NO. 98-2011 ~ AUTHORIZING THE GOVERNING BODY OF THE BOROUGH OF WESTVILLE TO AWARD THE BID FOR ROADWAY IMPROVEMENTS TO EAST OLIVE STREET PHASE II, FOR THE TOTAL BID AMOUNT OF \$183,991.19**

Discussion took place on the contractors who submitted bids and the work that needs to be accomplished. Discussion focused on replacement and upgrading some of the traffic lights. A motion to approve Resolution No. 98-2011 was made by Councilman Murtaugh and seconded by Councilman Packer. *Motion unanimously approved by roll call vote.*

- ❖ **Letter from Consulting Engineer Services (CES) regarding Proposal for Additional Services to Contract for Project Re-Bid Water Treatment Filter Modification & Electrical Upgrades (NJEIT Project No. 0821001-001)**

## Meeting Minutes

### NEW BUSINESS: (Continued)

Discussion by Engineer Rodgers on what is needed and what will be added to the re-bids that will be advertised. Additionally, Engineer Rodgers discussed the possibility of the Borough purchasing materials directly, rather than through the contractor. Administrator Bittner questioned the Engineer about the increase in the bid and how it would affect the project. Administrator Bittner asked Engineer Rodgers for a commitment that the project would stay within the bid guidelines.

A motion to allow Engineer Rodgers to move forward with the re-bid was made by Councilman Packer and seconded by Council President Ledrich. *Motion unanimously approved by roll call vote.*

### COMMUNICATIONS:

- ❖ Letter from the County Assessor regarding the 2011 Tax Rate.
- ❖ Letter from the State of New Jersey regarding the New Jersey Environmental Infrastructure Financial Program Project - Water Meters and Appurtenances
- ❖ Letter from the State of New Jersey regarding the New Jersey Environmental Infrastructure Financial Program Project - Water Storage Tank Modifications
- ❖ Letter from the State of New Jersey regarding the New Jersey Environmental Infrastructure Financial Program Project - Filter Modifications and Electrical Upgrades
- ❖ Letter from the State of New Jersey regarding the acceptance of applications for the New Jersey Department of Transportation's Municipal Aid, Bikeway, and Safe Streets to Transit Programs
- ❖ Letter from Environmental Resources, Inc. regarding Wetland Boundary Approval
- ❖ Letter from New Jersey Senate & General Assembly regarding 2012 Environmental Infrastructure Financing
- ❖ Letter from PSE&G stating their efforts in addressing New Jersey's energy needs
- ❖ Letter from the State of New Jersey regarding the Southern Pine Beetle in South Jersey
- ❖ Public Notice from the State of New Jersey regarding the 2013 Clean Water Financing Program
- ❖ Meeting Minutes - GCUA - June 8, 2011
- ❖ Meeting Minutes - GCIA - June 16, 2011
- ❖ Notice from PSE&G to Electric and Gas Customers
- ❖ Public Hearing Notice from NJ Transit
- ❖ Notice to Bidders - Roadway Improvements for Olive Street - Phase II
- ❖ Letter from Comcast regarding Internet Essentials
- ❖ Letter from Archer & Greiner regarding Raab Family Partnership, Block 47, Lot 42 (404-408 Broadway)
- ❖ Notice of Public Hearing on behalf of William Hargrove regarding an application to the Borough of Bellmawr Zoning Board of Adjustment

## Meeting Minutes

### MONEY COLLECTED BY THE CLERK JULY:

Police Reports	\$97.95
Rent	\$1,000.00
Peddlers	\$70.00
Notary	\$2.50
Marriage License	\$112.00
Certified Marriage	\$50.00
Certified Death Certificates	\$430.00
Miscellaneous	\$10.00
<b>TOTAL</b>	<b>\$1,772.45</b>

### BILLS

The Clerk advised that the list of bills was posted in the foyer.

A motion to dispense with reading of the bills was made by Councilwoman Archer and seconded by Councilman Packer. *Motion unanimously approved by voice vote.*

A motion to pay all bills and vouchers that were in order was made by Councilwoman Archer and seconded by Councilman Packer. *Motion unanimously approved by roll call vote.*

### PUBLIC COMMENT: (Time Limit 5 minutes)

- ❖ Joyce Lovell, 328 Summit Avenue complemented the Public Works Department for the good job they're doing in maintaining Thomas West Park.

### NEW BUSINESS (Continued)

- ❖ Municipal Clerk Helder commented she received a request late this afternoon from the Westville Boat Club for a Special Social Permit for September 17, 2011. She advised that the request needed to be approved at this meeting in order for the event to take place.

A motion to approve the request was made by Councilman Packer and seconded by Councilwoman Archer. *Motion unanimously approved by voice vote.*

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

- ❖ Public Work Manager Domico asked Mayor and Council to consider 2012 DOT funding for Phase III of East Olive Street from Delsea to Almonesson. Administrator Bittner also mentioned that River Drive should be considered. Mayor Welsh suggested perhaps both streets should be redone. Discussion took place on the repairs needed for River Drive and Mayor Welsh suggested that the Water, Sewer, Highway, Street Lighting & Recycling Committee meet to discuss the issues.
- ❖ Councilman Packer commented that Municipal Clerk Helder did not have to apologize for putting something on the agenda at the last minute.
- ❖ Councilman Murtaugh discussed a fire that took place at West Park Apartments and that neighbors did not call 911, therefore, Police and Fire Departments were not notified and that the victim suffered burns on his hand. Councilman Murtaugh commented that perhaps an Ordinance could be considered which requires monitoring of fire systems so that the Police and Fire Departments are automatically notified.
- ❖ Mayor Welsh commented that at the Land Use Board meeting on Monday night, it was mentioned that the Downtown Preservation Committee had not met in years so he suggested dismantling the Committee and transferring the responsibilities to the Land Use Sub-Committee. Mayor Welsh asked for permission to have Solicitor Scaffidi review the issue and report back at the next meeting.
- ❖ Mayor Welsh confirmed he spoke with Superintendent Dr. Shannon Whalen and Principal Renee Eagan regarding the pre-kindergarten issue of full time classes and found that Parkview received additional funding so they will be able to offer three (3) full time pre-K classes. Additionally Superintendent Whalen and Principal Eagan agreed that the Borough will conduct all the resident verifications for Parkview students. Administrator Bittner commented there were 55 "flagged" properties and Housing Officer Bruce Wasson was checking those properties.

Clerk Helder read Resolution No. 101-2011 to go into an Executive Session to discuss Negotiation Matters, Purchase-Lease of Property and Contract Negotiations matters in the Police and Administration Departments.

Motion to go into a Closed Executive Session was made by Councilman Packer and seconded by Councilman Pennington. *The motion was unanimously approved by voice vote.*

Time In: 8:05 p.m.

Time Out: 9:00 p.m.

## Meeting Minutes

- ❖ **RESOLUTION NO. 100-2011 ~ TERMINATING PARTICIPATION IN THE HORIZON BCBS NJ MEDICAL AND PRESCRIPTION PROGRAMS, EFFECTIVE OCTOBER 1, 2011**

A motion to approve Resolution No. 100-2011 was made by Council President Ledrich and seconded by Councilman Murtaugh. *Motion unanimously approved by roll call vote.*

- ❖ **RESOLUTION NO. 101-2011 ~ AUTHORIZING THE BOROUGH TO JOIN THE SOUTHERN REGIONAL EMPLOYEE BENEFITS FUND WHEREAS, A NUMBER OF MUNICIPALITIES IN THE STATE OF NEW JERSEY HAVE JOINED TOGETHER TO FORM THE SOUTHERN NEW JERSEY REGIONAL EMPLOYEE BENEFITS FUND HEREAFTER REFERRED TO AS "FUND", AS PERMITTED IN N.J.S.A. 40a:10-36 ET SEQ.**

A motion to approve Resolution No. 101-2011 was made by Councilwoman Archer and seconded by Councilman Packer. *Motion unanimously approved by roll call vote.*

Mayor Welsh advised the Borough will attempt to hold an auction at 1035 Broadway on October 15. Discussion took place and it was recommended that the Clerk will attempt to hold an online auction, as permitted by the State.

Meeting Adjournment: 9:10 p.m.

Respectively Submitted,

Christine A. Helder  
Municipal Clerk

*Next meeting scheduled September 14, 2011*