

BOROUGH OF WESTVILLE
Regular Council Meeting
114 Crown Point Road
March 24, 2010 ~ 7:00 p.m.
MEETING MINUTES

The meeting was called to order by Mayor Russell W. Welsh, Jr. at 7:00 p.m. and the Salute and Pledge of Allegiance to the Flag took place.

The Deputy 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.

Present: Mayor Russell W. Welsh, Jr., Council President Ledrich, Council Members: Charles D. Murtaugh, James A. Pennington, Jr. and William C. Rebel

Also Present: Administrator William J. Bittner, Jr., Police Chief Fred Lederer, Public Works Manager Donna Domico, Housing Officer Bruce Wasson, Engineer Norman Rogers, CFO John Bruno, Solicitor John Alice

Absent: Councilman George K. Baker, and Councilman Ronald S. Muhlbaier and Municipal Clerk/Tax Collector Christine Helder (Attending Clerk Re-certification sessions)

The meeting minutes of March 10, 2010 were approved on a motion made by Councilman Rebel and seconded by Councilman Pennington. *Motion unanimously approved by voice vote.*

PUBLIC COMMENT IN AGENDA ITEMS ONLY: No comment received from the public.

REPORTS OF THE COMMITTEES FOR THE MONTH OF FEBRUARY:

Mayor Welsh requested additional information as to timetable and number of complaints in Housing Inspectors report.

A motion to accept Reports of the Committees was made by Council President Ledrich and seconded by Councilman Pennington.

Vote: 4-0

Yes: Council President Ledrich, Councilman Murtaugh, Pennington and Rebel. *Motion unanimously passed by roll call vote.*

MEETING MINUTES

OLD BUSINESS:

Councilman Baker not present to continue discussion of Municipal Building from last meeting. Item tabled until next meeting

NEW BUSINESS:

Public Hearing on:

1. **ORDINANCE NO. 1-2010. ORDINANCE Amending Chapter 35, Automobile Sales Used, Section 12 Entitled "Other Businesses Prohibited on Licensed Premises" Allowing any BUSINESS TO make an APPLICATION TO THE LAND USE BOARD FOR A Variance and or Site Plan for the Use of another business, in conjunction with a Used Car Lot.**

Motion to open the public hearing on the above Ordinance was made by Councilman Murtaugh and seconded by Councilman Pennington. *Motion unanimously passed by roll call vote.*

Virginia Horn of 111 Twedell Avenue, questioned if a person had a bakery, could they open a used car lot. Administrator Bittner explained that any used car lot could apply to the Land Use Board for a variance and/or a site plan to have another business on the property of the used car lot. The Land Use Board would have the oversight to determine the appropriateness of the application.

No other comments received from the public and a motion to close the Public Hearing on Ordinance No. 1-2010 was made by Councilman Murtaugh and seconded by Councilman Pennington. *Motion unanimously passed by roll call vote.*

Councilman Rebel questioned if a business owner already has the right to take a matter such as this to the Land Use Board. Administrator Bittner explained that this is not a Land Use Ordinance. This will change the prohibition of any other business operating on the use car lot property.

"ORDINANCE Amending Chapter 35, Section 12, Allowing any BUSINESS TO make an APPLICATION TO THE LAND USE BOARD FOR A Variance and or Site Plan for the Use of another business, in conjunction with a Used Car Lot."

Motion made by Councilman Murtaugh and seconded by Councilman Pennington to Adopt Ordinance No. 1-2010.

Vote: 4-0

Yes: Council President Ledrich, Councilman Murtaugh, Pennington and Rebel.

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NEW BUSINESS: (Continued)

Public Hearing on:

2. ORDINANCE NO. 2-2010 AMENDING CHAPTER 113-32, (VEHICLES AND TRAFFIC) SCHEDULE IV: TIME LIMIT PARKING IN THE BOROUGH OF WESTVILLE, COUNTY OF GLOUCESTER, STATE OF NEW JERSEY, {In accordance with the provisions of § 113-9, no person shall park a vehicle for longer than the time limit shown upon Broadway, East Side Hours 7:00 a.m. to 8:00 p.m. Monday through Sunday; from a point 182 feet from the northerly curb line of Center Street to a point 235 feet north of the northerly curb line of Center Street : 15 minutes}

Motion to open the public hearing on the above Ordinance was made by Councilman Pennington and seconded by Councilman Rebel.

Vote: 4-0

Yes: Council President Ledrich, Councilman Murtaugh, Pennington and Rebel. *Motion unanimously passed by roll call vote.*

Joyce Lovell 328 Summit Avenue questioned if there would be signs and what the penalty would be. Mayor Welsh responded that there would be signs and the penalty would be a fine in compliance with the current Ordinance.

Joyce Lovell asked if the penalty would be printed on the sign as a deterrent. She was advised that the penalty would not be posted on the sign.

No other comments received and a motion to close the Public Hearing on Ordinance No. 2-2010 was made by Councilman Murtaugh and seconded by Councilman Rebel.

Vote: 4-0

Yes: Council President Ledrich, Councilman Murtaugh, Pennington and Rebel. *Motion unanimously passed by roll call vote.*

“ORDINANCE NO. 2-2010 AMENDING CHAPTER 113-32, (VEHICLES AND TRAFFIC) SCHEDULE IV: TIME LIMIT PARKING IN THE BOROUGH OF WESTVILLE, COUNTY OF GLOUCESTER, STATE OF NEW JERSEY”

Motion made by Councilman President Ledrich and seconded by Councilman Pennington to Adopt Ordinance No. 2-2010

Vote: 4-0

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Yes: Council President Ledrich, Councilman Murtaugh, Pennington and Rebel. *Motion unanimously passed by roll call vote.*

NEW BUSINESS: (Continued)

Introduction of:

- 3. ORDINANCE NO. 3-2010. CALENDAR YEAR 2010 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)**

Motion to Introduce Ordinance No. 3-2010 was made by Councilman Murtaugh and seconded by Councilman Pennington.

Vote: 4-0

Yes: Council President Ledrich, Councilman Murtaugh, Pennington and Rebel.

Ordinance No. 3-2010 was ordered advertised in accordance with current law and scheduled for a Public Hearing on April 14, 2010.

- 4. RESOLUTION AUTHORIZING ADMINISTRATOR WILLIAM J. BITTNER, JR. TO SUBMIT AN APPLICATION TO THE GLOUCESTER COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.**

Motion to approve the above Resolution was made by Councilman Rebel and seconded by Councilman Pennington.

Vote: 4-0

Yes: Council President Ledrich, Councilman Murtaugh, Pennington and Rebel. *Motion unanimously passed by roll call vote.*

- 5. Proposal for Design & Bid Documents from Consulting Engineer Services for Reconstruction of Olive Street**

Motion to accept the above proposal was made by Councilman Rebel and seconded by Councilman Pennington.

Vote: 4-0

Yes: Council President Ledrich, Councilman Murtaugh, Pennington and Rebel. *Motion unanimously passed by roll call vote.*

- 6. 2010 USED CAR LICENSE for Always Affordable Auto Sales, 800 Delsea Drive.**

Motion to approve the above license was made by Council President Ledrich and seconded by Councilman Murtaugh.

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Vote: 4-0
Yes: Council President Ledrich, Councilman Murtaugh, Pennington and Rebel. *Motion unanimously passed by roll call vote.*

NEW BUSINESS: (Continued)

7. 2010 AMUSEMENT GAMES APPLICATIONS

- Baby Luna
- Schileen's Pub
- Gateway Diner

Motion to approve the above licenses was made by Councilman Murtaugh and seconded by Councilman Pennington.

Vote: 4-0
Yes: Council President Ledrich, Councilman Murtaugh, Pennington and Rebel. *Motion unanimously passed by roll call vote.*

8. 2010 LIMOUSINE LICENSE APPLICATION for Zark Limousine

Motion to approve the above license was made by Council President Ledrich and seconded by Councilman Pennington.

Vote: 4-0
Yes: Council President Ledrich, Councilman Murtaugh, Pennington and Rebel. *Motion unanimously passed by roll call vote.*

9. Letter from JIF regarding Westville's 2009 TRICO JIF Safety Incentive Program Award in the amount of \$2,925.00

Motion to accept the award was made by Councilman Rebel and seconded by Councilman Murtaugh.

Vote: 4-0
Yes: Council President Ledrich, Councilman Murtaugh, Pennington and Rebel. *Motion unanimously passed by roll call vote.*

10. RESOLUTION Adopting Personnel Policy

Discussion took place as to the mechanism to change the policy. Councilman Rebel questioned some items that he felt were dated. Administrator advised policy can be changed by a simple resolution.

Motion to approve the Personnel Policy was made by Councilman Murtaugh and seconded by Council President Lederich.

Vote: 4-0

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Yes: Council President Ledrich, Councilman Murtaugh, Pennington and Rebel. *Motion unanimously passed by roll call vote.*

NEW BUSINESS: (continued)

11. Presentation by the Environmental Commission on "Sustainable Jersey" and the "New Jersey Clean Energy Program"

Presentation made by Virginia Horn and Joyce Lovell detailing the two programs above. The Administrator was directed to investigate the Sustainable Jersey Program and report the requirements to participate at the next Council Meeting (April 14, 2010).

Borough Council approved, by consensus, the request of the Environmental Commission to apply to become a participant in the New Jersey Clean Energy Program.

COMMUNICATIONS:

The Deputy Clerk advised that the following communications were received:

- ❖ Letter from the State of New Jersey Department of Transportation regarding the Reconstruction of Olive Street
- ❖ Letter from Consulting Engineer Services regarding a Proposal for Delsea Drive Streetscape Improvements
- ❖ Letter from Consulting Engineer Services regarding Reconstruction of Burr Avenue
- ❖ Letter from NJ Department of Environmental Protection regarding Compliance Evaluation and Assistance Inspection - Municipal Stormwater-R9
- ❖ Minutes from the Environmental Commission's February 3, 2010 meeting

MONEY COLLECTED BY THE CLERK:

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Notary Fees	\$2.50
Rent	\$975.00
Police Reports	\$57.75
Used Car Licenses	\$250.00
Amusement Game Licenses	\$510.00
Cat License	\$5.00
Street Opening Permit	\$ 20.00
Interest on Investments	\$2.59
TOTAL	\$1822.84

BILLS & VOUCHERS:

Mayor Welsh announced that a list of the current bills is posted in the foyer for review by any interested parties.

A Motion was made to dispense with reading of the bills by Councilman Pennington and seconded by Council President Ledrich. *The motion was approved by a unanimous voice vote.*

A Motion to pay all Bills and Vouchers that are in order, was made by Councilman Pennington and seconded by Council President Ledrich.

Vote: 4-0

Yes: Council President Ledrich, Councilman Murtaugh, Pennington and Rebel. *Motion unanimously passed by roll call vote.*

PUBLIC COMMENT:

Virginia Horn, 111 Twedell Avenue, expressed concern about vandalism at the Thomas West Park and particularly at the Butterfly Garden. She was advised that Council is exploring the installation of a camera that would be helpful in the area. In addition, the present camera situation was clarified.

No additional Public Comment received.

MEETING MINUTES

DISCUSSION OF THE PROPOSED MUNICIPAL BUDGET FOR 2010 (WORK SESSION)

An extensive discussion was held on the proposed Municipal Budget for 2010 by Administrator Bittner, CFO Bruno, Council and Department Heads.

The proposed budget estimates increases in uncontrollable costs, contractual and non-contractual raises and aid decrease from the State. The no increase budget was the result of sound financial planning in the past and use of available surplus. It is anticipated that most, if not all of the surplus will be replaced this year.

The Budget is scheduled to be introduced on April 14, 2010.

In addition, the Water budget was discussed and the recommended budget (unchanged from 2009) will require a rate increase from a base rate of \$60 to a new base rate of \$70. Each additional tier of overages will increase 20%. The current senior deductions would remain in place and not increase their rate. This will also be introduced on April 14, 2010.

All interested parties were urged to direct any concern or questions to the Administrator.

COMMENTS FROM GOVERNING BODY & DEPARTMENT HEADS

Public Works Manager Domico expressed the need for a new Shuttle Bus and explained that the deadline for applications for inclusion into the County Program to cover half the cost of purchase has passed. She advised that Paul DeCosta from the County urged her to submit an application for next year as soon as possible. She will forward the necessary paperwork to the Borough Clerk for submission to the County.

Public Works Manager Domico advised that we can opt get a check for the safety money up front or receive the funds on a reimbursement basis if we request it by April 16. The administrator will check on this.

Public Works Manager Domico advised that the Stormwater Management Inspection went surprisingly well and that our truck wash system was approved. Brooklawn will also use our system and contribute the separator mats.

Councilman Rebel reported that a Celebrations Committee meeting was held this week and several volunteers were recruited. The Fourth of July Celebration has been expanded in scope and time at this point. There are plans for additional events. He urged more volunteers to come forward.

Councilman Rebel reported that Westville will be participating in National Night Out to be held on August 3 at the Little League Fields.

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Councilman Rebel reported that new Pole Banners celebrating Spring were ordered and should be in place in a few weeks. He will try to have the Fall Banners funded by private individuals.

Councilman Rebel asked about the accident at the intersection of Broadway and Delsea Drive when our Welcome to Westville sign was destroyed. He asked if it could be cleaned up. PWM Domico advised that she will be working on getting that addressed. In addition, investigations into an electronic message board were discussed. It was determined that the location was probably inappropriate as the State would not permit such a sign at that location.

Borough Engineer Rodgers reviewed his report at length. Notable is his report on the Duncan Avenue flooding situation. It was decided by Council to share recommendations with the residents and affected properties and urge them to follow one of the recommendations. The Borough at this time cannot be involved in the actual remediation on private property.

COMMENTS FROM GOVERNING BODY & DEPARTMENT HEADS (Continued):

Borough Engineer Rodgers also reported that in order to have the Delsea Drive Streetscape Project move forward, the Borough must request it to be placed on the schedule of the DVRPC. In addition, an engineer must be selected through a competitive process to establish design and engineering fees. These must be completed before the project can move forward.

As a result of Mr. Rodgers report, it is necessary to pass a resolution approving change order #1 for Improvements to Woodbine Avenue Project. This change order expands the scope of work to include additional curbing and sidewalk and will allow the entire grant amount to be utilized. It will not result in any additional expenditure.

RESOLUTION TO APPROVE CHANGE ORDER #1 FOR IMPROVEMENTS TO WOODBINE AVENUE

Motion to approve a resolution approving Change Order #1 for Improvements to Woodbine Avenue Project was made by Councilman Murtaugh and seconded by Councilman President Lederich.

Vote: 4-0

Yes: Council President Ledrich, Councilman Murtaugh, Pennington and Rebel. *Motion unanimously passed by roll call vote.*

No further comments at this time.

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A RESOLUTION AUTHORIZING AN EXECUTIVE SESSION PURSUANT TO NJSA 10:4-12, 13

Motion to approve a resolution authorizing an executive session to discuss personnel and employment matters was made by Councilman President Ledrich and seconded by Councilman Pennington.

Vote: 4-0

Yes: Council President Ledrich, Councilman Murtaugh, Pennington and Rebel. *Motion unanimously passed by roll call vote.*

Meeting recessed to Closed Session at 8:53 p.m.

Meeting Reopened as Public session at 9:50 p.m.

Mayor Welsh appointed Bruce Nordaby, as a member of the Borough of Westville Land Use Board, as Alternate No. 1.

Motion to approve Mayor's appointment made by Council President Lederich and Seconded by Councilman Rebel.

Vote: 4-0

Yes: Council President Ledrich, Councilman Murtaugh, Pennington and Rebel. *Motion unanimously passed by roll call vote.*

A RESOLUTION AUTHORIZING A 3.75% INCREASE IN SALARIES OVER THE FUNDED AMOUNTS IN THE 2009 MINICIPAL BUDGET TO CERTAIN NON-CONTRACTUAL EMPLOYMENT POSITIONS.

Motion to approve the above resolution was made by Councilman Murtaugh and Seconded by Councilman Rebel.

Vote: 4-0

Yes: Council President Ledrich, Councilman Murtaugh, Pennington and Rebel. *Motion unanimously passed by roll call vote.*

Having no further business to come before the Council, a motion to adjourn was made by Council President Ledrich and seconded by Councilman Murtaugh.

Motion unanimously passed by voice vote.

Meeting Adjournment 9:53 p.m.

NEXT SCHEDULED MEETING IS WEDNESDAY, April 14, 2010.

Respectively submitted,

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William J. Bittner, Jr.
Deputy Municipal Clerk