

BOROUGH OF WESTVILLE
Regular Council Meeting
114 Crown Point Road
April 10, 2013 ~ 7:00 p.m.
Meeting Minutes

The meeting was called to order by Council President Ledrich at 7:05 p.m. and the Salute and Pledge of Allegiance to the Flag followed.

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 South Jersey Times of Woodbury, NJ and the Courier Post of Camden, NJ.

ROLL CALL:

Present: Council President Michael O. Ledrich, Council Members, Charles D. Murtaugh, William C. Packer, III, and Councilman Fritz Sims
Absent: Mayor Russell W. Welsh, Jr., and Councilman William C. Rebel
Also Present: Borough Administrator William J. Bittner, Jr., Municipal Clerk/Tax Collector Christine A. Helder, Public Works Manager Donna Domico, Chief Fred Lederer, Solicitor Timothy Scaffidi and Engineer Jon Bryson

Council President Ledrich administered the Oath of Office to Donna Moan who will finish Councilwoman Archer's term of office.

The meeting minutes of March 13 and March 27, 2013 were approved on a motion made by Councilman Packer and seconded by Councilman Sims. *Motion approved by majority vote (Councilman Murtaugh abstained.)*

Clerk Helder read the Proclamation supporting the State of New Jersey's commitment naming April as Child Abuse Prevention and Awareness Month. *Motion to accept the Proclamation was approved by voice vote.*

PUBLIC COMMENT ON AGENDA ITEMS ONLY

James Radler, 228 W. Olive Street began speaking about the speeding on his street and Council President Ledrich reminded Mr. Radler that this portion of the meeting was for comments on Agenda items only.

Hearing no comments on Agenda items, this portion of the meeting was closed to the public.

REPORTS OF THE COMMITTEES FOR FEBRUARY OR MARCH

Councilman Sims thanked Chief Lederer for providing a more detailed report.

Motion to accept the reports, as submitted, was made by Councilman Murtaugh and seconded by Councilman Sims. *Motion unanimously approved by voice vote.*

Meeting Minutes

OLD BUSINESS: No Old Business to Report

NEW BUSINESS:

Introduction of:

- ❖ **ORDINANCE NO. 5-2013 - BOND ORDINANCE AUTHORIZING REHABILITATION OF BOROUGH OWNED PROPERTIES, INCLUDING THE BUILDING RENOVATIONS AND INSTALLATION OF ELEVATOR AT 165 BROADWAY AND OTHER IMPROVEMENTS TO BOROUGH PROPERTIES AS MAY BE APPROPRIATE FOR THE BOROUGH OF WESTVILLE, COUNTY OF GLOUCESTER APPROPRIATING THE SUM OF \$100,000 THEREFOR; 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 \$95,000.00; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

Comment: Administrator Bittner advised that due to some oversights by the Architect there are some project overruns. He further commented the Borough may not have to use this money but need to authorize the borrowing of the funds just in case.

A motion to approve Introduction of Ordinance No. 5-2013 was made by Councilman Packer and seconded by Councilman Sims. *Motion approved by majority roll call vote. (Councilwoman Moan abstained.)*

- ❖ **RESOLUTION NO. 51-2013 ~ OPPOSING BILL S2364/A3553 (THESE BILLS PROPOSE A SYSTEM OF EARLY VOTING - 15 DAYS PRIOR TO THE ELECTION IN THE STATE OF NEW JERSEY)**

A motion to approve Resolution No. 51-2013 was made by Councilman Packer and seconded by Councilman Murtaugh. *Motion approved by majority roll call vote. (Councilwoman Moan abstained.)*

- ❖ **RESOLUTION NO. 52-2013 ~ AUTHORIZING THE BOROUGH ADMINISTRATOR TO APPLY FOR A 2013-2014 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)**

Comment: Administrator Bittner advised the CDBG opens up every year for all municipalities and that he did not have anything on his plate at the time. Administrator Bittner commented the Borough is currently working on two CDBG grants (traffic signal and elevator at 165 Broadway). A discussion took place on possible projects.

A motion to approve Resolution No. 52-2013 was made by Councilman Packer and seconded by Councilman Sims. *Motion unanimously approved by roll call vote.*

Meeting Minutes

- ❖ RESOLUTION NO. 53-2013 ~ AUTHORIZING THE WATER CLERK TO CREDIT WATER ACCOUNT #1926, 215 KATHERINE AVENUE IN THE AMOUNT OF \$300.15 DUE TO METER ERROR

A motion to approve Resolution No. 53-2013 was made by Councilman Murtaugh and seconded by Councilman Packer. *Motion approved by majority roll call vote. (Councilwoman Moan abstained.)*

- ❖ RESOLUTION NO. 54-2013 ~ AUTHORIZING THE BOROUGH OF WESTVILLE LAND USE BOARD TO MAKE AN INVESTIGATION AND HOLD PUBLIC HEARING TO DETERMINE WHETHER CERTAIN AREAS IN NEED OF REDEVELOPMENT AS DEFINED IN CHAPTER 79 OF THE LAW OF 1992 OF NEW JERSEY, N.J.S.A. 40A:12A-1 ET SEQ. AS AMENDED

Comment: Administrator Bittner advised a Development Company wants to pursue age restricted/income restricted senior housing at 1000 Broadway and that in order for the Company to obtain funding, the area has to be identified as “an area in need of development”. Further discussion took place on the requirements needed to move forward with the project.

A motion to approve Resolution No. 54-2013 was made by Councilman Sims and seconded by Councilman Packer. *Motion unanimously approved by roll call vote.*

- ❖ REQUEST from Totally Disabled Veteran (TDV), Francis E. Collins, 447 Almonesson Road, to refund the 1st quarter 2013 tax payment in the amount of \$1180.08 that was made by his mortgage company after he was granted a TDV exemption.

A motion to approve the request from Francis Collins was made by Councilman Murtaugh and seconded by Councilman Packer. *Motion unanimously approved by roll call vote.*

- ❖ RESOLUTION NO. 55-2013 ~ AUTHORIZING REFUND FOR A TAX OVERPAYMENT OF \$1180.08 FOR FRANCIS E. COLLINS, TOTALLY DISABLED VETERAN, 447 ALMONESSON ROAD.

A motion to approve Resolution No. 55-2013 was made by Councilman Murtaugh and seconded by Councilman Packer. *Motion unanimously approved by roll call vote.*

- ❖ DISCUSSION OF RESOLUTION NO. 56-2013 ~ SUPPORTING BILLS S-1896/A-1503 SHARING THE BURDEN OF PROPERTY ASSESSMENT APPEAL REFUNDS

Comment: Administrator Bittner provided a brief overview of the Resolution

A motion to approve Resolution No. 56-2013 was made by Councilman Packer and seconded by Councilman Murtaugh. *Motion unanimously approved by roll call vote.*

Meeting Minutes

- ❖ **REQUEST from the Westville Power Boat Association for a one day Liquor License for Saturday, May 11, 2013.**

A motion to approve the request from the Westville Power Boat Association was made by Councilman Sims and seconded by Councilman Packer. *Motion unanimously approved by roll call vote.*

- ❖ **2013 AMUSEMENT GAMES APPROVAL for Baby Luna Restaurant, 713 Delsea Drive approved by the Police and Fire Departments**

A motion to approve the license was made by Councilman Packer and seconded by Councilman Murtaugh. *Motion unanimously approved by roll call vote.*

- ❖ **REQUEST from West Deptford 12AAU Travel Baseball Team for use of the Borough's Food Trailer**

Public Works Manager Domico advised no one has used the trailer in years so wouldn't mind giving it to West Deptford. She also commented it's not registered and licensed. Solicitor Scaffidi discussed whether the organization was non-profit and it was suggested the organization be required to submit documentation to confirm they are a non-profit organization. A discussion took place on how to dispose of the trailer.

A motion that the Borough donate (at no cost) the hot dog trailer back to the Soccer organization was made by Councilman Murtaugh and seconded by Councilman Packer. *Motion unanimously approved by voice vote.*

- ❖ **REQUEST from Gloucester County to use the Bus on May 8 from 11 a.m. to 3 p.m. to supply transportation to Auletto's Caterers for the "Golden Follies Entertainment Show"**

A motion to use the Bus on May 8 for the Golden Follies Entertainment Show was made by Councilman Packer and seconded by Councilman Sims. *Motion unanimously approved by voice vote.*

- ❖ **DISCUSSION of rental fees for Borough Property located at 128 Crown Pont Road.**

A motion not to increase the rental fees through next year was made by Councilman Murtaugh and seconded by Councilman Packer. *Motion unanimously approved by roll call vote.*

Meeting Minutes

❖ IN REM FORECLOSURE Notice from Tax Collector.

Discussion took place on the Notice and foreclosures. Administrator Bittner confirmed if the Borough foreclosed on certain properties they then become Borough property.

A motion to table the discussion until Council could review the list was made by Councilman Murtaugh and seconded by Councilman Sims. *Motion unanimously approved by voice vote.*

❖ DISCUSSION of Flooding Issue

Administrator Bittner confirmed the Army Corp of Engineers attended a meeting with Borough Officials to discuss the flooding issue and concerns of the residents. Administrator Bittner stated he walked away from the meeting with the feeling that the Army Corp of Engineers felt there wasn't enough damage for them to get involved. Administrator Bittner advised the Army Corp of Engineers will review the data to see if the flooding is a result of the dredging that took place previously and perhaps there is something they could do under that program. Public Works Manager Domico advised after the meeting she took the Army Corp of Engineers representatives to her home to show them pictures of the flooded street and cars as well as how high the water reached her property and she stated their comment was "they didn't think it was that high" but they (Army Corp of Engineers) also stated "it needs to flood the first floor of your house". Public Works Manager Domico further commented the representatives advised the flooding has to be on the first floor of the house rather than a basement. Further discussion took place on the flooding issue.

A motion to open this portion of the meeting to the public for flooding issues only was made by Councilman Murtaugh and seconded by Councilman Packer. *Motion unanimously approved by voice vote.*

Mrs. Chris Oerlemans, 218 Summit Avenue, commented when she was in the process of gathering names she was told by at least two homeowners that water was up to their first floor and as a result, ruined their carpets. Public Works Manager Domico stated she knew Mrs. Fanelli had damage to living space in her bi-level home and she also stated she had damage to her basement but confirmed the Army Corp of Engineers stated it had to be damage to "living space". Mrs. Oerlemans suggested a letter be sent to residents with an update on the meeting with the Army Corp of Engineers and Councilman Murtaugh stated a letter would be put together and hand-delivered to those residents.

A motion to close this portion of the meeting to the public for flooding issues only was made by Councilman Murtaugh and seconded by Councilman Packer. *Motion unanimously approved by voice vote.*

Meeting Minutes

❖ DISCUSSION of Train issues within the Borough of Westville.

Administrator Bittner confirmed a meeting took place with the Sunoco Operations Manager who provided Administrator Bittner with contact information for Conrail. Administrator Bittner advised he will be contacting Conrail officials to discuss the noise and other issues. Administrator Bittner advised Sunoco shared plans with Borough Officials which involve Westville property that will be addressed in private session. Administrator Bittner stated Sunoco has big plans for the refinery that involves 2 miles of track inside the refinery. Further discussion took place on future meetings with Sunoco.

A motion to open this portion of the meeting to the public for the train issues only was made by Councilman Murtaugh and seconded by Councilman Packer. *Motion unanimously approved by voice vote.*

Mr. James Radler, 228 West Olive Street, asked how long the trains can tie up State Highways. Councilman Murtaugh advised he's timed the train delays at 45 minutes and stated Sunoco has plans in motion to get a whole train inside the facility rather than bring half in and then back it back out again. Further discussion took place on the train issue.

A motion to close this portion of the meeting to the public for the train issues only was made by Councilman Murtaugh and seconded by Councilman Packer. *Motion unanimously approved by voice vote.*

COMMUNICATIONS:

- ❖ Letter from Liz Giuliano, President of the Lions Club to Renee Egan, Principal of Parkview School confirming the Youth Week dinner is scheduled for 6:30 p.m. on May 21, 2013 at the Community Center
- ❖ Gloucester County Utilities Authority (GCUA) Meeting Minutes - January 9, 2013
- ❖ Gloucester County Utilities Authority (GCUA) Meeting Minutes - February 13, 2013
- ❖ Gloucester County Utilities Authority (GCUA) - Resolution No. 2013-070 Authorizing Establishing a Sanitary Sewerage Connection Fee for Fiscal year 2013
- ❖ Gloucester County Utilities Authority GCUA - Sanitary Sewerage Connection fees
- ❖ Letter from TRICOJIF regarding JIF Wellness Policy
- ❖ Letter from Delaware River Port Authority (DRPA) regarding Engineering Update for the Glassboro-Camden Line
- ❖ Public Notice from Township of Deptford regarding its amendment of its Third Round Housing Element and Fair Share Plan
- ❖ Invitation from the Mantua Township Economic Development Committee regarding the April 27, 2013 "Elected Officials Fossil Dig Day"
- ❖ Letter from Comcast regarding their application for Renewal of Municipal Consent
- ❖ Letter of Resignation from Steve Evans effective June 1, 2013 that was received Wednesday, April 10, 2013 afternoon so was not on the agenda.

Meeting Minutes

Motion to add the letter to the Agenda was made by Councilman Murtaugh and seconded by Councilman Packer.

Motion to accept Steve Evan's letter of Resignation made by Councilman Murtaugh and seconded by Councilman Sims. *Motion unanimously approved by voice vote.*

MONEY COLLECTED BY THE CLERK FOR MARCH:

Police Reports	\$ 377.42
Rent	\$1,125.00
Death Certificates	\$ 205.00
Marriage License	\$ 150.00
Certified Marriage	\$ 30.00
Amusement Games	\$ 200.00
Peddlers Permit	\$ 50.00
200 Ft. Request	<u>\$ 10.00</u>
TOTAL	\$2,147.42

BILLS & VOUCHERS:

The Clerk advised that the List of Bills was on the table in the back of the room.

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

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

PUBLIC COMMENT: (Time Limit 5 minutes)

- ❖ Joyce Lovell, 328 Summit Avenue advised the Environmental Commission cleaned River Drive on Saturday, April 6, 2013. Ms. Lovell discussed the erosion on Delaware View and the illegal dumping of concrete, cinder block and wood in that area and noted that the area near Galbraith Park was littered with miniature alcohol bottles and beer cans. Ms. Lovell also stated she needs more volunteers for the cleanup at Pitman on April 20, 2013 so that the Environmental Commission can qualify for a \$500.00 grant.
- ❖ James Radler, 228 West Olive Street, discussed the speeding on Olive Street and presented council with a petition signed by residents who live on Olive Street. Councilwoman Moan added her personal experience about the speeding on East Olive Street. A discussion took place on the speeding issue and the possible use of the radar trailer on this street.

Hearing no other comments, a motion to close this portion of the meeting was made by Councilman Murtaugh and seconded by Councilman Packer. *Motion unanimously approved by voice vote.*

Meeting Minutes

COMMENTS FROM GOVERNING BODY & DEPARTMENT HEADS

- ❖ Engineer Jon Bryson advised he had been in touch with the Department of Transportation (DOT) regarding Municipal Aid and that the DOT had not yet made any decisions on the River Drive application.
- ❖ Public Works Manager Domico stated her Department will be sending out a letter to residents regarding the Textile program and that she plans to hand-deliver the bags on April 22nd, which is Earth Day. Public Works Manager Domico advised Westville is the first town in the nation doing this program and confirmed that Westville recycles computers, TV's and other electronics.
- ❖ Public Works Manager Domico advised the Tank painter came back and is finishing up the project.
- ❖ Councilman Murtaugh advised he spoke with Chief Lederer to discuss a 3K cancer benefit run that's being organized for Reverend Spaeth's son on May 11th at 9 a.m. Councilman Murtaugh provided details on the route of the run that's the safest and has the least amount dependence on the Police Department.

A motion to approve the 3K run was made by Councilman Murtaugh and seconded by Councilman Sims . *Motion unanimously approved by voice vote.*

- ❖ Councilman Murtaugh advised Little League opening day activities was scheduled for Saturday, April 13, 2013.
- ❖ Councilman Murtaugh commented he was aware of a program in Glassboro regarding tenants that was called "1 and done" and Chief Lederer responded that tenants were evicted from an apartment after being reported to HUD for drug related activities. Solicitor Scaffidi provided a more detailed description on how the "1 and done" program works and how the language in lease agreements can be changed. Chief Lederer stated Officer Rice can reach out to other towns regarding this program.
- ❖ Councilman Packer provided an update on the 100th Year Anniversary Celebration Committee activities and encouraged everyone to start selling ads for the Ad Book to help with expenses.
- ❖ Councilman Packer asked Public Works Manager Domico to meet with the Public Works Committee to discuss the position of Equipment Mechanic.

Meeting Minutes

- ❖ Councilman Sims welcomed Councilwoman Moan to Council and then inquired about the property on Chestnut Street that burned down 7 months ago. Administrator Bittner stated he's been trying to get in contact with the owner of the property (Wells Fargo) because the property is scheduled for Tax Sale. Administrator Bittner advised anyone who gets the lien at the Tax Sale can go onto the property to clean it up and then place the clean-up costs onto the lien of the property. Administrator Bittner added that unfortunately the clean-up costs will probably exceed the value of the property which means that the clean-up will most likely fall to Westville who will have to place a "municipal lien" on the property. Administrator Bittner commented the Borough has attempted to have the property declared unfit, unsafe, unhealthy and stated no official is willing to do that. General discuss took place on cleaning the property and Public Works Manager Domico stated she was going to get estimates from companies regarding removal of the debris. Administrator Bittner advised the property should be cleared by the end of May.
- ❖ Councilman Sims asked if the Borough requested permission from the State to repave the roadway from over the bridge at River Drive to the point at Delsea. Administrator Bittner confirmed the Borough submitted a Grant application to the State in 2012 and is still waiting for approval.
- ❖ Councilman Sims advised on behalf of the Fire Department he was presenting the 100th Anniversary Celebration Committee with a donation of \$1,000.
- ❖ Councilman Packer asked who in the Borough would declare a building, destroyed by fire unsafe. Councilman Murtaugh responded the Construction Official would make that determination. A discussion took place on declaring properties unsafe, removing debris and costs associated with clearing of a property.
- ❖ Administrator Bittner provided an update on the progress of the renovations to 165 Broadway that would probably be completed by June.
- ❖ Chief Lederer advised his department applied for a "Click It or Ticket" grant as well as a bullet-proof vests grant.
- ❖ Councilman Murtaugh discussed the possibility of changing the Council Meeting day and suggested the 4th Tuesday of each month or the 3rd Thursday of each month starting July. General discussion took place on the possible days and times for meetings.

A motion to move Council meetings to the 3rd Thursday of each month, starting at 7 p.m. made by Councilman Murtaugh and seconded by Councilman Sims. *The motion was unanimously approved by voice vote.*

- ❖ Councilman Packer reminded those who were attending the Mayor's Dinner to bring door prizes. A discussion took place on how the Mayor's Association funds are used.

A motion to have the Borough pay for the Mayor's Association dinner fees made by Council President Ledrich and seconded by Councilman Packer. *Motion approved by majority roll call vote. (Councilwoman Moan abstained.)*

Meeting Minutes

- ❖ Councilman Murtaugh advised that dogs are not allowed on the Little League fields and commented he passed this information along to his coaches. Councilman Murtaugh informed Chief Lederer that he instructed coaches not to get into confrontations with dog owners but rather call the police.

A motion to adjourn the meeting was made by Councilman Packer and seconded by Councilwoman Moan.

Meeting Adjourned: 10:16 p.m.

Respectively Submitted,

Christine A. Helder
CMC/Municipal Clerk