

# Resolution

NO. 1-2017

## AUTHORIZING RESOLUTIONS OF CONSENT

**WHEREAS**, it is necessary to authorize Resolutions of Consent for the Borough of Westville; and

**WHEREAS**, the Mayor and Council desire to approve said resolutions of consent for 2017 which are not controversial and do not require individual discussion.

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Westville that said Resolutions of Consent are hereby approved for the year 2017.

**APPROVED** by the Governing Body of the Borough of Westville, County of Gloucester and State of New Jersey on Wednesday, January 4, 2017.

**BOROUGH OF WESTVILLE**

**Russell W. Welsh, Jr.**  
**MAYOR**

**ATTEST:**

**Christine A. Helder**  
**CMC/MUNICIPAL CLERK**

# Resolution

NO. 2-2017

## ADOPTING TEMPORARY BUDGET TEMPORARY BUDGET APPROPRIATIONS FOR YEAR 2017

**WHEREAS**, The New Jersey Statutes 40A:4-19 provide that the temporary appropriations should be made for the purposes and amounts required in the manner and time therein provided; and

**WHEREAS**, the date of the Resolution is within the first thirty days of January, **2017**; and

**WHEREAS**, 26.25% of the total appropriations in the 2016 budget exclusion of any appropriations made for Debt Service or Capital Improvement Fund in the said 2016 Budget is the sum of \$2,370,081.25; and

**WHEREAS**, the NJ Statutes 40A:4-19 provide that temporary appropriations should be made for the amount of such debt service in the manner and time therein provided.

**NOW, THEREFORE BE IT RESOLVED** that the following attached temporary appropriations be made, and that a certified copy of the resolution be transmitted to the Chief Financial Officer for records.

**APPROVED** by the Governing Body of the Borough of Westville, County of Gloucester and State of New Jersey on Wednesday, January 4, 2017.

**BOROUGH OF WESTVILLE**

**Russell W. Welsh, Jr.**  
**MAYOR**

**ATTEST:**

**Christine A. Helder**  
**CMC/MUNICIPAL CLERK**

# Resolution

NO. 3-2017

## NAMING DEPOSITORIES FOR 2017

**WHEREAS**, it is necessary and proper to name Depositories for 2017.

**NOW, THEREFORE BE IT RESOLVED** by the Borough Council of the Borough of Westville that the 1st Colonial Community Bank and South Jersey Federal Credit Union are hereby named as Depositories for the year 2017.

**APPROVED** by the Governing Body of the Borough of Westville, County of Gloucester and State of New Jersey on Wednesday, January 4, 2017.

**BOROUGH OF WESTVILLE**

**Russell W. Welsh, Jr.**  
**MAYOR**

**ATTEST:**

**Christine A. Helder**  
**CMC/MUNICIPAL CLERK**

# Resolution

NO. 4-2017

## AUTHORIZING THE BOROUGH CLERK TO MAINTAIN A PETTY CASH FUND FOR 2017

**WHEREAS**, the Borough Clerk and Water Clerk require a certain amount of cash as a Petty Cash fund; and

**WHEREAS**, the Petty Cash fund is permitted by the State of New Jersey, by Statute; and

**WHEREAS**, as of December 31, 2016, the Petty Cash fund balance was accounted for and turned over to the Chief Financial Officer and redeposited; and

**WHEREAS**, the Petty Cash fund now needs to be replenished for the current year.

**NOW, THEREFORE BE IT RESOLVED** by the Borough Council of the Borough of Westville that the proper officers are hereby authorized to draw the following check for the aforementioned purposes:

**Christine A. Helder, Petty Cash - Water Department Check - \$500.00**

**APPROVED** by the Governing Body of the Borough of Westville, County of Gloucester and State of New Jersey on Wednesday, January 4, 2017.

**BOROUGH OF WESTVILLE**

**Russell W. Welsh, Jr.**  
**MAYOR**

**ATTEST:**

**Christine A. Helder**  
**CMC/MUNICIPAL CLERK**

# Resolution

NO. 5-2017

## FIXING THE RATE OF INTEREST

**WHEREAS**, R.S. 54:4-67 permits the Governing Body of each municipality to fix the rate of interest to be charged for nonpayment of taxes, sewer charges, water charges, assessments subject to any abatement or discount for the late payment of taxes, assessments, etc., as provided by law:

**NOW THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Westville, County of Gloucester, State of New Jersey that property taxes shall be due and payable quarterly on February 1<sup>st</sup>, May 1<sup>st</sup>, August 1<sup>st</sup> and November 1<sup>st</sup> of each year with a ten-day grace period, after which dates, if unpaid shall become delinquent with interest charged as set forth below and reverting back to the due date on any quarterly installment of taxes.

**NOW, THEREFORE, BE IT FURTHER RESOLVED**, by the Mayor and Council of the Borough of Westville, County of Gloucester, State of New Jersey, hereby fix the rate of interest at 8% per annum on the first \$1,500.00 of delinquency and 18% per annum on any amount in excess of \$1,500.00 of delinquency and 18% per annum on any amount in excess of \$1,500.00.

**BE IT FINALLY RESOLVED**, that a certified copy of this resolution be forwarded to the Tax Collector and Borough Auditor.

**APPROVED** by the Governing Body of the Borough of Westville, County of Gloucester and State of New Jersey on Wednesday, January 4, 2017.

**BOROUGH OF WESTVILLE**

**Russell W. Welsh, Jr.**  
**MAYOR**

**ATTEST:**

**Christine A. Helder**  
**CMC/MUNICIPAL CLERK**

# Resolution

NO. 6-2017

## DESIGNATING LEGAL PUBLICATIONS FOR 2017

**WHEREAS**, it is necessary to designate a legal publication for the year 2017 for all required legal notices; and

**WHEREAS**, state law requires that said notices be advertised in a local newspaper if one is published in the municipality or county.

**NOW, THEREFORE BE IT RESOLVED** by the Borough Council of the Borough of Westville that the Courier-Post, Gloucester City News and/or the South Jersey Times newspapers circulated in the County of Gloucester, be and are hereby designated as the official publications for the advertising of legal notices.

**APPROVED** by the Governing Body of the Borough of Westville, County of Gloucester and State of New Jersey on Wednesday, January 4, 2017.

**BOROUGH OF WESTVILLE**

**Russell W. Welsh, Jr.**  
**MAYOR**

**ATTEST:**

**Christine A. Helder**  
**CMC/MUNICIPAL CLERK**

# Resolution

NO. 7-2017

## ADOPTING "ROBERTS RULES OF ORDER"

**WHEREAS**, the Mayor and Council of the Borough of Westville have approved "Roberts Rules of Order" for their regular and special meetings; and

**WHEREAS**, the Mayor and Council desire to continue said rules of meeting as previously approved.

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Westville that said rules of meeting now in effect, be and are hereby approved for the year 2017.

**APPROVED** by the Governing Body of the Borough of Westville, County of Gloucester and State of New Jersey on Wednesday, January 4, 2017.

**BOROUGH OF WESTVILLE**

**Russell W. Welsh, Jr.**  
**MAYOR**

**ATTEST:**

**Christine A. Helder**  
**CMC/MUNICIPAL CLERK**

# Resolution

NO. 8-2017

## EXECUTING PROFESSIONAL AGREEMENTS

**WHEREAS**, there exists a need for legal services, auditing services, insurance brokers, planning and engineering services for the Borough of Westville; and

**WHEREAS**, funds have been certified by the Chief Financial Officer and are available for this purpose; and

**NOW, THEREFORE BE IT RESOLVED** by the Borough Council of the Borough of Westville that the following contracts for Professional Services shall be awarded as follows:

The Mayor and Borough Clerk are hereby authorized and directed to execute agreements with the following Professionals:

<u>Professional</u>	<u>Position</u>	<u>Amount of Contract Not to Exceed</u>
Timothy Scaffidi Attorney-at-Law of the State of New Jersey	Solicitor	\$21,000
Louis Rosner Attorney-at-Law of the State of New Jersey	Labor Attorney	\$10,000
Lawrence Hubert Attorney-at-Law of the State of New Jersey	Public Defender	\$7,200
Joseph Federici (Federici & Akin) Professional Engineer and Professional Planner	Engineer	\$42,000
Nick L. Petroni (Petroni & Associates) Certified Public Accountant of the State of New Jersey	Auditor	\$17,480
Philip Norcross (Parker McCay) Attorney-at-Law of the State of New Jersey	Bond Counsel	\$5,000
Kevin D. Sheehan (Parker McCay) Attorney-at-Law of the State of New Jersey	Redevelopment Counsel	\$5,000
Gary Thompson (Ware, Streitz & Thompson) Attorney-at-Law of the State of New Jersey	Land Use Board Solicitor	\$3,000
Steven Bach (Bach Associates) Professional Engineer	Land Use Board Engineer	\$1,000
Steven Bach (Bach Associates) Professional Engineer	Land Use Board Planner	\$1,000
Hardenbergh Insurance Group	Health Insurance Broker	\$30,000
Hardenbergh Insurance Group	Risk Management Consultant	\$20,318 (6% of Annual Assessment)

**NOW THEREFORE BE IT RESOLVED**, the following contracts are awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law pursuant to N.J.S.A. 19:44A-20.5 et seq., the Borough of Westville qualifications for professional services under a fair and open process, because said, Timothy Scaffidi, Esq., Louis Rosner, Esq., Charles Fiore, Esq., Lawrence Hubert, Esq., Gary D. Thompson, Esq., Federici and Akin, Nick Petroni, Philip Norcross and Kevin Sheehan of Parker McCay PA, Steven Bach of Bach Associates, Hardenbergh Insurance Group are authorized by law to practice a recognized profession in the State of New Jersey, and further legal, auditing and engineering services to be performed cannot be bid competitively because it is impossible to prepare specifications for same in accordance with the above mentioned statutes.

# Resolution

NO. 8-2017

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**BE IT FURTHER RESOLVED**, as required by the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) a copy of this Resolution authorizing the award of contracts for “Professional Services” without competitive bids shall be publicly advertised in the South Jersey Times within ten (10) days of the date of passage.

**APPROVED** by the Governing Body of the Borough of Westville, County of Gloucester and State of New Jersey at their Reorganizational meeting held on Wednesday, January 4, 2017.

**BOROUGH OF WESTVILLE**

**Russell W. Welsh, Jr.**  
**MAYOR**

**ATTEST:**

**Christine A. Helder**  
**CMC/MUNICIPAL CLERK**

# Resolution

NO. 9-2017

## APPOINTING HARDENBERGH INSURANCE GROUP AS RISK MANAGEMENT CONSULTANT FOR GLOUCESTER, SALEM, CUMBERLAND COUNTIES MUNICIPAL JOINT INSURANCE FUND

**WHEREAS**, the Governing Body of the Borough of Westville is a member of the Gloucester, Salem, Cumberland Counties Municipal Joint Insurance Fund, a self-insured pooling fund; and

**WHEREAS**, the By-laws of said fund require that each Municipality appoint a Risk Management Consultant to perform various professional services as detailed in the By-laws; and

**WHEREAS**, the By-laws indicate a fee not to exceed six percent (6%) of the municipal assessment which expenditure represents reasonable compensation for the services required and was included in the cost considered by the governing body; and

**WHEREAS**, N.J.S.A. 40A:11-5 (1) (m) specifically exempts the hiring of insurance consultants from competitive bidding as an extraordinary unspecifiable service; and

**WHEREAS**, the experience, knowledge of public insurance and risk management issues and judgmental nature required of a Risk Management Consultant's are clearly an extraordinary unspecifiable service which therefore render competitive bidding impractical.

**NOW, THEREFORE BE IT RESOLVED** that the Governing Body of the Borough of Westville does hereby appoint Hardenbergh Insurance Group, P.O. Box 8000, Marlton, NJ 08053 as its Risk Management Consultant in accordance with 40A:11-5; and

**BE IT FURTHER RESOLVED** that the Governing Body is hereby authorized and directed to execute the Consultant's Agreement annexed hereto and to cause a notice of this decision to be published according to N.J.S.A. 40A:11-5 (1), (a), (i).

**ADOPTED** by the Governing Body of the Borough of Westville, County of Gloucester and State of New Jersey on Wednesday, January 4, 2017.

ATTEST:

BOROUGH OF WESTVILLE

\_\_\_\_\_  
Christine A. Helder  
CMC/MUNICIPAL CLERK

\_\_\_\_\_  
Russell W. Welsh, Jr.  
MAYOR

ATTEST:

\_\_\_\_\_  
CONSULTANT

**AGREEMENT**  
**RISK MANAGEMENT CONSULTANT**  
**GLOUCESTER, SALEM, CUMBERLAND COUNTIES**  
**MUNICIPAL JOINT INSURANCE FUND**

This agreement, entered into this **4th** day of **January, 2017**, between the **Borough of Westville** (hereinafter referred to as Municipality) and **Hardenbergh Insurance Group** (Corporation) of the State of New Jersey, having its principal office at **8000 Sagemore Dr., Suite 8101, Marlton, NJ 08053** (hereinafter referred to as the Consultant).

**WHEREAS**, the Consultant has offered to the **Municipality** professional risk management consulting services as required in the Bylaws of the Gloucester, Salem, Cumberland Counties Municipal Joint Insurance Fund, and

**WHEREAS**, the **Municipality** desires these professional services pursuant to the resolution adopted by the Mayor and Council of the Municipality at a meeting held **January 4, 2017**;

**NOW THEREFORE**, the parties in consideration of the mutual promises and covenants set forth herein, agree as follows:

1. The Consultant, for and in consideration of the amount stated hereinafter agrees to provide services to the **Municipality** as follows:
  - A) The Consultant shall assist the **Municipality** in identifying its insurable exposures and to recommend professional methods to reduce, assume or transfer the risk loss.
  - B) Assist the **Municipality** in understanding and selecting the various coverages available from the Gloucester, Salem, and Cumberland Counties Municipal Joint Insurance Fund.
  - C) Review with the **Municipality** any additional coverages that the Consultant feels should be carried but are not available from the Fund and subject to the Municipality's authorization place such coverages outside the Fund.
  - D) Assist the **Municipality** in the preparation of applications, statements of values and similar documents requested by the Fund, it being understood that this agreement does not include any appraisal work by the consultant.
  - E) Review the **Municipality's** assessment as prepared by the Fund and assist the Municipality in the preparation of its annual insurance budget.
  - F) Review the loss and engineering reports and generally assist the safety committee in its loss containment objectives.
  - G) Assist where needed in the settlement of claims, with the understanding that the scope of the Consultant's involvement does not include the work normally done by a public adjuster.
  - H) Any other services required by the Fund's Bylaws.
2. The term of this agreement shall be for one (1) year from the first day of **January, 2017**, or from the effective date of coverage, unless terminated as hereinafter provided in this agreement.
3. The Municipality authorizes the Fund to pay its Consultant, as compensation for services rendered, an amount of **Six Percent (6%)** of the Municipality's annual assessment as promulgated by the Fund. Said fee shall be paid within 30 days of payment of the member's assessment. The Consultant shall receive no other compensation or commission for the placement or servicing of any municipal coverage with the Fund.
4. For any coverages, authorized by the **Municipality**, to be placed outside of the Fund, the Consultant shall receive as his full compensation the normal brokerage commissions paid by the insurance company. The premiums for said policies shall not be added to the Fund's assessment in computing the fee outlined in Item 3 above.

5. Either party may cancel this Agreement, with cause, at any time by mailing to the other written notice calling for termination at any time not less than ninety (90) days thereafter. Fees shall be pro-rated to the date of termination.

ATTEST:

BOROUGH OF WESTVILLE

\_\_\_\_\_  
Christine A. Helder, CMC/MUNICIPAL CLERK

\_\_\_\_\_  
Russell W. Welsh, Jr. MAYOR

ATTEST: \_\_\_\_\_

CONSULTANT: \_\_\_\_\_

Richard J. Hardenbergh

DATE: \_\_\_\_\_

# Resolution

NO. 10-2017

## DESIGNATING REGULAR MEETING DATES

**WHEREAS**, it is necessary and proper to list the regular meeting dates of the Mayor and Borough Council for the year 2017.

**WHEREAS**, the Governing Body has designated the 2<sup>nd</sup> Monday of each month as the regular scheduled meeting date; and

**NOW, THEREFORE BE IT RESOLVED** by the Borough Council of the Borough of Westville that at 7:00 p.m. on the second Monday of each month, (unless noted) and as listed below shall constitute the regular meeting dates of Mayor and Borough Council for the year 2017.

January 9  
February 13  
March 13  
April 10  
May 8  
June 12  
July 10  
August 14  
September 11  
October 9  
November 13  
December 11

**ADOPTED** by the Governing Body of the Borough of Westville, County of Gloucester and State of New Jersey on Wednesday, January 4, 2017.

**BOROUGH OF WESTVILLE**

**Russell W. Welsh, Jr.**  
**MAYOR**

**ATTEST:**

**Christine A. Helder**  
**CMC/MUNICIPAL CLERK**

# Resolution

NO. 11-2017

## CHARGING YEAR END PENALTY ON TAXES, WATER OR SEWER THAT ARE DELINQUENT

**WHEREAS**, in accordance with N.J.S.A. 54:4-67, municipalities are allowed to charge an additional 6% penalty at the end of the year for those accounts whose taxes and/or water and/or sewer arrears exceed \$10,000.00; and

**WHEREAS**, the Borough of Westville wishes to comply with this penalty rate.

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Westville that an additional penalty of 6% will be charged on any outstanding taxes and/or water and/or sewer arrears exceeding \$10,000.00 in accordance with N.J.S.A. 54:4-67.

**APPROVED** by the Governing Body of the Borough of Westville, County of Gloucester and State of New Jersey on Wednesday, January 4, 2017.

**BOROUGH OF WESTVILLE**

**Russell W. Welsh, Jr.**  
**MAYOR**

**ATTEST:**

**Christine A. Helder**  
**CMC/MUNICIPAL CLERK**

# Resolution

NO. 12-2017

## CASH MANAGEMENT PLAN FOR 2017

**WHEREAS**, N.J.S.A. 40A:5-14 requires each local unit to annually adopt a cash management plan; and

**WHEREAS**, it is desired by the Governing Body of the Borough of Westville to comply with said statute.

**NOW, THEREFORE BE IT RESOLVED** by the Borough Council of the Borough of Westville, County of Gloucester, State of New Jersey, that the attached Cash Management Plan for the year 2017 be approved at a meeting of the Mayor and Council of the Borough of Westville held on January 4, 2017.

**APPROVED** by the Governing Body of the Borough of Westville, County of Gloucester and State of New Jersey on Wednesday, January 4, 2017.

**BOROUGH OF WESTVILLE**

**Russell W. Welsh, Jr.**  
**MAYOR**

**ATTEST:**

**Christine A. Helder**  
**CMC/MUNICIPAL CLERK**

# Resolution

NO. 13-2017

## DESIGNATING MANAGERIAL INDIVIDUALS ACCESS TO THE EPL HOTLINE BY TELEPHONE

**WHEREAS**, the Governing Body of the Borough of Westville hereinafter referred to as "MUNICIPALITY", is a member of the Gloucester, Salem, Cumberland Counties Municipal Joint Insurance Fund, hereinafter referred to as "FUND"; and

**WHEREAS**, the FUND has APPROVED a policy authorizing the Employment Practices Liability Attorney Consultation Service; and

**WHEREAS**, the FUND has budgeted \$750.00 per member for EPL consulting services in 2017; and

**WHEREAS**, the FUND requires the MUNICIPALITY to designate specific managerial or supervisory individuals who will have telephone access to the EPL Hotline.

**NOW, THEREFORE BE IT RESOLVED** that the Governing Body of the Borough of Westville does hereby appoint Christine A. Helder as its Contact Person.

**BE IT FURTHER RESOLVED** that the Governing Body does hereby appoint William J. Bittner, Jr., as an additional Contact Person.

**APPROVED** by the Governing Body of the Borough of Westville, County of Gloucester and State of New Jersey on Wednesday, January 4, 2017.

**BOROUGH OF WESTVILLE**

**Russell W. Welsh, Jr.**  
**MAYOR**

**ATTEST:**

**Christine A. Helder**  
**CMC/MUNICIPAL CLERK**

# Resolution

NO. 14-2017

## DESIGNATING TAX SEARCH/ASSESSMENT SEARCH OFFICER

**WHEREAS**, N.J.S.A. 54:5-11 requires the governing body to designate by resolution, a bonded official of the municipality to make examinations of its records as to unpaid municipal liens and to certify the result thereof.

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Westville, County of Gloucester, State of New Jersey, hereby appoint Christine A. Helder to the position of Tax Search Officer and Assessment Search Officer providing the necessary documentation and certification as per N.J.S.A. 54:5-18.1 are met, and until such time a resolution stating otherwise is APPROVED; and

**WHEREAS**, N.J.S.A. 54-5-18.1 requires the governing body to provide by resolution for the making of official certificates of searches as to municipal improvements authorized by ordinance of the municipality, but not assessed, affecting any parcel or tract of land in said municipality in that a future assessment will be made thereon pursuant to such ordinance.

**APPROVED** by the Governing Body of the Borough of Westville, County of Gloucester and State of New Jersey on Wednesday, January 4, 2017.

**BOROUGH OF WESTVILLE**

**Russell W. Welsh, Jr.**  
**MAYOR**

**ATTEST:**

**Christine A. Helder**  
**CMC/MUNICIPAL CLERK**

# Resolution

NO. 15-2017

## DESIGNATING OPEN PUBLIC RECORDS REQUEST (OPRA) CUSTODIAN AND DEPUTY CUSTODIAN OF RECORDS

**WHEREAS**, under the Open Public Records Act (OPRA) N.J.S.A 47:1 A-1, et. Seq., it is necessary to designate a Custodian and Deputy Custodian of Records;

**WHEREAS**, the Governing Body of the Borough of Westville wishes to comply with directive N.J.S.A. 47:1 A-1;

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body that the Borough Clerk is hereby designated Custodian of Records and the Police Chief is hereby designated as Deputy Custodian of Records; and

**BE IT FURTHER RESOLVED** that the Deputy Borough Clerk and Police Department Secretary are also designated as Deputy Custodians of Records in case said Custodian and/or Deputy Custodian of Records is absent or ill.

**BE IT FURTHER RESOLVED** that all requests for Open Public Records (OPRA) be submitted in writing (transmitted electronically, hand-delivered or mailed) or on the OPRA form provided by the Borough of Westville.

**APPROVED** by the Governing Body of the Borough of Westville, County of Gloucester and State of New Jersey on Wednesday, January 4, 2017.

**BOROUGH OF WESTVILLE**

**Russell W. Welsh, Jr.**  
**MAYOR**

**ATTEST:**

**Christine A. Helder**  
**CMC/MUNICIPAL CLERK**

# Resolution

NO. 16-2017

## OMIT FROM TAX SALE REAL PROPERTY EQUAL MONTHLY INSTALLMENTS

**WHEREAS**, N.J.S.A. 54:5-19 provides for the governing body to omit from Tax Sale those properties delinquent for prior year taxes or other municipal liens, or parts thereof, on real property, upon which regular, equal monthly installment payments are being made, in pursuance to such agreement as may be authorized by resolution between the collector and owner of said property.

**BE IT FURTHER RESOLVED** that said property owner shall make 60 (sixty) equal monthly installments to include all delinquent taxes, assessments and other municipal liens held by the municipality, due on the first of each month as set forth on the attached schedule. It shall further be conditioned that all installments of taxes for the current year in which such agreement is made, and all subsequent taxes, assessments and other municipal liens imposed or becoming a lien thereafter shall be promptly paid when due. When payment of the aforementioned exceeds 30 days after due date, then said agreement shall be void, and the tax collector shall proceed to enforce such lien by selling in the manner per N.J.S.A. 54:5-19.

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Westville, County of Gloucester, State of New Jersey, hereby authorize the Tax Collector to accept said installments as provided.

**BE IT FINALLY RESOLVED** that a certified copy of this resolution with installment plan schedule be forwarded to the Tax Collector and property owner.

**APPROVED** by the Governing Body of the Borough of Westville, County of Gloucester and State of New Jersey on Wednesday, January 4, 2017.

**BOROUGH OF WESTVILLE**

**Russell W. Welsh, Jr.  
MAYOR**

**ATTEST:**

**Christine A. Helder  
CMC/MUNICIPAL CLERK**

# Resolution

NO. 17-2017

## ISSUANCE OF DUPLICATE TAX SALE CERTIFICATE

**WHEREAS**, P.L. 1997, Chapter 99, requires the authorization of the governing body for replacement and issuance of a duplicate tax sale certificate held by a third-party lien holder which has been destroyed or lost.

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Westville, County of Gloucester, State of New Jersey, hereby authorizes the Tax Collector, upon receipt of an appropriate affidavit from owner of the certificate, to prepare a replacement certificate; and

**BE IT FURTHER RESOLVED** that this replacement certificate, duplicated in original form, shall be marked as “duplicate” and a \$100 fee assessed to the lien holder for the preparation of said duplicate certificate.

**APPROVED** by the Governing Body of the Borough of Westville, County of Gloucester and State of New Jersey on Wednesday, January 4, 2017.

**BOROUGH OF WESTVILLE**

**Russell W. Welsh, Jr.  
MAYOR**

**ATTEST:**

**Christine A. Helder  
CMC/MUNICIPAL CLERK**

# Resolution

NO. 18-2017

## AUTHORIZING SERVICE CHARGE FOR RETURNED CHECKS

**WHEREAS**, P.L. 1990, Chapter 105, supplementing Title 40 of the New Jersey State Revised Statutes has been enacted to allow a municipality the authority to impose a service charge to be added on an account which was by check or other written instrument returned for insufficient funds; and

**WHEREAS**, whenever an account is owing a municipality for a tax or special assessment, water or sewer assessment, the service charge authorized by this section shall be included on whatever list of delinquent accounts is prepared for the enforcement of the lien.

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Westville, County of Gloucester, State of New Jersey, that the Tax Collector and Water/Sewer Clerk be authorized to charge the aforementioned fee at a rate of \$20.00 per check or other written instrument for all checks returned for insufficient funds during 2017; and

**BE IT FURTHER RESOLVED** that the Tax Collector or Water/Sewer Clerk may require future payments to be tendered in cash or by certified or cashier's check; and

**BE IT FINALLY RESOLVED** that a certified copy of this Resolution be forwarded to the Borough Treasurer, Tax Collector and Borough Auditor.

**APPROVED** by the Governing Body of the Borough of Westville, County of Gloucester and State of New Jersey on Wednesday, January 4, 2017.

**BOROUGH OF WESTVILLE**

**Russell W. Welsh, Jr.**  
**MAYOR**

**ATTEST:**

**Christine A. Helder**  
**CMC/MUNICIPAL CLERK**

# Resolution

NO. 19-2017

## BIDDING BY MUNICIPAL OFFICERS AT TAX SALE

**WHEREAS**, N.J.S.A. 54:5-30.1 requires that the Governing Body shall determine by resolution that a particular parcel or parcels of real estate scheduled to be sold at public auction pursuant to the tax sale law would be useful for a public purpose; and

**WHEREAS**, said statute authorizes the Governing Body to direct a municipal official to attend the auction and bid for such parcel or parcels at such sale on behalf of the municipality in the same manner as any other bidder.

**NOW, THEREFORE BE IT RESOLVED** that the Mayor and Council of the Borough of Westville, County of Gloucester, State of New Jersey, hereby authorize the Administrator/Chief Finance Officer to attend the 2017 Tax Sale and bid on behalf of the Borough of Westville.

**BE IT FURTHER RESOLVED** that the Chief Finance Officer hereby certifies that sufficient funds have been appropriated in the 2017 Municipal Budget for the purposes of bidding at the 2017 Tax Sale on behalf of the Borough of Westville.

**APPROVED** by the Governing Body of the Borough of Westville, County of Gloucester and State of New Jersey on Wednesday, January 4, 2017.

**BOROUGH OF WESTVILLE**

**Russell W. Welsh, Jr.  
MAYOR**

**ATTEST:**

**Christine A. Helder  
CMC/MUNICIPAL CLERK**

# Resolution

NO. 20-2017

## AUTHORIZING IN REM FORECLOSURE

**WHEREAS**, N.J.S.A. 54:5-104.35 provides the authority for the governing body to proceed with the "In Rem" Foreclosure process on those municipality held tax sale certificates held for more than six months from the date of Tax Sale.

**NOW, THEREFORE BE IT RESOLVED** that the Mayor and Council of the Borough of Westville, County of Gloucester, State of New Jersey, hereby authorize the Borough Attorney to proceed with "In Rem" foreclosure by filing a copy of the complaint in the Attorney General of the State of New Jersey office, for those properties as appearing on attached Tax Foreclosure List as prepared by the Tax Collector.

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution be forwarded to the Tax Collector and Borough Attorney.

**APPROVED** by the Governing Body of the Borough of Westville, County of Gloucester and State of New Jersey on Wednesday, January 4, 2017.

**BOROUGH OF WESTVILLE**

**Russell W. Welsh, Jr.  
MAYOR**

**ATTEST:**

**Christine A. Helder  
CMC/MUNICIPAL CLERK**

# Resolution

NO. 21-2017

## AUTHORIZING PURCHASING UNDER STATE CONTRACTS

**WHEREAS**, in the past, the Borough of Westville has availed itself of the right to purchase materials, supplies, and equipment under contracts for such materials, supplies and equipment entered into on behalf of the State of New Jersey by the Division of Purchase and Property in the Department of the Treasury pursuant to N.J.S.A. 40A:11-12; and

**WHEREAS**, it is desirable from time to time to obtain materials, supplies and equipment under contracts for such materials, supplies, and equipment entered into on behalf of the State by the said Division without the necessity of advertising for bids, or in the cases when no bids have been received; and

**WHEREAS**, it is contemplated that it will be necessary or desirable to obtain materials, supplies and other equipment under such contract or contracts entered into on behalf of the State of New Jersey by said Division during the year 2017.

**NOW, THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of Westville, County of Gloucester and State of New Jersey as follows:

1. That the purchases by the Borough of Westville through the several municipal departments shall be purchased under a contract or contracts for such materials, supplies, and equipment entered into on behalf of the State of New Jersey by the Division of Purchase and Property in the Department of the Treasury, in those cases where it is desirable and in the best interest of the Borough of Westville, and in those cases where bids have been sought by advertisement therefore and no bids are received.
2. That a copy of this Resolution be forwarded to the Borough Administrator, all Department Heads of the Borough of Westville, the Municipal Auditor, and any other party of interest.

**APPROVED** by the Governing Body of the Borough of Westville, County of Gloucester and State of New Jersey on Wednesday, January 4, 2017.

**BOROUGH OF WESTVILLE**

**Russell W. Welsh, Jr.**  
**MAYOR**

**ATTEST:**

**Christine A. Helder**  
**CMC/MUNICIPAL CLERK**

# Resolution

NO. 22-2017

## AUTHORIZING OFFICIALS TO FILE PROOF OF CLAIMS FORMS WITH THE UNITED STATES BANKRUPTCY COURT

**WHEREAS**, it is necessary for a municipality to authorize the Certified Tax Collector, Deputy Tax Collector and Municipal Court Administrator/Deputy Court Administrator to file Proof of Claim forms with the United States Bankruptcy Court.

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Westville that the Certified Tax Collector, Deputy Tax Collector and Municipal Court, Deputy Court Administrator are hereby authorized to file Proof of Claim forms on behalf of the Borough of Westville in the United States Bankruptcy Court.

**APPROVED** by the Governing Body of the Borough of Westville, County of Gloucester and State of New Jersey on Wednesday, January 4, 2017.

**BOROUGH OF WESTVILLE**

**Russell W. Welsh, Jr.**  
**MAYOR**

**ATTEST:**

**Christine A. Helder**  
**CMC/MUNICIPAL CLERK**

# Resolution

NO. 23-2017

## AUTHORIZING A TAX SALE PURSUANT TO N.J.S.A. 54:5-19

WHEREAS, N.J.S.A. 54:5-19 provides that a municipality may, by resolution, provide for a tax sale no earlier than the last month of the municipality's fiscal year when unpaid taxes or other municipal liens or charges are in arrears in the fiscal year designated in such resolution.

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Westville, County of Gloucester, State of New Jersey, as follows:

1. That the Tax Collector is hereby directed and authorized to conduct a tax sale no earlier than December of 2017 for unpaid taxes or other municipal liens or charges, or parts thereof, that are in arrears for the 2017 fiscal year.
2. That a certified copy of this resolution shall be forwarded to the Tax Collector and Chief Finance Officer for the Borough of Westville.

APPROVED by the Governing Body of the Borough of Westville, County of Gloucester and State of New Jersey on Wednesday, January 4, 2017.

BOROUGH OF WESTVILLE

Russell W. Welsh, Jr.  
MAYOR

ATTEST:

Christine A. Helder  
CMC/MUNICIPAL CLERK

# Resolution

NO. 24-2017

## AUTHORIZING A \$25.00 FEE FOR ISSUANCE OF TAX SALE CERTIFICATES OF REDEMPTION

**WHEREAS**, N.J.S.A. 54:5-53.2 (Cancellation of tax sale certificate upon redemption) states that upon redemption of a parcel, the owner of the parcel is entitled to receive, upon demand, the certificate of tax sale, duly receipted for cancellation, or a CERTIFICATE OF REDEMPTION so that he/she may cancel the record of the lien; and

**WHEREAS**, due to frequent requests that immediate Redemption Certificates be issued, the Tax Collector hereby requests permission to charge a Redemption Fee, upon request from the property owner or other interested party, for the certificate.

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Westville, County of Gloucester, State of New Jersey, hereby authorize the Tax Collector to prepare a certificate of redemption at a cost of \$25.00 per certificate.

**APPROVED** by the Governing Body of the Borough of Westville, County of Gloucester and State of New Jersey on Wednesday, January 4, 2017.

**BOROUGH OF WESTVILLE**

**Russell W. Welsh, Jr.**  
**MAYOR**

**ATTEST:**

**Christine A. Helder**  
**CMC/MUNICIPAL CLERK**

# Resolution

NO. 25-2017

## APPOINTING A FUND COMMISSIONER AND ALTERNATE FUND COMMISSIONER FOR THE TRICO JIF

**WHEREAS**, there exists a need for a Fund Commissioner and Alternate Fund Commissioner for the Gloucester, Salem, Cumberland Counties Municipal Joint Insurance Fund for the year 2017; and

**WHEREAS**, funds are available for this purpose.

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Westville as follows:

- William J. Bittner, Jr. is hereby appointed as Fund Commissioner for the Borough of Westville
- Christine A. Helder is hereby appointed as Alternate Fund Commissioner

**APPROVED** by the Governing Body of the Borough of Westville, County of Gloucester and State of New Jersey on Wednesday, January 4, 2017.

**BOROUGH OF WESTVILLE**

**Russell W. Welsh, Jr.**  
**MAYOR**

**ATTEST:**

**Christine A. Helder**  
**CMC/MUNICIPAL CLERK**

# Resolution

NO. 26-2017

## APPOINTING BOROUGH OFFICIALS FOR THE CALENDAR YEAR 2017

**WHEREAS**, the Borough of Westville requires the appointment of certain municipal officials to perform the functions of the said offices; and

**WHEREAS**, the Mayor and Borough Council have found the following list of individuals to be qualified to perform such duties;

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Governing Body of the Borough of Westville, in the County of Gloucester, State of New Jersey, that the following officials be appointed to the positions and the terms herein set forth:

<u>Office</u>	<u>NAME</u>	<u>TERM</u>
Deputy Tax Collector	William J. Bittner, Jr.	1 year
Deputy Clerk		
Deputy Finance Officer		
Gloucester County Economic Dev. Council		
Administrative Officer/Downtown Preservation Commission		
Treasurer		
Affirmative Action Officer	Christine A. Helder	1 year
Public Agency Compliance Officer		
Disabled Employee's Coordinator		
Borough Solicitor	Timothy Scaffidi, Esq.	1 year
Borough Auditor	Nick Petroni & Associates	1 year
Borough Public Defender	Lawrence Hubert, Esq.	1 year
Borough Engineer	Federici & Aiken	1 year
Borough Planner	Bach Associates	1 year
Bond Counsel	Parker McCay	1 year
Borough Redevelopment Counsel	Parker McCay	1 year
Borough Health Insurance Broker	Hardenbergh Ins. Group	1 year
Borough Risk Manager	Hardenbergh Ins. Group	1 year
Borough Labor Attorney	Louis Rosner, Esq.	1 year
Borough Land Use Board Solicitor	Gary D. Thompson, Esq.	1 year
Borough Land Use Board Engineer	Bach Associates	1 year
Borough Qualified Purchasing Agent	Victoria Holmstrom	1 year
Grants Coordinator	Michael Zumpino	1 year
	William J. Bittner, Jr.	1 year
Safety Coordinator	Edward F. Leahy	1 year
	Timothy Leahy	1 year

# Resolution

No. 26-2017

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<u>Office</u>	<u>NAME</u>	<u>TERM</u>
Secretary	Kathleen Carroll	1 year
Claims Coordinator	Christine A. Helder	1 year
Senior Office Clerk	Therese D. Eckel	1 year
Tax Clerk	Nicole Murtaugh	1 year
Part Time Office Clerk	Linda Sims	1 year
Part Time Office Clerk	Sheryle Nebel	1 year
Zoning Officials	William J. Bittner, Jr.	1 year
	Dennis Morina	1 year
Plumbing Sub Code Official	Fabrizio Flaiano	1 year
Electrical Official	Mark Laggy	1 year
Fire Code Sub Official, Construction and Building Sub Code Official	Anthony Dariano	1 year
Housing Inspectors	Dennis Morina	1 year
	Eric Farley	1 year
	James Tucker	1 year
	William J. Bittner, Jr.	1 year
Property Maintenance Officers	William J. Bittner, Jr.	1 year
	Dennis Morina	1 year
Weed & Debris Officers	Donna M. Domico	1 year
	Edward F. Leahy	1 year
Custodian of Municipal Bldgs.	Stephen Finger	1 year
<u>BOARD OF HEALTH</u>		
	Russell W. Welsh, Jr. (Statutory)	1 year
	Open Council Member (Statutory)	1 year
	Kathleen Carroll, Secretary	1 year
<u>LAND USE BOARD</u>		
	Russell W. Welsh, Class I	1 year
	William J. Bittner, Jr., Class II	1 year
	Charles D. Murtaugh, Class III	1 year
	Travis Lawrence	4 years
	Raymond Berry	3 years
	Secretary	1 year
	Michael Hillman (Alt #1)	1 year
<u>LIBRARY TRUSTEES</u>		
	Russell W. Welsh, Jr. (Statutory)	1 year
	Natalie Logan (Alternate)	1 year
	Shannon Whalen	1 year
	Nancy Storms	5 years
	Brian Waters	5 years

# Resolution

No. 26-2017

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	<u>NAME</u>	<u>TERM</u>
<u>MUNICIPAL COURT</u>		
Court Administrator	Amanda Cubbler	1 year
Deputy Court Clerk	Kelley Andersen	1 year
<u>POLICE DEPARTMENT &amp; SCHOOL CROSSING GUARDS</u>		
Police Chief	William E. Whinna, IV	1 year
Secretary/Office Clerk	Michelle R. Waller	1 year
School Crossing Guard	Theresa M. Cage	1 year
School Crossing Guard	Nadine Dawson	1 year
School Crossing Guard	Linda Hallowell	1 year
School Crossing Guard	Cindyann Keck	1 year
School Crossing Guard	Veronica Keck	1 year
School Crossing Guard	Dawn V. Leamy	1 year
School Crossing Guard	Theresa MacLardy	1 year
School Crossing Guard	Violet McGinness	1 year
School Crossing Guard	Violet Morris	1 year
School Crossing Guard	Diane J. Romer	1 year
School Crossing Guard	Claire Smith	1 year
School Crossing Guard	Mary K. Vernacchio	1 year
<u>PUBLIC WORKS DEPARTMENT</u>		
Assistant P.W. Superintendent	Martin E. Finger	1 year
Clerk/Secretary	Christine Byrne	1 year
Bus Driver (Part-time)	Angela M. Jacobs	1 year
<u>EMERGENCY MANAGEMENT COMMITTEE</u>		
Mayor, Env./Public Relations	Russell W. Welsh, Jr.	1 year
Deputy Coordinator	William E. Whinna, IV	1 year
EMS/Ambulance (SARA Title III)	James Tucker	1 year
Communications Operator	Chuck Murtaugh	1 year
Fire Chief	Michael Packer	1 year
	Eric Farley	1 year
<u>ENVIRONMENTAL COMMISSION</u>		
	William J. Bittner, Jr.	3 years
	Marie Callaghan	3 years
	Virginia Horn	3 years
<u>MUNICIPAL ALLIANCE</u>		
Coordinator	Russell W. Welsh	1 year
	Kathleen Carroll	1 year
	Renee Egan	1 year
	Colleen Collins	1 year
	Sheryle Nebel	1 year
	Bruce Nordaby	1 year
	Lisa Rebel	1 year
	William Bittner, Jr.	1 year
	Rev. Steven Philipp	1 year
	Juli Anne Helder	1 year
	Christine A. Helder	1 year
	Shirley (Pat) Sutherland	1 year
	Police Chief William Whinna	1 year

# Resolution

No. 26-2017

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	<u>NAME</u>	<u>TERM</u>
<u>SENIOR CITIZENS COMMITTEE</u>		
Chairperson	Shirley (Pat) Sutherland	1 year
Secretary/Treasurer	Linda Jones	1 year

**ADOPTED** by the Governing Body of the Borough of Westville, County of Gloucester and State of New Jersey on Wednesday, January 4, 2017.

**BOROUGH OF WESTVILLE**

**Russell W. Welsh, Jr.**  
**MAYOR**

**ATTEST:**

**Christine A. Helder**  
**CMC/MUNICIPAL CLERK**

# Resolution

NO. 27-2017

## APPOINTMENT OF PUBLIC AGENCY COMPLIANCE OFFICER

**WHEREAS**, N.J.A.C. 17:27-1.1 provides that no public work contracts can be awarded nor any monies paid until the prospective contractor has agreed to contract performance which complies with an approved affirmative action program; and

**WHEREAS**, N.J.A.C. 17:27-3.5 provides that each public agency shall annually designate an officer or employee to serve as its public agency compliance officer.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough of Westville, County of Gloucester, State of New Jersey that Christine A. Helder, Municipal Clerk be appointed as the Public Agency Compliance Officer for a one-year term ending December 31, 2017.

**APPROVED** by the Governing Body of the Borough of Westville, County of Gloucester and State of New Jersey on Wednesday, January 4, 2017.

**BOROUGH OF WESTVILLE**

**Russell W. Welsh, Jr.**  
**MAYOR**

**ATTEST:**

**Christine A. Helder**  
**CMC/MUNICIPAL CLERK**

# Resolution

NO. 28-2017

**AUTHORIZING THE MAYOR OF WESTVILLE, OR HIS DESIGNEE,  
TO SIGN THE “VIRTUA AT WORK OCCUPATIONAL AND  
EMPLOYEE HEALTH SERVICES AGREEMENT” FOR 2017**

**WHEREAS**, the Borough of Westville has received and reviewed an Agreement between the Borough of Westville and Virtua; and

**WHEREAS**, after due deliberation, the Borough of Westville has determined that it is appropriate and in the best interest of the Borough of Westville to execute the “Virtua at Work Occupational and Employee Health Services Agreement” for 2017.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Westville that the Mayor, or his designee, be and is hereby authorized and directed to execute the attached Agreement with “Virtua At Work” to provide Occupational and Employee Health Services.

**APPROVED** at a regular meeting of the Council of the Borough of Westville held on Wednesday, January 4, 2017.

**BOROUGH OF WESTVILLE**

**Russell W. Welsh, Jr.  
MAYOR**

**ATTEST:**

**Christine A. Helder  
CMC/MUNICIPAL CLERK**

# Resolution

NO. 29-2017

**AUTHORIZING THE TAX COLLECTOR TO PROCESS, WITHOUT FURTHER ACTION ON THE PART OF THE GOVERNING BODY, THE CANCELLATION OF ANY PROPERTY TAX OR DELINQUENCY, OR CHARGES AND FEES IMPOSED BY THE MUNICIPALITY OF LESS THAN \$10.00**

**WHEREAS**, Governor Christie signed into law N.J.S.A. 40A:5-17-1, Section 1 of P.L.1983, c.568 (C.40A:5-17.1) an amendment to allow the Governing Body to adopt a resolution authorizing a municipal employee process, without further action on the part of the governing body, the cancellation of any property tax refund [or], delinquency, or the charges and fees imposed by the municipality of less than \$10.00 (P.L.1996, c.113, s.14)

**WHEREAS**, the Governing Body further finds and declares that the Municipal Tax Collector is qualified to process the cancellation of tax refund [or], delinquency, or the charges and fees imposed by the municipality of less than \$10.00 and;

**WHEREAS**, the Governing Body further finds and declares that it is the best interest of the citizens of the borough of Westville for the Municipal Tax Collector to be authorized to process the cancellation of tax refunds and/or delinquencies of less than ten (\$10.00) dollars in accordance with N.J.S.A. 40A:5-17-1 amendments.

**NOW, THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of Westville, that Municipal Tax Collector Christine A. Helder is hereby authorized to process the cancellation of tax refunds and/or delinquencies of less than ten (\$10.00) dollars in accordance with N.J.S.A. 40A:5-17-1 amendments during the calendar year of 2017.

**APPROVED** by the Governing Body of the Borough of Westville at a meeting held on Monday, January 4, 2017.

**BOROUGH OF WESTVILLE**

**Russell W. Welsh, Jr.  
MAYOR**

**ATTEST:**

**Christine A. Helder  
CMC/MUNICIPAL CLERK**

# Resolution

NO. 30-2017

**AUTHORIZING THE TAX COLLECTOR TO CHARGE A FEE FOR EACH TAX SALE NOTICE, OR MAILING IN LIEU OF TWO PUBLICATIONS, COSTS OF WHICH SHALL BE ADDED TO THE COST OF THE TAX SALE, NOT TO EXCEED \$25 FOR EACH SET OF NOTICES AS PERMITTED BY N.J.S.A. 54:5-26**

**WHEREAS**, N.J.S.A. 54:5-26 requires copies of the notice of a tax sale be set up in five of the most public places in the municipality, and a copy of the notice shall be published in a newspaper circulating in the municipality, once in each of the four calendar weeks preceding the calendar week containing the day appointed for the sale; and

**WHEREAS**, in lieu of any two publications, notice to the property owner and to any person or entity entitled to notice of foreclosure pursuant to section 20 of P.L.1948, c.96 (C.54:5-104.48) may be given by regular or certified mail, the costs of which shall be added to the cost of the sale in addition to those provided in R.S.54:5-38, not to exceed \$25 for each [set of notices] notice for a particular property; and

**WHEREAS**, it is the recommendation of the Tax Collector to authorize charging the fee of \$25 for each set of Tax Sale Notices, or mailings in lieu of two publications and to add the cost of mailing to the cost of the Tax Sale, due to the rising costs of postage and legal advertisements.

**NOW, THEREFORE BE IT RESOLVED** by Governing Body of the Borough of Westville that the Tax Collector be and is hereby authorized to charge a fee for each notice, or mailing in lieu of two publications.

**APPROVED** by the Governing Body of the Borough of Westville, County of Gloucester, State of New Jersey at a meeting held on Wednesday, January 4, 2017.

**BOROUGH OF WESTVILLE**

**Russell W. Welsh, Jr.  
MAYOR**

**ATTEST:**

**Christine A. Helder  
CMC/MUNICIPAL CLERK**

# Resolution

NO. 31-2017

## AUTHORIZING DISALLOWANCES FOR SENIOR CITIZENS/WIDOWS/DISABILITY PROPERTY TAX DEDUCTIONS

**WHEREAS**, there appears on the books of the Tax Collector of the Borough of Westville certain disallowances for Senior Citizen/Widow/Disability exemptions for 2017 and previous years that have been authorized by the Gloucester County Office of Tax Assessment during the year 2017; and

**WHEREAS**, it is now necessary to clear these disallowances from the tax books.

**NOW, THEREFORE BE IT RESOLVED** by Governing Body of the Borough of Westville that the Tax Collector be and is hereby authorized to clear the appropriate accounts.

**APPROVED** by the Governing Body of the Borough of Westville, County of Gloucester, State of New Jersey at a meeting held on Wednesday, January 4, 2017.

**BOROUGH OF WESTVILLE**

**Russell W. Welsh, Jr.  
MAYOR**

**ATTEST:**

**Christine A. Helder  
CMC/MUNICIPAL CLERK**

# Resolution

NO. 32-2017

## AUTHORIZING END OF YEAR CREDITS FOR SENIOR CITIZENS/WIDOWS/DISABILITY & VETERAN EXEMPTIONS

**WHEREAS**, there appears on the books of the Tax Collector of the Borough of Westville certain credits for Senior Citizen/Widow/Disability exemptions and Veteran's exemptions that have been authorized by the Gloucester County Office of Tax Assessment during the year 2017; and

**WHEREAS**, it is necessary to credit these exemptions to the proper accounts.

**NOW, THEREFORE BE IT RESOLVED** by the Borough Council of the Borough of Westville that the Tax Collector be and is hereby authorized to credit appropriate accounts.

**APPROVED** by the Governing Body of the Borough of Westville, County of Gloucester, State of New Jersey at a meeting held on Wednesday, January 4, 2017.

**BOROUGH OF WESTVILLE**

**Russell W. Welsh, Jr.**  
**MAYOR**

**ATTEST:**

**Christine A. Helder**  
**CMC/MUNICIPAL CLERK**

# Resolution

NO. 33-2017

## SOUTHERN NEW JERSEY REGIONAL EMPLOYEE BENEFITS FUND RENEWAL

**WHEREAS**, a number of public entities 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 by N.J.S.A. 11:15-3, 17:1-8.1, and 40A:10-36 et seq., and;

**WHEREAS**, the FUND was approved to become operational by the Departments of Insurance and Community Affairs and has been operational since that date, and;

**WHEREAS**, the statutes and regulations governing the creation and operation of a joint insurance fund, contain certain elaborate restrictions and safeguards concerning the safe and efficient administration of the public interest entrusted to such a FUND;

**WHEREAS**, the governing body of Borough of Westville, hereinafter referred to as "LOCAL UNIT" has determined that membership in the FUND is in the best interest of the LOCAL UNIT.

**NOW, THEREFORE, BE IT RESOLVED** that the governing body of the LOCAL UNIT hereby agrees as follows:

- i. Become a member of the FUND for the period outlined in the LOCAL UNIT's Indemnity and Trust Agreements.
- ii. Will participate in the following type (s) of coverage (s):
  - a.)Health Insurance as defined pursuant to N.J.S.A. 17B:17-4, the FUND's Bylaws, and Plan of Risk Management.
- iii. Adopts and approves the FUND's Bylaws.
- iv. Execute an application for membership and any accompanying certifications.

**BE IT FURTHER RESOLVED** that the Governing Body of the LOCAL UNIT is authorized and directed to execute the Indemnity and Trust Agreement and such other documents signifying membership in the FUND as required by the FUND's Bylaws, and to deliver these documents to the FUND's Executive Director with the express reservation that these documents shall become effective only upon:

Resolution

- i. Approval of the LOCAL UNIT by the FUND.
- ii. Receipt from the LOCAL UNIT of a Resolution accepting assessment.
- iii. Approval by the New Jersey Department of Insurance and Department of Community Affairs.

*APPROVED* by the Governing Body of the Borough of Westville, County of Gloucester and State of New Jersey on Wednesday, January 4, 2017.

**BOROUGH OF WESTVILLE**

**Russell W. Welsh, Jr.**  
**MAYOR**

**ATTEST:**

**Christine A. Helder**  
**CMC/MUNICIPAL CLERK**

## SOUTHERN NEW JERSEY REGIONAL EMPLOYEE BENEFITS FUND

### INDEMNITY AND TRUST AGREEMENT

**THIS AGREEMENT** made this 4<sup>th</sup> day of January, 2016, in the County of Gloucester, State of New Jersey, By and Between the **Southern New Jersey Regional Employee Benefits Fund** referred to as "FUND" and the governing body of the Borough of Westville a duly constituted LOCAL UNIT OF GOVERNMENT, hereinafter referred to as "LOCAL UNIT".

#### WITNESSETH:

**WHEREAS**, the governing bodies of various local units of government, as defined in N.J.A.C. 11:15-3.2, have collectively formed a Joint Insurance Fund as such an entity is authorized and described in N.J.S.A. 40A:10-36 et. seq. and the administrative regulations promulgated pursuant thereto; and

**WHEREAS**, the LOCAL UNIT has agreed to become a member of the FUND in accordance with and to the extent provided for in the Bylaws of the FUND and in consideration of such obligations and benefits to be shared by the membership of the FUND;

**NOW THEREFORE**, it is agreed as follows:

1. The LOCAL UNIT accepts the FUND's Bylaws as approved and adopted and agrees to be bound by and to comply with each and every provision of said Bylaws and the pertinent statutes and administrative regulations pertaining to same.

2. The LOCAL UNIT agrees to participate in the FUND with respect to health insurance, as defined in N.J.S.A. 17B:17-4, and as authorized in the LOCAL UNIT's resolution to join.

3. The LOCAL UNIT agrees to become a member of the FUND and to participate in the health insurance coverages offered for an initial period, (subject to early release or termination pursuant to the Bylaws), such membership to commence on **January 1, 2016** and ending on **December 31, 2018** at 12:01 AM provided, however, that the LOCAL UNIT may withdraw at any time upon 90 day written notice to the FUND.

4. The LOCAL UNIT certifies that it has never defaulted on payment of any claims if self-insured and has not been cancelled for non-payment of insurance premiums for a period of at least two (2) years prior to the date of this Agreement.

5. In consideration of membership in the FUND, the LOCAL UNIT agrees that it shall jointly and severally assume and discharge the liability of each and every member of the FUND, for the periods during which the member is receiving coverage, all of whom as a condition of membership in the FUND shall execute an Indemnity and Trust Agreement similar to this Agreement and by execution hereto, the full faith and credit of the LOCAL UNIT is pledged to the punctual payments of any sums which shall become due to the FUND in accordance with the Bylaws thereof, this Agreement or any applicable Statute. However, nothing herein shall be construed as an obligation of the LOCAL UNIT for claims and expenses that are not covered by the FUND, or for that portion of any claim or liability within the LOCAL UNIT retained limit or in an amount which exceeds the FUND's limit of coverage.

6. If the FUND in the enforcement of any part of this Agreement shall incur necessary expenses or become obligated to pay attorney's fees and/or court

costs, the LOCAL UNIT agrees to reimburse the FUND for all such reasonable expenses, fees, and costs on demand.

7. The LOCAL UNIT and the FUND agree that the FUND shall hold all moneys in excess of the LOCAL UNIT's retained loss fund paid by the LOCAL UNIT to the FUND as fiduciaries for the benefit of FUND claimants all in accordance with N.J.A.C. 11:15-3 et. seq.

8. The FUND shall establish and maintain Claims Trust Accounts for the payment of health insurance claims in accordance with N.J.S.A. 40A:10-36 et. seq., N.J.S.A. 40A:5-1 and such other statutes and regulations as may be applicable. More specifically, the aforementioned Trust Accounts shall be utilized solely for the payment of claims, allocated claim expense and stop loss insurance or reinsurance premiums for each risk or liability as follows:

- a) Employer contributions to group health insurance
- b) Employee contributions to contributory group health insurance
- c) Employer contributions to contingency account
- d) Employee contributions to contingency account
- e) Other trust accounts as required by the Commissioner of Insurance

9. Notwithstanding 8 above, to the contrary, the FUND shall not be required to establish separate trust accounts for employee contributions provided the FUND provides a plan in its Bylaws for the recording and accounting of employee contributions of each member.

10. Each LOCAL UNIT of government who shall become a member of the FUND shall be obligated to execute an Indemnity and Trust Agreement similar to this Agreement.

**SOUTHERN NEW JERSEY REGIONAL EMPLOYEE BENEFITS FUND**

**ADOPTED: January 4, 2017**

**BY:** \_\_\_\_\_  
**Russell W. Welsh, Jr. MAYOR**

**ATTEST:** \_\_\_\_\_  
**Christine A. Helder**  
**CMC/Municipal Clerk**

# Resolution

NO. 34-2017

## APPOINTING WILLIAM J. BITTNER, JR. EMERGENCY MANAGEMENT COORDINATOR

**WHEREAS**, there is a need within the Borough of Westville and the County of Gloucester to appoint an Emergency Management Coordinator.

**WHEREAS**, William J. Bittner, Jr. has agreed to take on the responsibility of Emergency Management Coordinator.

**NOW, THEREFORE BE IT RESOLVED BY THE** Governing Body of the Borough of Westville that William J. Bittner, Jr. is hereby appointed as Emergency Management Coordinator for a three year term beginning January 1, 2017 through December 31, 2019.

**APPROVED** by the Governing Body of the Borough of Westville, County of Gloucester and State of New Jersey on Wednesday, January 4, 2017.

**BOROUGH OF WESTVILLE**

**Russell W. Welsh, Jr.**  
**MAYOR**

**ATTEST:**

**Christine A. Helder**  
**CMC/MUNICIPAL CLERK**

# Resolution

NO. 35-2017

**A RESOLUTION TO AFFIRM THE BOROUGH OF WESTVILLE'S CIVIL RIGHTS POLICY WITH RESPECT TO ALL OFFICIALS, APPOINTEES, EMPLOYEES, PROSPECTIVE EMPLOYEES, VOLUNTERS, INDEPENDENT CONTRACTORS, AND MEMBERS OF THE PUBLIC THAT COME INTO CONTACT WITH MUNICIPAL EMPLOYEES, OFFICIALS AND VOLUNTEERS**

**WHEREAS**, it is the policy of the Borough of Westville to treat the public, employees, prospective employees, appointees, volunteers and contractors in a manner consistent with all applicable civil rights laws and regulations including, but not limited to the Federal Civil Rights Act of 1964 as subsequently amended, the New Jersey Law against Discrimination, the Americans with Disabilities Act and the Conscientious Employee Protection Act, and

**WHEREAS**, the governing body of the Borough of Westville has determined that certain procedures need to be established to accomplish this policy

**NOW, THEREFORE BE IT ADOPTED** by the Governing Body of the Borough of Westville that:

**Section 1:** No official, employee, appointee or volunteer of the Borough of Westville by whatever title known, or any entity that is in any way a part of the Borough of Westville shall engage, either directly or indirectly in any act including the failure to act that constitutes discrimination, harassment or a violation of any person's constitutional rights while such official, employee, appointee volunteer, or entity is engaged in or acting on behalf of the Borough of Westville's business or using the facilities or property of the Borough of Westville.

**Section 2:** The prohibitions and requirements of this resolution shall extend to any person or entity, including but not limited to any volunteer organization or inter-local organization, whether structured as a governmental entity or a private entity, that receives authorization or support in any way from the Borough of Westville to provide services that otherwise could be performed by the Borough of Westville.

**Section 3:** Discrimination, harassment and civil rights shall be defined for purposes of this resolution using the latest definitions contained in the applicable Federal and State laws concerning discrimination, harassment and civil rights.

**Section 4:** The Borough Administrator shall establish written procedures for any person to report alleged discrimination, harassment and violations of civil rights prohibited by this resolution. Such procedures shall include alternate ways to report a complaint so that the person making the complaint need not communicate with the alleged violator in the event the alleged violator would be the normal contact for such complaints.

**Section 5:** No person shall retaliate against any person who reports any alleged discrimination, harassment or violation of civil rights, provided however, that any person who reports alleged violations in bad faith shall be subject to appropriate discipline.

# Resolution

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**Section 6:** The Borough Administrator shall establish written procedures that require all officials, employees, appointees and volunteers of the Borough of Westville as well as all other entities subject to this resolution to periodically complete training concerning their duties, responsibilities and rights pursuant to this resolution.

**Section 7:** The Borough Administrator shall establish a system to monitor compliance and shall report at least annually to the governing body the results of the monitoring.

**Section 8:** At least annually, the Borough Administrator shall cause a summary of this resolution and the procedures established pursuant to this resolution to be communicated within the Borough of Westville. This communication shall include a statement from the governing body expressing its unequivocal commitment to enforce this resolution. This summary shall also be posted on the Borough of Westville's web site.

**Section 9:** This resolution shall take effect immediately.

**Section 10:** A copy of this resolution shall be published in the official newspaper of the Borough of Westville in order for the public to be made aware of this policy and the Borough of Westville's commitment to the implementation and enforcement of this policy.

*APPROVED* by the Governing Body of the Borough of Westville, County of Gloucester, State of New Jersey at a meeting held on Wednesday, January 4, 2017.

**BOROUGH OF WESTVILLE**

**Russell W. Welsh, Jr.**  
**MAYOR**

**ATTEST:**

**Christine A. Helder**  
**CMC/MUNICIPAL CLERK**

# Resolution

NO. 36-2017

## APPOINTING PUBLIC WORKS MANAGER DONNA M. DOMICO RE-CYCLING COORDINATOR

**WHEREAS**, the New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

**WHEREAS**, as part of this Act, a recycling fund, from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs, are made available; and

**WHEREAS**, municipalities can designate a Recycling Coordinator to be authorized to ensure that a grant application is properly completed and timely filed,

**WHEREAS**, it is the recommendation of the Mayor and Governing Body that Public Works Manager Donna M. Domico be appointed Recycling Coordinator for a five year term; and

**NOW, THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of Westville that Donna Domico be and is hereby appointed Recycling Coordinator, within the Borough of Westville, effective January 1, 2017 through December 31, 2021.

**ADOPTED** by the Governing Body of the Borough of Westville, County of Gloucester, State of New Jersey at a meeting held on Wednesday, January 4, 2017.

**BOROUGH OF WESTVILLE**

**Russell W. Welsh, Jr.**  
**MAYOR**

**ATTEST:**

**Christine A. Helder**  
**MUNICIPAL CLERK**