

## BOROUGH OF WESTVILLE

Regular Council Meeting

165 Broadway

April 11, 2016 ~ 7:00 p.m.

*Meeting Minutes*

Council President Ledrich called the meeting to order at 7:01 p.m., followed by the Pledge of Allegiance.

The Clerk read the public notice and roll call was taken, with the following persons in attendance:

*Present:* Council President Michael O. Ledrich, Council Members: Paul C. Mailley, Charles D. Murtaugh, Bruce Nordaby and Fritz H. Sims, Jr. Municipal Clerk/Tax Collector Christine Helder, Administrator William Bittner, Jr., Public Works Manager Donna Domico, Engineer Jon Bryson, Chief William Whinna & Solicitor Timothy Scaffidi

*Absent:* Mayor Russell W. Welsh, Jr.,

A motion to approve the Meeting Minutes from March 14, 2016 was made by Councilman Nordaby and seconded by Councilman Mailley. *Motion was unanimously approved by voice vote.*

**PUBLIC COMMENT ON AGENDA ITEMS ONLY:** No comments from the public

### **REPORTS OF THE COMMITTEES FOR MARCH**

A motion to approve the reports, as submitted, was made by Councilman Sims and seconded by Councilwoman Moan. *Motion was unanimously approved by voice vote.*

### **OLD BUSINESS**

Update on Remediation at 114 Crown Point Road by Alan Hirschfeld of Tyree Environmental Corporation (now known as Antea USA). *(Clerk Helder advised Mr. Hirschfeld was unable to attend the meeting this evening but that Public Works Manager Domico will provide information when she arrives.)*

### ***Public Hearing on:***

- ❖ **ORDINANCE NO. 6-2016 ~ AMENDING ORDINANCE NO. 02-2009 OF THE CODE OF THE BOROUGH OF WESTVILLE, IN THE COUNTY OF GLOUCESTER AND STATE OF NEW JERSEY, ENTITLED AN ORDINANCE REQUIRING THE REGISTRATION AND INSPECTION OF RENTAL PROPERTIES AND PROVIDING FOR LANDLORD RESPONSIBILITY WITHIN THE BOROUGH OF WESTVILLE**

A motion to open the meeting to the public was made by Councilman Sims and seconded by Councilman Nordaby. *Motion unanimously approved by voice vote.* A motion to close the meeting to the public was made by Councilman Mailley and seconded by Councilman Murtaugh. *Motion unanimously approved by voice vote.*

Motion to approve Ordinance No. 6-2016 was made by Councilman Mailley and seconded by Councilman Nordaby. *Motion unanimously approved by roll call vote.*

**OLD BUSINESS:** (Continued)

*Public Hearing on:*

- ❖ **ORDINANCE NO. 7-2016 ~ FOR CALENDAR YEAR 2016 TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)**

A motion to open the meeting to the public was made by Councilman Sims and seconded by Councilwoman Moan. *Motion unanimously approved by voice vote.* A motion to close the meeting to the public was made by Councilman Mailley and seconded by Councilman Murtaugh. *Motion unanimously approved by voice vote.*

Motion to approve Ordinance No. 7-2016 was made by Councilman Murtaugh and seconded by Councilman Nordaby. *Motion unanimously approved by roll call vote.*

*Public Hearing on:*

- ❖ **ORDINANCE NO. 8-2016 ~ AMENDING CHAPTER 282. SEWER RENTS, §§ 282-1. RATES, SECTION "E" ALSO AMENDING CHAPTER 282. SEWER RENTS §§ 282-4 NONPAYMENT, OF THE CODE OF THE BOROUGH OF WESTVILLE, IN THE COUNTY OF GLOUCESTER AND STATE OF NEW JERSEY**

A motion to open the meeting to the public was made by Councilman Mailley and seconded by Councilman Sims. *Motion unanimously approved by voice vote.* A motion to close the meeting to the public was made by Councilman Mailley and seconded by Councilman Murtaugh. *Motion unanimously approved by voice vote.*

Motion to approve Ordinance No. 8-2016 was made by Councilman Mailley and seconded by Councilman Nordaby. *Motion unanimously approved by roll call vote.*

*Public Hearing on:*

- ❖ **ORDINANCE NO. 9-2016 ~ AMENDING CHAPTER 336. STREETS AND SIDEWALKS, ARTICLE I. DISCHARGE OF WATER, SNOW AND ICE, §§ 336-1. DISCHARGE ON STREETS OR SIDEWALKS PROHIBITED OF THE CODE OF THE BOROUGH OF WESTVILLE, IN THE COUNTY OF GLOUCESTER AND STATE OF NEW JERSEY**

A motion to open the meeting to the public was made by Councilman Murtaugh and seconded by Councilman Mailley. *Motion unanimously approved by voice vote.* A motion to close the meeting to the public was made by Councilman Murtaugh and seconded by Councilman Mailley. *Motion unanimously approved by voice vote.*

Motion to approve Ordinance No. 9-2016 was made by Councilman Nordaby and seconded by Councilman Murtaugh. *Motion unanimously approved by roll call vote.*

**NEW BUSINESS:**

- ❖ **RESOLUTION NO. 61-2016 ~ AUTHORIZING THE BUDGET TO BE READ BY TITLE AT TIME OF THE PUBLIC HEARING**

Motion to approve Resolution No. 61-2016 was made by Councilman Murtaugh and seconded by Councilwoman Moan. *Motion unanimously approved by roll call vote.*

*Public Hearing On:*

- ❖ **2016 MUNICIPAL BUDGET**

A motion to open the meeting to the public was made by Councilman Sims and seconded by Councilman Nordaby. *Motion unanimously approved by voice vote.* A motion to close the meeting to the public was made by Councilman Mailley and seconded by Councilman Murtaugh. *Motion unanimously approved by voice vote.*

Motion to approve the 2016 Budget, as submitted, was made by Councilman Murtaugh and seconded by Councilman Mailley. *Motion unanimously approved by roll call vote.*

**FLOODING & TRAIN ISSUES:**

Administrator Bittner advised Congressman Norcross requested the Borough have a meeting with him and Sunoco about the train issues.

Administrator Bittner stated Flooding issues will soon be listed on the Agenda for changing of the Ordinance for Flood Mitigation which will be required by the State.

**NEW BUSINESS:**

- ❖ **RESOLUTION ~ AUTHORIZING THE MAYOR/OR DESIGNEE TO SIGN A CONTRACT WITH INTERNATIONAL FIREWORKS** *(for 2016 Independence Day Celebration)*  
(Motion to table the Resolution until the May 9, 2016 meeting, was made by Councilman Mailley and seconded by Councilman Murtaugh.) *Motion to table the Resolution until the May 9, 2016 meeting was unanimously approved by roll call vote.*

- ❖ **RESOLUTION NO. 62-2016 ~ AUTHORIZING THE TRANSFER OF A PAYMENT OF \$334.79 MADE TO THE TAX ACCOUNT FOR 420 BROADWAY TO BE DISTRIBUTED TO THE WATER AND SEWER ACCOUNT**  
Motion to approve Resolution No. 62-2016 was made by Councilwoman Moan and seconded by Councilman Sims. *Motion unanimously approved by roll call vote.*

- ❖ **RESOLUTION NO. 63-2016 ~ REFUNDING A HOMESTEAD TAX REBATE IN THE AMOUNT OF \$206.26 FOR BLOCK 39, LOT 28, 312 HAZEL AVENUE, FOR A TOTALLY DISABLED VETERAN**  
Motion to approve Resolution No. 63-2016 was made by Councilman Nordaby and seconded by Councilman Murtaugh. *Motion unanimously approved by roll call vote.*

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**NEW BUSINESS: (Continued)**

- ❖ **RESOLUTION NO. 64-2016 ~ AUTHORIZING THE WATER CLERK TO CREDIT MULTIPLE WATER ACCOUNTS DUE TO METER READING ERRORS**

<u>Account #</u>	<u>Address</u>	<u>Amount</u>
287	345 Woodbine Avenue	\$ 183.26
620	616 Broadway	\$ 237.02
865	517 Edgewater Avenue	\$ 61.23
1686	22 Marion Avenue	\$1,040.42
1773	118 Florence Avenue	\$ 40.76

Motion to approve Resolution No. 64-2016 was made by Councilman Murtaugh and seconded by Councilman Mailley. *Motion unanimously approved by roll call vote.*

- ❖ **REQUEST from the Gloucester County Division of Senior Services to supply transportation for Gloucester County Seniors to and from Auletto Caterers for the Senior Follies Entertainment Show on Tuesday, May 24, 2016.**

Motion to approve the request was made by Councilman Mailley and seconded by Councilman Sims. *Motion unanimously approved by voice vote.*

- ❖ **DISCUSSION ON RENEWAL OF RENTAL AGREEMENT FOR 128 CROWN POINT ROAD, Apartments "A" & "B" (contracts expire in May) (*Discussed in Executive Session*)**
- ❖ **DISCUSSION of clean-up event on River Drive, scheduled for April 16, sponsored by the Miss America Program, Miss America Services Day S.P.I.N. - Share Positive Instead of Negative**

Administrator Bittner advised in order to have the volunteers covered, the event must be officially sponsored by the Borough. Council President Ledrich commented the group will consist of Miss America girls who will be working for one hour on River Drive and Galbraith Park. Motion to approve the event was made by Councilman Murtaugh and seconded by Councilwoman Moan. *Motion unanimously approved by voice vote.*

**MONEY COLLECTED BY CLERK FOR THE MONTH OF MARCH**

Police	\$63.66
Rent	\$1,175.00
Notary	\$10.00
Death Certificates	\$430.00
Marriage Licenses	\$56.00
Certified Copies-Marriage Licenses	\$10.00
Used Car License	\$250.00
Peddlers Permits	\$50.00
Peddlers Badges	\$20.00
Cat Licenses	\$120.00
<b>TOTAL</b>	<b>\$2,184.66</b>

**BILLS & VOUCHERS:**

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

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

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

**COMMUNICATIONS:**

- ❖ Letter from John Gawason, 39 Duncan Avenue regarding noise from the Macedonia Baptist Church.  
Councilman Sims asked if any progress had been made on this issue since receiving the letter. Administrator Bittner advised the Mayor was planning to meet with Mr. Gawason and that Mr. Gawason was in attendance at the meeting to address Council.
- ❖ Gloucester County Utilities Authority Report of Audit, Year Ended October 31, 2015
- ❖ Letter from the State of New Jersey, Department of Transportation confirming approval of a \$192,000 Grant for the reconstruction of Yale Drive
- ❖ Gloucester County Utilities Authority January 13, 2016 Meeting Minutes
- ❖ Gloucester County Utilities Authority February 10, 2106 Reorganization Minutes
- ❖ Letter from the State of New Jersey, Department of Transportation, regarding Safe Routes to School
- ❖ JIF Award for "2015 Service Excellence" certificate to the Borough and Congratulations to Ed and Tim Leahy who were given the "John Wagner Safety Award" (highest level safety award)
- ❖ Notification from the New Jersey Supreme Court that Amanda Cubbler received certification on March 22, 2016, as Certified Municipal Court Administrator

**PUBLIC PORTION:**

- ❖ Joyce Lovell, 328 Summit Avenue, complained about the gardening trailer sitting on Summit Avenue and commented on the length of time the young ladies will be working in Galbraith Park. Ms. Lovell asked how much is the Budget increase and Council President Ledrich responded "3½ cents per hundred" which is about a \$43 increase to each resident. Ms. Lovell provided information on the Earth Day Clean up volunteer group. Ms. Lovell advised the Environmental Commission will provide children with information on how to grow vegetables at the Lions Club Yard Sale, this year.

PUBLIC PORTION: (Continued)

- ❖ John Gawason, 39 Duncan Avenue complained about the noise coming from the Macedonia Baptist Church. Mr. Gawason advised since occupying the building, the pastor and congregation has made excessive noise through instrumentation, yelling and screaming and stated the situation has gotten worse. Mr. Gawason stated he is 68 years old and retired and does not need the aggravation and that it's bad for his health. Mr. Gawason stated Church officials have been asked to "turn it down" and was informed by Pastor Rodney "they are working on it"; unfortunately, nothing has been done. Mr. Gawason also advised Pastor Rodney runs a business out of the Church called "To and From Transportation" and constantly has vehicles coming and going from that location and sometimes the vehicles park illegally on the East side of High Street, even though some of them have been ticketed in the past. Mr. Gawason avowed that some of the vehicles are often left idling and asked for clarification on the Idling Law and was informed by Chief Whinna and Administrator Bittner that it is a DEP violation and that he didn't think the Borough Police could enforce a DEP violation. Mr. Gawason also noted that some of the vehicles do not have a front license plate. Mr. Gawason stated that it was suggested to him that perhaps the Mayor could attend a meeting with him and Pastor Rodney to discuss the excessive noise that sometime goes from 10 a.m. to 6 p.m. on Sundays and then during the week for practice. Mr. Gawason asked for peace and quiet and observed that houses have gone up for sale near to the Church. Council President Ledrich advised Mr. Gawason that Mayor Welsh will contact him to set up a meeting to discuss the issue. Councilman Mailley asked if Mr. Gawason contacted the Police Department with this problem and he confirmed that he has called the Police for assistance. Chief Whinna stated that he reviewed the County Records and that there is only one call on record, within the past two years, from Mr. Gawason regarding a parking problem. His suggestion was for Mr. Gawason to call the Police Department as soon as the noise begins. Administrator Bittner advised Mr. Gawason that he could sign a complaint in Municipal Court. Council President Ledrich told Mr. Gawason that he just received a text from the Mayor who said he is available on Thursday evening, any time after 6 p.m. to meet with him. A tentative time was sent up for 6:30 p.m. Mr. Gawason asked Administrator Bittner for information on how to file a complaint.

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

- ❖ Councilman Nordaby congratulated Ed Leahy of the Public Works Department, on receiving the JIF Safety Award.
- ❖ Clerk Helder also acknowledged the new Certification for the Borough's Municipal Court Administrator Amanda Cubbler.
- ❖ Council President Ledrich congratulated both Ed Leahy and Amanda Cubbler on their achievements.

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**COMMENTS FROM MAYOR/COUNCIL/DEPARTMENT HEADS:**

- ❖ Councilman Nordaby offered congratulations to Officer Ewe and Remi
- ❖ Councilman Murtaugh congratulated Ed Leahy
- ❖ Municipal Clerk Helder read RESOLUTION NO. 65-2016 ~ AUTHORIZING AN EXECUTIVE SESSION TO DISCUSS EMPLOYMENT MATTERS WITHIN THE PUBLIC WORKS DEPARTMENT

A motion to approve Resolution No. 65-2016 was made by Councilman Mailley and seconded by Councilman Murtaugh. *Motion unanimously approved by voice vote.*

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*Time In: 7:30 p.m.      Time Out: 7:57 p.m.*

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- ❖ Motion to increase the rent at 128 Crown Point Road, \$25 per month for each apartment, was made by Councilman Sims and seconded by Councilman Murtaugh. *Motion unanimously approved by roll call vote.*
- ❖ Motion to hire Martin Finger (if and when Thomas Carbin terminates) and to cancel the stipend as Back Up Licensed Water Operator made by Councilman Mailley and seconded by Councilwoman Moan. *Motion unanimously approved by voice vote.*
- ❖ Public Works Manager Domico stated in absence of Alan Hirschfeld she wanted to bring Council up to date on the RIR (Remedial Investigation Report). Public Works Manager Domico stated a report on the remediation is due to the State by May 5<sup>th</sup> and Antea USA will have the information to her by April 27<sup>th</sup> so that it can be submitted to the Department of Environmental Protection. Public Works Manager Domico advised if the report is accepted, the Borough's next phase is working toward the next classification which is one step closer to the end of the project. Public Works Manager Domico confirmed the Borough has been paying 25 years for this remediation.

A motion to adjourn the meeting was made by Councilman Mailley and seconded by Councilwoman Moan. *Motion unanimously approved by voice vote.*

*The meeting was adjourned at 7:59 p.m.*

*Respectively Submitted,*

*Christine A. Helder  
CMC/Municipal Clerk*

**Next Council meeting scheduled for May 9, 2016 at 7:00 p.m.  
This is our Youth in Government Council Meeting.**