

BOROUGH OF WESTVILLE  
Regular Council Meeting  
165 Broadway  
June 15, 2015 ~ 7:00 p.m.  
*Meeting Minutes*

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Mayor Welsh called the meeting to order at 7:12 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:* Mayor Russell W. Welsh, Jr., Council President Michael O. Ledrich, Council Members: Paul C. Mailley, Charles D. Murtaugh, Donna Moan, and Fritz H. Sims, Jr.

Administrator William J. Bittner, Jr., Municipal Clerk/Tax Collector Christine A. Helder, Police Chief William Whinna, Public Works Manager Donna Domico, Engineer Jon Bryson, and Solicitor Timothy Scaffidi

*Absent:* Council Member William C. Rebel

A motion to approve the May 11, 2015 meeting minutes was made by Councilman Murtaugh and seconded by Councilwoman Moan. *Motion was approved by unanimous voice vote.*

REPORTS OF THE COMMITTEES FOR MAY

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

PUBLIC COMMENT ON AGENDA ITEMS ONLY: No Comments from the Public

OLD BUSINESS:

*Public Hearing On:*

- ❖ ORDINANCE NO. 3-2015 ~ AMENDING CHAPTER 373, SECTION 32, VEHICLES AND TRAFFIC, SCHEDULE IV, TIME LIMIT PARKING, OF THE CODE OF THE BOROUGH OF WESTVILLE.

Councilman Sims asked about the parking time and Administrator Bittner advised the parking time limit will only affect the time limit in specific areas.

A motion to open the meeting to the public made by Councilwoman Moan and seconded by Councilman Sims. *Motion unanimously approved by roll call vote.* Hearing no comment, a motion to close the meeting to the public was made by Councilman Murtaugh and seconded by Councilwoman Moan. *Motion unanimously approved by roll call vote.*

Motion to approve Ordinance No. 3-2015 was made by Councilman Murtaugh and seconded by Councilwoman Moan. *Motion unanimously approved by roll call vote.*

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### Flooding & Train Issues

Administrator Bitter advised Borough officials were scheduled to meet with Sunoco officials on Wednesday, June 17, 2015.

### NEW BUSINESS:

Bach Associates presentation on Redevelopment, Block 99. Municipal Clerk Helder reported there is a Land Use Board meeting scheduled for July 6, 2015

### Introduction of:

- ❖ **ORDINANCE NO. 4-2015 ~ AMENDING WESTVILLE CODE TO ADD A REQUIREMENT THAT A BUSINESS REGISTRATION CERTIFICATE IS REQUIRED FOR ANY PERSON CONDUCTING, OPERATING OR ENGAGING IN ANY BUSINESS LOCATED IN THE BOROUGH OF WESTVILLE**

Mayor Welsh acknowledge that Housing Official Morina inquired about a Business Ordinance. He asked that the Ordinance be placed on the Agenda and also asked Administrator Bittner to provide additional edification. Administrator Bittner stated without having this Ordinance, it's difficult for the Borough to keep track of businesses coming in and out of town. Administrator Bittner advised the Borough has a Certificate of Occupancy requirement that some businesses do not get and also stated it's important the Borough have a list of businesses to present to the public as an advertisement and to keep track of the business activity in town to make sure they are in compliance with all of the Borough's Ordinances.

General discussion took place regarding fees that could be assessed to a business that doesn't register. Councilwoman Moan asked if the Ordinance would apply to an individual who had an Avon or Tupperware business and worked out of their home. Administrator Bittner advised those types of businesses (Avon and Tupperware) could be reviewed on an individual basis; however, those individuals running a business where customers come to their home should be regulated.

Councilman Murtaugh requested the Ordinance be tabled stating he felt the Ordinance, as written, was too broad and asked that the Ordinance be tabled until specific language could be added, e.g. customers are physically coming to the location, etc. Councilwoman Moan also agreed the language in the Ordinance could be more specific.

Mayor Welsh recommended the Ordinance be returned to the Ordinance Committee and asked Council President Ledrich to sit in for Councilman Rebel. Mayor Welsh asked the committee to provide their recommendations at the July 20, 2015 council meeting.

Motion to table Ordinance No. 4-2015 to the July 20, 2105 Council Meeting was made by Councilman Murtaugh and seconded by Councilwoman Moan. *Motion unanimously approved by voice vote.*

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### NEW BUSINESS: (Continued)

- ❖ RESOLUTION NO. 73-2015 ~ AUTHORIZING ISSUANCE OF THE 2015-2016 RETAIL LIQUOR LICENSE FOR GRABBES INC., SCHILEENS PUB INC, WESTVILLE POWER BOAT ASSOCIATION INC AND THE WESTVILLE LIQUOR GROUP, LLC.

A motion to approve Resolution No. 73-2015 was made by Council President Ledrich and seconded by Councilman Mailley. *Motion unanimously approved by roll call vote.*

- ❖ RESOLUTION NO. 74-2015 ~ AUTHORIZING THE TAX COLLECTOR TO REFUND AN OVERPAYMENT OF TAXES ON THE 2<sup>ND</sup> QUARTER TO WELLS FARGO FOR BLOCK 6, LOT 19, 529 HIGHLAND AVENUE, HOMEOWNER JACQUELINE FORTINER IN THE AMOUNT OF \$835.56

A motion to approve Resolution No. 74-2015 was made by Councilman Murtaugh and seconded by Councilman Sims. *Motion unanimously approved by roll call vote.*

- ❖ RESOLUTION NO. 75-2015 ~ AUTHORIZING THE PLACEMENT OF PROPERTY MAINTENANCE LIENS

<u>Block/Lot</u>	<u>Address</u>	<u>Amount</u>
4/3	442 River Drive	\$146.73
9/2	440 Highland Avenue	\$158.42
9/3	436 Highland Avenue	\$169.81
39/21	605 Crown Point Road	\$235.92
47/44	400 Broadway	\$146.73
48/6	20-22 Pine Street	\$146.73
48/16	224-226 Broadway	\$146.73
53/1	427 Broadway	\$178.42
57/10	237 Delsea Drive	\$169.81
58/9	221 Maple Avenue	\$146.73
72/2	234 W. Olive Street	\$150.46
74/9	38 Oak Avenue	\$146.73
74/12	29 Spruce Avenue	\$146.73
95/8	102 Harvard Avenue	\$187.60

A motion to approve Resolution No. 75-2015 was made by Council President Ledrich and seconded by Councilwoman Moan. *Motion unanimously approved by roll call vote.*

Council President Ledrich remarked the grass at 40 Walnut was high and asked Public Works Manager Domico to take a look at the Property.

- ❖ RESOLUTION NO. 76-2015 ~ REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION N.J.S. 40A: 4-87 (Clean Communities Grant for \$9269.52)

A motion to approve Resolution No. 76-2015 was made by Council President Ledrich and seconded by Councilman Mailley. *Motion unanimously approved by roll call vote.*

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### NEW BUSINESS: (Continued)

- ❖ **Termination of Rita Baus, P/T Crossing Guard, effective June 11, 2015.**

Administrator Bittner advised Ms. Baus went out on medical leave some time ago and has been unable to return and since Ms. Baus has withdrawn from the Pension system, the Borough is required to submit a termination letter to the state in order for Ms. Baus to get her money back from the Pension system.

A motion to terminate Rita Bause was made by Council President Ledrich and seconded by Councilman Sims. *Motion unanimously approved by voice vote.*

### ITEMS FOR DISCUSSION: (Items Resumed from the May 11, 2015 meeting)

- ❖ **Recommendation from Administrator Bittner on rental fees at 128 Crown Point Road.**

Administrator Bittner advised based on his research, the Borough does not charge enough rent for this property and that it would be unfair to assess a large increase to the tenants at one time. Administrator Bitter recommended a \$25 monthly increase for the 2015-2016 Lease year another \$25 monthly increase for the next two years. Public Works Manager Domico added the individuals currently living in Apartments A and B are good tenants.

Motion to approve the rent increase made by Council President Ledrich and seconded by Councilman Mailley. *Motion unanimously approved by roll call vote.*

- ❖ **Report from Public Works Manager Domico on the "bump outs" along Broadway**

Public Works Manager Domico advised her department is ready to remove the "bump outs" and that she told Dave from Sperenza she would discuss removing the "bump out" from Pine Street with Mayor and Council. Public Works Manager Domico advised they will start by removing the "bump out" at Center Street. Discussion took place regarding removing the "bump out" near the Fire hydrant at Pine Street.

- ❖ **Administrator Bittner provided directions on accessing Google Calendar to track vacation and meeting times for Borough Officials**

Administrator Bittner advised the calendar submitted by the Mayor meets the Borough's needs.

### MONEY COLLECTED BY CLERK FOR THE MONTH OF MAY:

Police Reports	\$95.68
Rent	\$1125.00
Notary	\$2.50
Death Certificates	\$330.00
Marriage Licenses	\$56.00
Certified Marriage	\$10.00
Taxi	\$50.00
Street Opening	\$90.00
<b>TOTAL</b>	<b>\$1759.18</b>

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### BILLS & VOUCHERS:

The Clerk advised that the List of Bills was posted in the Hallway.

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

A motion to pay all bills and vouchers that were in order, was made by Councilman Mailley and seconded by Councilwoman Moan. *Motion unanimously approved by roll call vote. (Councilman Murtaugh abstained from voting on check no. 24046.)*

### COMMUNICATIONS:

- ❖ Letter from Donna J. Contrevo, School Business Administrator/Board Secretary regarding Requisition of Taxes for the 2015-2016 fiscal year for Gateway Regional High School.
- ❖ Letter from Scott Henry, School Business Administrator/Board Secretary regarding Requisition of Taxes for the 2015-2016 fiscal year for Parkview School
- ❖ Letter from State of New Jersey, Division of Local Government Services regarding amount to be raised by Taxation for the Fire District for 2015-2016
- ❖ New Jersey Department of Education - 2015-2016 School District Budget Statement - Tax Levy Certification Form A for Gateway Regional High School
- ❖ Letter from Robert M. Damminger, Freeholder Director regarding Clean Communities volunteers.
- ❖ Certificates of Completion for Office Staff for Technical Assistant Course  
Municipal Clerk Helder recognized officer workers, Terri Eckel, Nicole Murtaugh, Sherri Nebel and Linda Sims for their successful completion of this course.
- ❖ Resolution R:86-2015 from Monroe Township regarding the State of New Jersey Transport Trust Fund Reauthorization and Increased Funding for Local Transportation
- ❖ Resolution R:85-2015 from Monroe Township regarding the State of New Jersey Transparent Tax Act of 2015
- ❖ Letter from Les Whinna, President, Rolling Badges Law Enforcement Motorcycle Club regarding Lt. Michael Packer's assistance with their April 18 bike run
- ❖ Letter from Bach Associates regarding the Planning Proposal for Redevelopment Planning Services for Block 99, Lots 5, 6, 7, 10, 11 and 12
- ❖ Gloucester County Utilities Authority, Meeting Minutes, April 8, 2015
- ❖ Gloucester County Utilities Authority Meeting Minutes from May 13, 2015
- ❖ Thank you letter from the Parker Smith family
- ❖ Notice from PSEG requesting to Modify Its Manufactured Gas Plant Remediation Component Within Its Electric Societal Benefits Charge
- ❖ Notice from PSEG for Approval of a Gas System Modernization Program and Associated Cost Recovery
- ❖ Notice from PSEG petitioning gas rates adjustments
- ❖ Letter from the New Jersey State League of Municipalities regarding the November 17-19 conference
- ❖ Letter from Parkview School Principal Egan, thanking Mayor and Council for their contributions to the students of Parkview
- ❖ Letter from Parkview School Principal Egan, thanking Municipal Clerk Helder and Administrator Bittner for their contributions to the students of Parkview

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### COMMUNICATIONS: (Continued)

- ❖ Letter from Parkview School Principal Egan, thanking Public Works Manager Domico for her contributions to the students of Parkview
- ❖ Letter from the International Biographical Centre regarding resident Paula Compo-Pratt's (504 Almonesson) participation in the International Congress on Arts, Communications, Science & Technology

### PUBLIC PORTION:

- ❖ Florence Packer, 530 River Drive, expressed her concern about speeding along River Drive. Mrs. Packer advised she heard a neighbor hit an animal and not stop because of the excess rate of speed the individual was traveling. Mrs. Packer asked if a speed sign could be installed to remind people how fast they are going to during commuter hours and suggested perhaps an officer could be assigned to the area to deter the speeding.

Chief Whinna asked Mrs. Packer to notify the police directly for the speeding problem.

- ❖ Bonnie McDonald, 548 River Drive, also expressed her concern about the speeding issue along River Drive. Chief Whinna advised Ms. McDonald to call County Dispatch to try to catch the speeders.
- ❖ Florence Packer, 530 River Drive, addressed the 25 mph signs that are not visible in this area and possibly moving them to a better area.
- ❖ Joyce Lovell, 328 Summit Avenue, addressed the speeding on her street. Ms. Lovell talked about the debris being dumped at Delaware View. Public Works Manager Domico indicated she will take a look at the area.
- ❖ Councilman Sims asked if money is available to purchase the speed sign and Chief Whinna advised he will take a look at his budget.
- ❖ Bill Brody, 1028 Broadway, advised there have been trains, left running, sitting at the back of his yard for at least 72 hours at a time.
- ❖ Mr. Brody also commented on reinspection fees of rental properties. Mr. Brody talked about the Borough's tax sale and asked Tax Collector Helder about the monies received from the tax sale.
- ❖ Mr. Brody commented that Solicitor Scaffidi has not responded to his attorney's phone calls. Both Solicitor Scaffidi and Mayor Welsh advised Mr. Brody a written response was sent. Mr. Brody complained the letter did not answer his specific questions. He argued that since the lien holder paid the fees on his properties, he was current with his expenses and should be able to put tenants into his properties.

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### PUBLIC PORTION: (Continued)

- ❖ Tax Collector Helder advised Mr. Brody that even though a lien holder paid the fees, he is still not current on municipal charges. Mr. Brody accused the Borough of acting as a third-party collector and claimed his taxes were paid (by the lien holder). Council President Ledrich then advised Mr. Brody that as previously advised, he was not current.

Mayor Welsh advised Mr. Brody that his time before council had expired and that the Borough has responded to his concerns; however, if he needed additional information he should have his attorney contact the Borough.

Seeing no other comments, this portion of the meeting was closed to the public

### CLOSING COMMENTS FROM MAYOR/COUNCIL/ADMINISTRATOR:

- ❖ Chief Whinna reported that the “drop box” for unused/expired medications was ordered and should be delivered by the end of July. The box will be placed in the Police lobby.
- ❖ Public Works Manager Domico asked for clarification on items listed in the Engineer’s report. A discussion took place regarding the resurfacing of Ryan Avenue and Crown Point Road. Engineer Bryson provided an update on the project paperwork.
- ❖ Councilwoman Moan thanked everyone who attended the Memorial Day Ceremony and attended the Schileen’s fundraiser. Councilwoman Moan confirmed there will be no fireworks in June but rather they will be held October 17 to coincide with the Fall Festival. Councilwoman Moan asked Administrator Bittner if he could put up upload information to the web site informing people when the Fireworks will be held in order to minimize calls to Borough Hall.
- ❖ Public Works Manager Domico advised someone has been trapping turtles at the pond and Councilman Mailley advised he reviewed the tape but was unable to identify the individual. Public Works Manager Domico commented there is a \$10,000 fine for trapping each turtle.
- ❖ Councilman Murtaugh asked Public Works Manager Domico about the progress on the repairs to the Little League Clubhouse. Public Works Manager Domico stated the 1<sup>st</sup> builder was unable to complete the job so was going to contact another builder.
- ❖ Mayor Welsh advised based on Solicitor Scaffidi’s recommendation, a Resolution must be approved to authorize the Engineer to go out to bids for the Crown Point Road projects, once all approvals are received.

A motion to the authorize the Engineer to go out to bids on the Crown Point project was made Council President Ledrich and seconded by Councilman Murtaugh. *Motion unanimously approved by voice vote.*

- ❖ Mayor Welsh advised he attended a Municipal Alliance meeting earlier in the evening to look for ideas on how to utilize some of the funding. Mayor Welsh also advised that he, Municipal Clerk Helder and Administrator Bittner will be meeting with the County Municipal Alliance Fund Coordinator to establish funding parameters.

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### CLOSING COMMENTS FROM MAYOR/COUNCIL/ADMINISTRATOR: (Continued)

- ❖ Mayor Welsh commented that he along with Administrator Bittner and other Council Members will be attending a meeting with Sunoco this week.
- ❖ Mayor Welsh commented Pastor Morris from the United Methodist Church was moving down to a Church in Dennisville and that he was being replaced by Reverend Steve Filipe. Mayor Welsh advised Reverend Filipe is going to have a vacation Bible School and is asking for the Borough's help to advertise. General discussion took place on how to inform residents of the Bible School.
- ❖ Municipal Clerk Helder read EXECUTIVE RESOLUTION NO. 77-2015 AUTHORIZING AN EXECUTIVE SESSION TO DISCUSS PERSONNEL AND EMPLOYMENT MATTERS IN THE PUBLIC WORKS DEPARTMENT.

A motion to approve Resolution No. 77-2015 was made by Council President Ledrich and seconded by Councilman Sims. *Motion unanimously approved by roll call vote.*

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*Time In: 8:06 p.m.      Time Out: 9:39 p.m.*

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- ❖ Municipal Clerk Helder advised the Borough received a resignation letter from Michael Keck effective June 15, 2015.

A motion to accept, with regret, Michael Keck's letter of resignation was made by Council President Ledrich and seconded by Councilman Mailley. *Motion unanimously approved by voice vote.*

- ❖ RESOLUTION NO. 78-2015 ~ IN RECOGNITION OF HIS 26 YEARS OF SERVICE, THE GOVERNING BODY OF THE BOROUGH OF WESTVILLE AGREES TO WAIVE THE REPAYMENT OF ANY VACATION, SICK AND PERSONAL DAYS USED BY MICHAEL KECK, BUT NOT YET ACCRUED BY HIM THROUGH DECEMBER 31, 2015.

A motion to approve Resolution No. 78-2015 was made by Council President Ledrich and seconded by Councilman Sims. *Motion unanimously approved by roll call vote.*

- ❖ Authorization to move Jerome (Jake) Coleman from Laborer I in the Public Works Department to Laborer III, effective May 19, 2015.

Motion to approve Jerome Coleman's move from Laborer I to Laborer III was made by Councilman Sims and seconded by Council President Ledrich. *Motion unanimously approved by roll call vote.*

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

*The meeting was adjourned at 9:42 p.m.*

*Respectively Submitted,*

*Christine A. Helder  
CMC/Municipal Clerk*

**Next meeting scheduled for July 20, 2015 @ 7:00 p.m.**