

BOROUGH OF WESTVILLE
Regular Council Meeting
165 Broadway
February 9, 2015~ 7:00 p.m.
Meeting Minutes

Council President Ledrich called the meeting to order at 7:06 p.m., followed by the Pledge of Allegiance.

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

Present: Council President Michael O. Ledrich, Council Members: Donna Moan, Charles D. Murtaugh, Paul C. Mailley and Fritz H. Sims, Jr.

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

Absent: Mayor Russell W. Welsh, Jr., Council Member William C. Rebel and Public Works Manager Donna Domico

A motion to approve the January 28, 2015 meeting minutes was made by Councilman Mailley and seconded by Councilwoman Moan. *Motion was approved by unanimous voice vote.*

REPORTS OF THE COMMITTEES FOR JANUARY

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

LICENSES:

APPLICATIONS FOR 2015 AMUSEMENT GAMES

- Schileens Pub (32 Delsea Drive)
- Hot Shots (500 Gateway Boulevard)
- Tower Tavern (32 River Drive)

APPLICATIONS FOR 2015 USED CAR LICENSE

- Aces Auto Sales (130 Gateway Boulevard)

A motion to approve the 2015 Amusement Games and Used Car License was made by Councilman Murtaugh and seconded by Councilman Sims. *Motion was unanimously approved by voice vote.*

PUBLIC COMMENT ON AGENDA ITEMS ONLY: No Comments Received

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OLD BUSINESS:

- ❖ **Flooding.** Administrator Bittner advised there would be a Public Hearing this evening on the Borough's Flood Mitigation Plan and that the County had hired a consultant to formulate a County Plan. Discussion took place on areas prone to flooding in the Borough and plans to mitigate the problems and apply for funding for storm water and drainage projects.
- ❖ **Train Issues.** Administrator Bittner mentioned the train issues would be discussed in the Closed Session part of the meeting.

NEW BUSINESS:

- ❖ ***PUBLIC HEARING*** on:

Flood Mitigation Plan – (Meeting attendees were asked to sign their name on the Sign-In Sheet)

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

- ❖ **REQUEST** from the Bible Church of Westville to hold their Annual Sunrise Service on Sunday, April 5, 2015 from 6 a.m. to 7:30 a.m. at the Thomas West Park.

A motion to approve the request was approved by Councilman Murtaugh and seconded by Councilman Mailley. *Motion was unanimously approved by voice vote.*

- ❖ **MEMORANDUM OF UNDERSTANDING FROM THE OFFICE OF EMERGENCY MANAGEMENT (OEM)**

Administrator Bittner advised the OEM requires the Borough to file any paperwork, specific to Emergency Management events, through their computer system. Administrator Bittner further advised, in order to access the OEM system, the Borough must approve the Memorandum of Understanding. Administrator Bittner commented he, along with the Clerk and Deputy Emergency Management Coordinator are the individuals who can access the system.

A motion to approve the Memorandum of Understanding was made by Councilman Murtaugh and seconded by Councilwoman Moan. *Motion was unanimously approved by voice vote.*

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NEW BUSINESS: (Continued)

❖ **CONTRACT** from Otis Elevator Company for the elevator at 167 Broadway

Administrator Bittner stated the warranty for the elevator at 167 Broadway expired as of January 31, 2015 and the new contract has a cost of \$220 per month which includes maintenance and inspections and he wanted to inform Council this expense will be a budget item. Solicitor Scaffidi confirmed the length of the contract is 5 years with a 90 day notice to terminate the contract.

A motion to authorize the Administrator to sign the contract was made by Councilwoman Moan and seconded by Councilman Sims. *Motion was unanimously approved by roll call vote.*

❖ **RESOLUTION NO. 37-2015 ~ AUTHORIZING THE TRANSFER OF PAYMENTS FROM TAX ACCOUNTS TO SEWER ACCOUNTS** (payments were incorrectly credited to the Tax Accounts)

<u>Block/Lot</u>	<u>Address</u>	<u>Amount</u>
55/10	113 Oak Avenue	\$ 40.00
38/20	300 Elm Avenue	\$100.00

A motion to approve Resolution No. 37-2015 was made by Councilman Mailley and seconded by Councilwoman Moan. *Motion was unanimously approved by roll call vote.*

MONEY COLLECTED BY THE CLERK IN JANUARY

Police Reports	\$174.19
Rent	\$1,125.00
Death Certificates	\$430.00
Marriage Licenses	\$56.00
Certified Marriage	\$20.00
Amusement Licenses	\$20.00
Used Car Licenses	\$750.00
Cat Licenses	\$25.00
TOTAL	\$2,600.19

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 Councilman Murtaugh and seconded by Councilman Mailley. *Motion unanimously approved by voice vote.*

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

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COMMUNICATIONS

- ❖ Letter from Federici & Akin regarding the Water Main Replacement Project
- ❖ Letter from Federici & Akin regarding the 2015 Water Allocation Permit Application
- ❖ ANNUAL TAX COLLECTOR'S REPORT for the year ending December 31, 2014, as required by State Statute
- ❖ Letter from COMCAST, along with a check in the amount of \$14,223.21, for the 2014 municipal rights-of-way
- ❖ Letter to the Mayor from State Senator Nilsa Cruz-Perez requesting a meeting to discuss the state of the district
- ❖ Resolution from the Borough of Tinton Falls and the Township of Harrison recognizing and honoring the service of Law Enforcement Officers
- ❖ Letter from PSE&G regarding 2015 Construction Plans
- ❖ Letter from Archer & Greiner regarding Sunoco Partners - request for information regarding Tax Assessments on properties in the Park Avenue area.

PUBLIC PORTION:

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

- ❖ Bob McCullough, 133 Hunter Avenue, discussed the change in the plowing direction on Hunter Avenue that now leaves the snow on his side of the street, which is the "no parking" side. Mr. McCullough stated for 45 years the Borough has put the snow on the parking side but this year the snow was plowed to the "no parking" side and blocks his driveway. He further stated that due to his age and health, he is unable to shovel the snow that's left in his driveway. Council President Ledrich stated he lives on Walnut and the snow has always been plowed to the "no parking" side of the street.
- ❖ Joyce Lovell, 328 Summit Avenue asked about the Flood Mitigation Plan.

Ms. Lovell asked if homes on Edgewater would be affected and Administrator Bittner stated the Borough would not be buying homes on Edgewater Avenue. Ms. Lovell asked if there were any plans to help individuals whose property floods on a regular basis, such as bulkheads. Administrator Bittner stated the expense for a project like that would be astronomical and would severely affect taxpayers. Additional discussion took place on flooding in the Borough as well as Blue Acres funding. Ms. Lovell stated she would research Blue Acres funding and report back to Mayor and Council.
- ❖ Municipal Clerk Helder advised this year's Movie in the Park is "Maleficent" and is scheduled for May 22nd and that information will be uploaded to the web site.

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COMMENTS FROM MAYOR/COUNCIL/DEPARTMENT HEADS:

- ❖ Councilman Sims followed up on the privatization of Trash/Recycling. Administrator Bittner advised the information would be sent to Solicitor Scaffidi for review and if all was in order and the Borough desired to move forward, the next step would be to advertise for bids.

Municipal Clerk Helder read EXECUTIVE RESOLUTION NO. 38-2015, AUTHORIZING AN EXECUTIVE SESSION TO DISCUSS LITIGATION IN THE POLICE DEPARTMENT AND NEGOTIATION MATTERS REGARDING THE SALE OF LANDS

A motion to approve Resolution No. 38-2015 was made by Councilman Sims and seconded by Councilman Murtaugh. *Motion unanimously approved by roll call vote.*

[Time In: 7:26 p.m. Time Out: 8:30p.m.]

- ❖ Solicitor Scaffidi advised the first matter discussed in the Closed Session was a Pending Litigation Matter in the Police Department. He noted that based on the recommendation of the Insurance Representative's Attorney and the JIF Executive Board, it was decided to resolve that matter. Solicitor Scaffidi confirmed the Committee gave their approval to authorize a settlement.

Solicitor Scaffidi also advised that in the second matter, Sunoco Redevelopment Agreement Terms and Conditions, he will reach out to Sunoco to continue discussions.

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

The meeting was adjourned at 8:36 p.m.

Respectively Submitted,

*Christine A. Helder
CMC/Municipal Clerk*

Next meeting scheduled for March 16, 2015 @ 7:00 p.m.