

## BOROUGH OF WESTVILLE

Regular Council Meeting  
165 Broadway  
February 8, 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, Donna Moan, 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 January 11, 2016 was made by Councilman Sims and seconded by Councilwoman Moan. *Motion was unanimously approved by voice vote.*

### PUBLIC COMMENT ON AGENDA ITEMS ONLY:

Joyce Lovell, 328 Summit Avenue, inquired about the Ordinance amending Sewer rates and asked if that was also for water. Council President Ledrich advised the Ordinance was for Sewer only. Ms. Lovell also asked about the Senior Citizens rate. Administrator Bittner advised nothing changed pertaining to gallonage, only the rates and confirmed the Senior Citizen rate had not changed.

Ms. Lovell asked since the Executive Meeting Minutes from January 11, 2016 were approved, could someone comment on what was discussed, specific to the sale of the water and sewer. Solicitor Scaffidi advised, although the Minutes were approved, the matter was considered pre-contractual and as long as there are ongoing discussions, the information cannot be released. Ms. Lovell asked "if and when you decide to sell the ground out from under us, will you put that to a public vote". Solicitor Scaffidi responded, yes it would be a public vote.

### REPORTS OF THE COMMITTEES FOR DECEMBER

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

**OLD BUSINESS:**

*Public Hearing On:*

- ❖ **ORDINANCE NO. 1-2016 ~ SALARY AND WAGE ORDINANCE OF THE BOROUGH OF WESTVILLE**

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

Motion to approve Ordinance No. 1-2016 was made by Councilman Murtaugh and seconded by Councilman Sims. *Motion unanimously approved by roll call vote.*

*Public Hearing On:*

- ❖ **ORDINANCE NO. 2-2016 ~ RESCINDING BOROUGH CODE, CHAPTER 142, CONSTRUCTION CODES, UNIFORM §142-5 FEES**

A motion to open the meeting to the public was made by Councilman Nordaby and seconded by Councilman Murtaugh. *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. 2-2016 was made by Councilman Sims and seconded by Councilman Mailley. *Motion unanimously approved by roll call vote.*

*Public Hearing On:*

- ❖ **ORDINANCE NO. 3-2016 ~ AMENDING BOROUGH CODE, CHAPTER 142, SECTION 5, UNIFORM CODE (§142-5) CONSTRUCTION CODES, FEES**

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

Motion to approve Ordinance No. 3-2016 was made by Councilman Mailley and seconded by Councilman Murtaugh. *Motion unanimously approved by roll call vote.*

OLD BUSINESS: (Continued)

*Public Hearing On:*

- ❖ **ORDINANCE NO. 4-2016 ~ AMENDING CHAPTER 282 SEWER RENTS, OF THE BOROUGH OF WESTVILLE**

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

Motion to approve Ordinance No. 4-2016 was made by Councilman Mailley and seconded by Councilwoman Moan. *Motion unanimously approved by roll call vote.*

- ❖ DISCUSSION OF WATER AND SEWER SHUT-OFF/ORDINANCE, at the request of the Water/Sewer Committee took place.

Councilman Sims advised the Public Works Committee was charged with the task of reviewing the Water and Sewer shut-off procedures. Councilman Sims stated, based on his discussions with the Superintendent, the Committee will make a recommendation to change the current Ordinance that allows homeowners to be two quarters and 10 days delinquent before having the water shut off. The recommendation will be that after one quarter, a notice will be sent out to homeowner informing them that the water must be paid by a specific date, if not, the water will be shut off. Councilman Sims commented he was looking for feedback from Council before forwarding the recommendation to change the Ordinance to the Ordinance Committee. Public Works Manager Domico advised the Sewer Ordinance states Sewer can be turned off after two quarters, whereas the Water Ordinance doesn't specify. Public Works Manager Domico suggested the Water Ordinance should model the Sewer Ordinance so that they are the same. Public Works Manager Domico advised the shut offs should take place at the beginning of a month and Councilman Sims stated by changing the Ordinance, the Borough would experience savings in postage charges. Discussion took place regarding implementing a potential Ordinance change. Public Works Manager Domico also advised for the multi-family units, the Board of Health requires that a notice be posted so residents can contact the landlord. Public Works Manager Domico stated she spoke with the office Water/Sewer Clerk and confirmed they are all on the same page.

Councilman Sims advised this issue will be forwarded to the Ordinance Committee.

FLOODING & TRAIN ISSUES

- ❖ Councilman Murtaugh confirmed with Police Chief Whinna that he contacts the New Jersey Department of Transportation when Route 45 floods.

**NEW BUSINESS:**

❖ **RESOLUTION NO. 42-2016 ~ AUTHORIZING CANCELLATION OF UNCOLLECTIBLE TAXES**

Tax Collector Helder advised there is a small parcel of land on West Olive Street that is assessed to “unknown owner” and because of the “unknown owner” status the Borough is unable to collect taxes. Tax Collector Helder further advised because the Borough is unable to collect taxes, the money keeps going into an arrears account. Tax Collector Helder stated rather than have the money continually go into an Arrears Account, she would like Council approve the Resolution for cancellation of the Uncollectible Taxes.

Motion to approve Resolution No. 42-2016 was made by Councilman Murtaugh and seconded by Councilman Sims. *Motion unanimously approved by roll call vote.*

❖ **RESOLUTION NO. 43-2016 ~ AUTHORIZING SUBMISSION AND AUTHORIZATION TO SIGN A STRATEGIC PLAN FOR THE GOVERNOR’S COUNCIL ON ALCOHOLISM AND DRUG ABUSE FOR THE FISCAL GRANT CYCLE YEAR JULY 1, 2016 THROUGH JUNE 30, 2017**

Motion to approve Resolution No. 43-2016 was made by Councilwoman Moan and seconded by Councilman Murtaugh. *Motion unanimously approved by roll call vote.*

❖ **RESOLUTION NO. 44-2016 ~ AUTHORIZATION TO APPLY FOR A 2015 RECYCLING TONNAGE GRANT**

Motion to approve Resolution No. 44-2016 was made by Councilman Nordaby and seconded by Councilwoman Moan. *Motion unanimously approved by roll call vote.*

**LICENSES:**

❖ **APPLICATIONS FOR 2016 USED CAR LICENSE**

- American Auto World (Benjamin Silverman, 108 Broadway)
- Broadway Auto Sales (Joseph Rizzari, 137 Broadway)
- Pellegrino Chevrolet (Mark Pellegrino, 1000 Gateway Boulevard)

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

❖ **APPLICATIONS FOR 2016 AMUSEMENT GAMES**

- Grabbe’s (21 Delsea Drive)

Motion to approve the license was made by Councilwoman Moan and seconded by Councilman Nordaby. *Motion unanimously approved by voice vote.*

❖ **ANNUAL TAX COLLECTOR’S REPORT for the year ending December 31, 2015 as required by State Statute to be submitted by March 1<sup>st</sup> of each year.**

Motion to accept the report was made by Councilman Murtaugh and seconded by Councilman Sims. *Motion unanimously approved by voice vote.*

**NEW BUSINESS:**

- ❖ Letter from Janet Lesko, President-Library Board of Trustees regarding filling two vacancies on the Trustees Board.

Council President Ledrich advised Mayor Welsh will take care of appointing trustees to the Board

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

Police	\$68.90
Rent	\$600.00
Death Certificates	\$425.00
Marriage Applications	\$28.00
Certified Copies-Marriage Licenses	\$20.00
Amusement Games	\$10.00
Used Car License	\$500.00
Cat License	\$10.00
<b>TOTAL</b>	<b>\$1661.90</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 Councilwoman Moan 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 Sims. *Motion unanimously approved by roll call vote.*

**COMMUNICATIONS:**

1. Letter from Girl Scout Troop 61644 asking to adopt a piece of Borough property (along River Drive) for the Bronze Award Project. (Clerk will notify Girl Scout Troup of decision and request confirmation of location.)  
Motion to approve the request made by Councilman Murtaugh and seconded by Councilman Sims. *Motion unanimously approved by voice vote.*
2. Letter from the State of New Jersey, Department of Transportation regarding the executed contract for the Route 47 Grove Street to Route 130, Pavement Project (Water and Sewer Departments)
3. Letter from the Governor's office regarding the DEP Clean Water Financing Program/State Revolving Fund
4. Letter from the Gloucester County Utilities Authority regarding Estimated Annual Usage for the Fiscal Year 2016
5. Gloucester County Utilities Authority November 12, 2015 meeting minutes
6. Gloucester County Utilities Authority December 9, 2015 meeting minutes
7. Letter from the Gloucester County Utilities Authority regarding adoption of Resolution No. 2016-029, which amends the Authority's Sanitary Sewerage Connection fee for 2016
8. Letter from American Water regarding their petition to Change the Levels of its Purchased Water Adjustment Clause and Purchased Wastewater (Sewerage) Treatment Adjustment Clause

**COMMUNICATIONS: (Continued)**

9. Notice from PSE&G regarding NJDEP Division of Land Use Regulation Program application they submitted.
10. Letters from T&M Associates regarding a Redevelopment Project in the City of Gloucester (full copy of the Map is available for viewing at the Clerk's office.)
11. Letter and check from COMCAST for \$15,252.83 for Use of Municipal Rights-of-Way

**PUBLIC PORTION OF THE MEETING:**

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

Council President Ledrich advised those in attendance, wanting to address Council, to speak into the microphone and to provide their name and address.

- ❖ Joyce Lovell, 328 Summit Avenue, asked for clarification on the water/sewer issue to confirm the question would be put on a referendum so that the residents could vote on the subject matter. Ms. Lovell also discussed snow removal.
- ❖ Susan Opie, 628 River Drive, commented she emailed Mayor Welsh regarding the Tax Abatement Ordinance 350-3 and was hopeful Council would consider extending the Ordinance that would permit her a tax abatement.

Council President Ledrich informed Ms. Opie that Council received and read her email and also advised her the Solicitor completed a sample Tax Abatement Ordinance to extend the one that expired. Council President Ledrich advised Ms. Opie the Ordinance Committee has begun working on this issue and asked Ms. Opie if she started the project, to which she replied no. Council President Ledrich provided details on the procedure regarding publication of Ordinances and confirmed she would have 30 days to apply for the Abatement once she receives the Certificate of Occupancy. Council President Ledrich assured Ms. Opie that the Ordinance Committee is working on this issue and should have something together by the March 11, 2016 meeting.

Councilman Murtaugh suggested Council introduce the Ordinance in title only tonight:  
Motion to Introduce Ordinance No. 5-2016,

ORDINANCE NO. 5-2015 ~ READOPTING ORDINANCE #29-04 ADOPTED ON DECEMBER 29, 2004 (RE-CODIFIED AS CHAPTER 350: TAXATION) ESTABLISHING TAXATION AND SPECIAL IMPROVEMENTS FOR CERTAIN COMMERCIAL IMPROVEMENTS AND PROJECTS, RESIDENTIAL DWELLINGS AND MULTIPLE DWELLINGS AND ANY SUBSEQUENT AMENDMENTS THERETO PURSUANT TO N.J.S.A. 40A:21-1 was made by Councilman Murtaugh and seconded by Councilman Mailley. *Motion unanimously approved by roll call vote.*

Councilman Murtaugh asked Administrator Bittner if there was anything detrimental in doing this and Administrator Bittner commented he was not sure the Borough needed to get DCA approval on re-adoption.

COMMENTS FROM MAYOR/COUNCIL/DEPARTMENT HEADS

- ❖ Public Works Manager Domico asked for Ordinance Committee to consider passing a “No Parking’ on the Streets Snow Ordinance and reminded everyone that Broadway and Almonesson are snow emergency routes. She advised Council that with the last storm, Public Works sent letters out to residents asking them to park in Municipal Lots so that their cars would not hinder plowing.
- ❖ Engineer Bryson advised the Crown Point Road Resurfacing Project was currently in a holding pattern due to the weather and the plans and specifications for the Ryan Avenue Project are complete. He advised he will distribute them to the Borough for review and approval and, if approved, will be sent to the Department of Transportation.
- ❖ Councilman Sims asked Administrator Bittner if the Graffiti Ordinance fell under Housing Inspector Morina’s area of responsibility. Administrator Bittner replied he thinks it’s the Police or anyone with enforcement powers. Councilman Sims advised the reason he is asking is that the new train polls and bases that were recently installed have been graffitied. Discussion took place regarding buildings that have been “tagged” and removing the graffiti from buildings and structures.
- ❖ Councilman Murtaugh thanked Public Works Manager Domico for re-installing the Herb Neilio sign.
- ❖ Councilman Mailley stated he will share the “celebration” dates at the conclusion of the meeting.
- ❖ Municipal Clerk Helder read RESOLUTION NO. 45-2016 ~ AUTHORIZING AN EXECUTIVE SESSION TO DISCUSS PERSONNEL MATTERS WITHIN THE POLICE DEPARTMENT

A motion to approve Resolution No. 45-2016 was made by Councilman Murtaugh and seconded by Councilman Nordaby. *Motion unanimously approved by voice vote.*

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*Time In: 7:39 p.m.      Time Out: 7:57 p.m.*

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

*The meeting was adjourned at 7:57 p.m.*

*Respectively Submitted,*

*Christine A. Helder  
CMC/Municipal Clerk*

**Next meeting scheduled for March 14, 2016 at 7:00 p.m.**