

BOROUGH OF WESTVILLE

Regular Council Meeting

165 Broadway

April 10, 2017 - 7:00 p.m.

Meeting Minutes

Mayor Welsh called the meeting to order at 7:00 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:

Mayor Russell W. Welsh, Jr., Council President Michael O. Ledrich, Council Members: Donna Moan, Paul C. Mailley, Charles D. Murtaugh, Bruce Nordaby and Fritz H. Sims, Jr. Administrator William J. Bittner, Jr., Clerk Helder, Public Works Manager Domico, Solicitor Scaffidi and Chief Whinna

A motion to approve the meeting minutes of March 13, 2017 was made by Councilman Sims and seconded by Councilman Mailley. *Motion was unanimously approved by voice vote.*

PUBLIC COMMENT ON AGENDA ITEMS ONLY: No Comments from the public were received

Mayor Welsh presented a Proclamation to Administrator William J. Bittner, Jr. who will retired on May 1, 2017.

Councilwoman Moan thanked Administrator Bittner for all he has done for the Borough and wished him well in his future endeavors.

Councilman Nordaby also wished Administrator Bittner well in his future endeavors.

Council President Ledrich stated he learned a lot from Administrator Bittner and wished him well on his future endeavors.

Solicitor Scaffidi stated he respected Administrator Bittner immensely and wished him well on his retirement.

Councilman Sims advised the Borough is losing a wealth of knowledge and wished him well on his retirement.

Councilman Murtaugh advised it was a pleasure working with Administrator Bittner and wished him good luck on his retirement.

Councilman Mailley stated he will miss Administrator Bittner's knowledge of the Borough and congratulated him on his retirement.

Public Works Manager Domico stated she will miss their colorful discussions and the passion they both share for the Borough and wished him well.

Engineer Bryson wished Administrator Bittner well on his retirement.

CFO Bruno wished Administrator Bittner good luck on his retirement.

Chief Whinna stated Administrator Bittner had been a mentor to him as well as other officers and wished him well.

Christopher Powell from Hardenbergh Insurance Company spoke and wished Administrator Bittner well on his retirement.

Lt. Michael Packer spoke on behalf of his father, William C. Packer, congratulating Bill on his retirement and wished him well.

Administrative Staff Member Terri Eckel thanked Administrator Bittner for "protecting the staff when, on a rare occasion, a disgruntled individual was at the front window."

Former Council Member George Baker stated he worked with Administrator Bittner during his tenure on Council and thanked him for all of his hard work.

Mayor Welsh reminded meeting attendees to stop by the Administrative Offices on Tuesday, April 18, 2017 for an "Open House" to get a chance to say goodbye to Administrator Bittner.

Administrator Bittner thanked everyone for their support throughout his tenure at the Borough.

REPORTS OF THE COMMITTEES FOR MARCH:

A motion to approve the reports, as submitted, was made by Council President Ledrich and seconded by Councilman Nordaby. *The motion was unanimously approved by voice vote.*

OLD BUSINESS: Nothing to report.

NEW BUSINESS:

Introduction of:

❖ **ORDINANCE NO. 4-2017 ~ AMENDING THE 2017 SALARY AND WAGE ORDINANCE NO. 1-2017**

Mayor Welsh advised that Ordinance 4-2017~Admending the 2017 Salary and Wage Ordinance No. 1-2017 was being moved to the end of the agenda for discussion.

Introduction of:

❖ **ORDINANCE NO. 5-2017 ~ TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45-14)**

A motion to approve Ordinance No. 5-2017 was made by Council President Ledrich and seconded by Councilman Mailley. *The motion was unanimously approved by roll call vote.*

❖ **RESOLUTION NO. 67-2017 ~ ALLOWING FOR SELF EXAMINATION OF THE 2017 BUDGET**

A motion to approve Resolution No. 67-2017 was made by Councilman Murtaugh and seconded by Councilman Nordaby. *The motion was unanimously approved by roll call vote.*

NEW BUSINESS: (Continued)

Introduction of:

❖ **2017 MUNICIPAL BUDGET (In Title Only)**

Council President Ledrich advised the Committee met, went over the budget extensively and they are comfortable moving forward with the Chief Financial Officer's recommendation. A motion to approve the Municipal Budget, In Title Only, was made by Council President Ledrich and seconded by Councilman Sims. *The motion was unanimously approved by roll call vote.*

❖ **RESOLUTION NO. 68-2017 ~ AUTHORIZING EXECUTION OF A SHARED SERVICES AGREEMENT BY AND BETWEEN THE BOROUGH OF WESTVILLE AND THE BOROUGH OF BROOKLAWN RELATIVE TO THE SERVICES OF AN ADMINISTRATOR BY AND FOR THE BOROUGH OF WESTVILLE**

A motion to approve Resolution No. 68-2017 was made by Council President Ledrich and seconded by Councilman Sims. *The motion was unanimously approved by roll call vote.* Mayor Welsh explained the purpose of this Resolution was to hire Ryan Giles as Administrator Bittner's replacement. Mr. Giles is the Administrator/CFO and Municipal Clerk for Brooklawn.

❖ **RESOLUTION NO. 69-2017 ~ AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO SIGN THE REWARDS PROGRAM SERVICES AGREEMENT WITH RECYCLEBANK**

A motion to approve Resolution No. 69-2017 was made by Councilman Murtaugh and seconded by Councilman Mailley. *The motion was unanimously approved by roll call vote.*

❖ **RESOLUTION NO. 70-2017 ~ CREDITING WATER ACCOUNT NUMBERS 338 AND 822 DUE TO A METER READING ERROR (6 Timber Avenue and 221 Maple Avenue)**

A motion to approve Resolution No. 70-2017 was made by Council President Ledrich and seconded by Councilman Sims. *The motion was unanimously approved by roll call vote.*

❖ **RESOLUTION NO. 71-2017 ~ APPOINTING NICOLE O'HARA AS LAND USE BOARD SECRETARY EFFECTIVE APRIL 10, 2017**

A motion to approve Resolution No. 71-2017 was made by Councilman Mailley and seconded by Councilman Nordaby. (Mayor Welsh advised, for the record, Councilman Murtaugh stepped down from the dais during the vote.) *The motion was unanimously approved by roll call vote.*

APPLICATIONS FOR 2017 AMUSEMENT GAMES

- Westville Discount Liquors (500 Gateway Boulevard)
- Tower Tavern (32 River Drive)

A motion to approve the Amusement Games licenses was made by Council President Ledrich and seconded by Councilman Sims. *The motion was unanimously approved by roll call vote.*

A **letter** of resignation was received from Amanda Cubbler, Municipal Court Administrator, effective April 6, 2017.

A motion to accept Ms. Cubbler's letter of resignation was made by Council President Ledrich and seconded by Councilman Nordaby. *The motion was unanimously approved by voice vote.*

NEW BUSINESS: (Continued)

- ❖ **A letter** of resignation was received from Nicholas Medwinter, Laborer in Public Works Department, effective March 29, 2017.
A motion to accept Mr. Medwinter's letter of resignation was made by Councilman Nordaby and seconded by Councilman Murtaugh. *The motion was unanimously approved by voice vote.*

- ❖ **A letter was received** from Michael Hess regarding redirecting his water runoff into the sewer system and the charges associated with the change.
Public Works Manager Domico advised that the property is a problem and it never stops pumping water and children who walk to school deal with the ice and stagnant water. She also advised Mr. Hess is a plumber and he will take care of the problem and that he applied for an extension to complete the project. Councilman Sims advised the request should be consistent with the Borough Ordinance. General discussion took place regarding sump pumps draining into the streets.
A motion to extend Mr. Hess' compliance with Borough Ordinance until the May 8, 2017 council meeting was made by Councilman Murtaugh and seconded by Council President Ledrich. Public Works Manager Domico confirmed she will send a letter to Mr. Hess regarding Council's decision.

- ❖ **REQUEST** from Chris Guida to use the Baseball Field at Park Avenue for SJ Expos (Men's Hardball League) on Sunday mornings from 9:00 a.m. to noon. *(all forms, including hold harmless and insurance, completed and submitted)*
Council President Ledrich advised the SJ Expos team has been using the field for years.
A motion to approve Chris Guida's request for the SJ Expos was made by Council President Ledrich and seconded by Councilman Murtaugh. *The motion was unanimously approved by voice vote.*

- ❖ **REQUEST** from Wayne Baker to use the Baseball Field at Park Avenue for the Gloucester County Phillies on Sunday mornings from 9:00 a.m. to noon. *(no forms submitted)*
Council President Ledrich advised that based on the Committee's review of the request submitted by Mr. Baker, it appears they have a field at Washington Lake Park. It was also suggested by Council President Ledrich that the two teams could possibly share the field.

- ❖ **A request** was received from Donna Domico to use the Girls' Softball field on Klinger Avenue and Almonesson Road for the Gloucester County Women's Softball League on Tuesdays and Thursdays, April through July.
Councilman Murtaugh advised he had spoken with Little League President Bobiak who is okay with the request.
A motion to approve the request was made by Councilwoman Moan and seconded by Council President Ledrich. *The motion was unanimously approved by voice vote.*

NEW BUSINESS: (Continued)

- ❖ **A letter was received** from John Gawason, 39 Duncan Avenue, regarding continuing excessive noise problems with the Macedonia Baptist Church. Mr. Gawason advised the Church is small and they use an amplifier which only increases the noise level. He claimed that with the use of the amplifiers, not only can you hear the noise outside, but also in his living room. Mr. Gawason commented he had several conversations with the Pastor and requested he turn off the amplifier. Mr. Gawason provided information on the frequency of services at the Church and the businesses the Pastor runs from the facility. Mr. Gawason advised he's had several conversations with the Pastor who has refused to turn the volume down.

Mayor Welsh advised the Police were at the Church on two different occasions and based on their assessment, felt the noise level was within acceptable levels.

A lengthy discussion took place regarding Mr. Gawason using the Court system to attempt to solve the problem with Solicitor Scaffidi providing input. Mayor Welsh agreed to sit with Mr. Gawason, at his home, on Sunday, April 23, 2017 to listen to the noise coming from the Church.

Mayor Welsh suggested the Celebrations Committee Report be the next item on the agenda so that the young people could go home and get ready for school.

CELEBRATIONS COMMITTEE REPORT

- ❖ Councilman Mailley stated the Committee reviewed its finances and upcoming fundraisers and would like to propose the Borough hold a Fireworks show on Saturday, June 24, 2017 on River Drive and that the Fall Festival be held on September 30, 2017 in an attempt to attract more vendors. Councilman Mailley confirmed the Committee is relying on the upcoming Fundraisers to meet their financial goals.

Public Works Manager Domico requested permission to contact Parkview School so that they can send out an email asking for volunteers for the Celebrations Committee.

Money collected by Clerk for March:

Police	\$41.00
Rent	\$1,225.00
Notary	\$2.50
Death Certificates	\$410.00
Marriage Licenses	\$140.00
Certified Copies- Marriage Licenses	\$60.00
Amusement Licenses	\$620.00
Peddler Licenses	\$35.00
Cat License	\$20.00
200 Ft. List	\$20.00
TOTAL	\$2,573.50

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 Councilman Nordaby and seconded by Council President Ledrich. *Motion unanimously approved by roll call vote.*

COMMUNICATIONS:

1. Review of a Maintenance Bond from Federici & Akin for the Resurfacing & Safety Improvements to Ryan Avenue
2. Letter from the State of New Jersey, Department of Environmental Protection regarding a Water Allocation Permit allowing for water to be diverted from three (3) wells from the Borough of Brooklawn
3. Letter from State of New Jersey, Division of ABC, regarding alleged violation of a Liquor Law by Westville Liquor Group. (Allegation that liquor was served to a 19-year-old minor.)
4. Letter from State of New Jersey, Department of Transportation, regarding Railroad Crossings at Crown Point Road
5. Letter and information from the Gloucester County Mosquito Control Department (*packet of information available for review at the Clerk's Office*)
6. Correspondence received from the Westville Fire District Board of Commissioners (Councilman Murtaugh advised that an Audit was conducted by the State of New Jersey, Division of Fire Safety and recommendations were made to the Board of Commissioners. Councilman Murtaugh asked that the recommendations be sent to the Ordinance Committee and Solicitor for review and the information be presented at the next council meeting.)
7. Gloucester County Utilities Authority meeting minutes from November 9, 2016 through February 8, 2017
8. Thank you letter from Tamra Spencer, 572 Almonesson, for Thanksgiving baskets and Christmas gifts for her family that were provided by the Borough

PUBLIC PORTION:

- ❖ Joyce Lovell, 328 Summit Avenue, asked for budget information and was informed by Administrator Bittner the average home assessed at \$125,000, would see a tax increase of approximately \$43.25 and the total budget was \$5.4 million.
- ❖ Ms. Lovell asked if Ryan Giles would be the Environmental Commission's contact when the current Administrator retires and was advised "yes". Ms. Lovell also asked what the discussion with Jake Coleman was about and was advised the issue would be discussed in public session prior to the the Executive session.

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- ❖ **Solicitor Scaffidi advised a discussion will take place** with Jake Coleman, Public Works employee, regarding the salary range for the position of Maintenance Mechanic. Mr. Scaffidi advised a grievance was filed by Jake Coleman regarding a payment issue so the issue went through the grievance procedure according to the Personnel policy and was denied. Solicitor Scaffidi explained, that as a result of the denial, Mr. Coleman requested the issue be brought to the attention of Mayor and Council. Solicitor Scaffidi confirmed Mr. Coleman received a Rice Notice regarding his attendance at the meeting to discuss the issue in a Public or Private session and advised Mayor and Council, Mr. Coleman's choice was to have the issue discussed in Public.

- ❖ Solicitor Scaffidi swore in Jacob Coleman and asked Mr. Coleman about his grievance and the typographical error that was made specific to the salary range for his position. Administrator Bittner stated he made a typographical error when typing the Salary Ordinance. Mr. Coleman was advised that, later in the meeting, Mayor and Council would go into a Closed session to deliberate on the issue and then he would be notified of their decision.

COMMENTS FROM MAYOR/COUNCIL/DEPARTMENT HEADS

- ❖ Councilwoman Moan wished Administrator Bittner well on his retirement.

- ❖ Councilman Nordaby wished Administrator Bittner good luck.

- ❖ Councilman Sims asked Chief Whinna about the graffiti that has reappeared at the railroad tracks and Chief Whinna stated the Police are investigating the issue.

- ❖ Councilman Murtaugh asked if the Borough's County representative could reach out to the County Health Department to see if they have meters to measure the noise coming from the location at Duncan and High Streets.
Councilman Murtaugh discussed the Flooding and Train issues and commented on the increased train traffic in town and advised he has been in contact with Chief Whinna, who has contacted the Department of Transportation every time southbound Route 45 is closed due to flooding.
Councilman Murtaugh asked Public Works Manager Domico about the issue of lowering the Pond. Public Works Manager Domico advised she can only lower the Pond in October and has applied for the required permit and also stated she would like to clean the Pond this year.

- ❖ Engineer Bryson provided updates on the Water Main Replacement Project. Discussion took place regarding the process to move the project along with a possible start date by June 2017.

A motion to authorize the Borough Engineer or Public Works Manager Domico to go out to bid on the Water Main Replacement Project, pending the feedback received from the County Engineer, was made by Councilman Sims and seconded by Council President Ledrich. *Motion unanimously approved by roll call vote.*

COMMENTS FROM MAYOR/COUNCIL/DEPARTMENT HEADS: (Continued)

- ❖ Public Works Manager Domico advised that on Thursday, April 20, 2017 a Clean Communities Assembly has been scheduled at the Parkview School. She also commented that the Shredding Event was scheduled for Saturday, June 24, 2017 (*same day as the Fireworks*) at the Public Works facility
- ❖ Public Works Manager Domico asked about the possibility of refunding expenses associated with lawn care for “liened” properties to her budget so that she can replace equipment. Discussion took place regarding funding of this service to the Public Works budget so that they can fix and purchase lawn cutting equipment.
- ❖ Chief Whinna congratulated Administrator Bittner on his impending retirement.
- ❖ Administrator Bittner thanked everyone for the opportunity to have served the residents of Westville.
- ❖ Ryan Giles, Administrator Bittner’s replacement, introduced himself.

Clerk Helder read RESOLUTION NO. 72-2017 ~ AUTHORIZING AN EXECUTIVE SESSION FOR DISCUSSION OF EMPLOYMENT MATTERS IN THE PUBLIC WORKS DEPARTMENT AND PERSONNEL MATTERS IN THE ADMINISTRATIVE OFFICE

A motion to approve Resolution No. 72-2017 was made by Council President Ledrich and seconded by Councilman Sims. *Motion unanimously approved by voice vote.*

Time In: 8:08 p.m. Time Out: 8:57 p.m.

Solicitor Scaffidi advised Mayor and Council went into a Closed Session for the purpose of deliberating on the grievance submitted by Jacob Coleman that was heard in the Public session. A lengthy discussion took place regarding various Public Works salaries and the option of having truck repairs completed by private companies.

Solicitor Scaffidi clarified the reason for the grievance filed by Mr. Coleman, was that Mayor and Council are obligated under the terms of the Contract and the Salary Ordinance, to pay him a minimum salary of \$40,000 and the response up until now from Mayor and Council was that the \$40,000 was a typographical error and the actual pay is what Mr. Coleman was hired for by Resolution.

A motion to deny the grievance, based on the Committee’s notes and the fact that the salary range is actually \$30,000 to \$50,000 rather than \$40,000 to \$50,000 was made by Councilman Sims and seconded by Councilman Nordaby. *The motion was unanimously approved by roll call vote.*

Introduction of:

❖ **ORDINANCE NO. 4-2017 ~ AMENDING THE 2017 SALARY AND WAGE ORDINANCE NO. 1-2017**

Mayor Welsh previously advised Ordinance 4-2017~Admending the 2017 Salary and Wage Ordinance No. 1-2017 was being moved to the end of the meeting for future discussion.

A motion to approve Ordinance No. 4-2017 was made by Council President Ledrich and seconded by Councilman Nordaby. *The motion was unanimously approved by roll call vote.*

❖ **RESOLUTION NO. 73-2017 ~ APPOINTING NICOLE L. O'HARA DEPUTY TAX COLLECTOR AT A SALARY OF \$2,000 PER YEAR**

A motion to approve Resolution No. 73-2017 was made by Council President Ledrich and seconded by Councilman Nordaby. *The motion was unanimously approved by roll call vote with Councilman Murtaugh leaving the dais during the discussion and vote to sit in the audience.*

❖ **RESOLUTION NO. 74-2017 ~ APPOINTING DENNIS MORINA ZONING OFFICIAL AND DOWNTOWN PRESERVATION COMMISSION ADMINISTRATIVE OFFICER AT A SALARY OF \$1,200 PER YEAR**

A motion to approve Resolution No. 74-2017 was made by Councilman Mailley and seconded by Councilman Sims. *The motion was unanimously approved by roll call vote.*

❖ **RESOLUTION NO. 75-2017 ~ APPOINTING RYAN GILES AS DEPUTY CLERK, DEPUTY TREASURER AND DEPUTY FINANCE OFFICER**

❖ **RESOLUTION NO. 76-2017 ~ APPOINTING RYAN GILES AS FUND COMMISSIONER**

❖ **RESOLUTION NO. 77-2017 ~ APPOINTING JEFF PAUL AS EMERGENCY MANAGEMENT COORDINATOR**

A motion to approve Resolution Nos. 75, 76 and 77-2017 was made by Council President Ledrich and seconded by Councilman Sims. *The motion was unanimously approved by roll call vote.*

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 9:20 p.m.

Respectively Submitted,

*Christine A. Helder
CMC/Municipal Clerk*

Next Meeting Scheduled for May 8, 2017 ~ Youth in Government Meeting