

BOROUGH OF WESTVILLE

Regular Council Meeting

165 Broadway

March 13, 2017 - 6:00 p.m.

Meeting Minutes

Council President Ledrich called the meeting to order at 6:00 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:

Council President Michael O. Ledrich, Council Members: Donna Moan, Charles D. Murtaugh, Bruce Nordaby and Fritz H. Sims, Jr.

Administrator William J. Bittner, Jr., Clerk Helder

Absent: Mayor Russell W. Welsh, Jr. and Councilman Paul Mailley and Police Chief Whinna

Clerk Helder read Resolution No. 58-2017 ~ AUTHORIZING AN EXECUTIVE SESSION FOR DISCUSSION OF EMPLOYMENT MATTERS IN THE ADMINISTRATIVE OFFICE

A motion to approve Resolution No. 58-2017 was made by Council President Ledrich and seconded by Councilman Nordaby. *Motion unanimously approved by voice vote.*

Time In: 6:01 p.m. Time Out: 7:00 p.m.

Back in Regular Session at 7:00 p.m. with the following in attendance: Council President Ledrich, Council Members: Moan, Murtaugh, Nordaby and Sims; Administrator Bittner, Public Works Manager Domico and Clerk Helder

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

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

PUBLIC COMMENT ON AGENDA ITEMS ONLY: No Comments Received

REPORTS OF THE COMMITTEES FOR FEBRUARY:

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

Flooding & Train Issues: Administrator Bittner advised he had no new updates.

OLD BUSINESS:

LETTER AND RESOLUTION No. R-17-07 from the Land Use Board recommending the Governing Body adopt the amendments to the Redevelopment Plan for the property known as Block 73, Lots 6 and 7, 1000-1010 Broadway. The Resolution was approved by the Land Use Board on March 6, 2017.

Public Hearing On:

❖ **ORDINANCE NO. 2-2017 ~ AMENDING THE ADOPTED REDEVELOPMENT PLAN RELATING TO BLOCK 73, LOTS 6 AND 7 IN THE BOROUGH OF WESTVILLE, COUNTY OF GLOUCESTER, STATE OF NEW JERSEY**

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

Administrator Bittner advised the Ordinance would adopt the recommendation of the Land Use Board to change some of the variables with the Senior Project located on Broadway at Walnut Street. Administrator Bittner further advised the changes include relocation of the building as well as minor changes to the structure.

Hearing no comment from the public, a motion to close the meeting to the public was made by Councilman Murtaugh and seconded by Councilman Sims. *The motion was unanimously approved by voice vote.*

A motion to approve Ordinance No. 2-2017 was made by Councilman Nordaby and seconded by Councilwoman Moan. *The motion was unanimously approved by roll call vote.*

Public Hearing On:

❖ **ORDINANCE NO. 3-2017~AUTHORIZING THE ACQUISITION OF VARIOUS CAPITAL EQUIPMENT AND THE COMPLETION OF VARIOUS CAPITAL IMPROVEMENTS FOR THE WATER UTILITY IN THE BOROUGH OF WESTVILLE, COUNTY OF GLOUCESTER, NEW JERSEY; APPROPRIATING THE SUM OF \$2,110,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE BOROUGH OF WESTVILLE, COUNTY OF GLOUCESTER, NEW JERSEY, IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$2,110,000 MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

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

Hearing no comment from the public, a motion to close the meeting to the public was made by Councilman Murtaugh and seconded by Councilman Nordaby. *The motion was unanimously approved by voice vote.*

A motion to approve Ordinance No. 3-2017 was made by Councilman Murtaugh and seconded by Councilwoman Moan. *The motion was unanimously approved by roll call vote.*

NEW BUSINESS:

❖ **RESOLUTION NO. 59-2017 ~ AUTHORIZING THE BOROUGH OF WESTVILLE TO APPLY FOR THE 2016 RECYCLING TONNAGE GRANT**

A motion to approve Resolution No. 59-2017 was made by Councilman Sims and seconded by Councilman Nordaby. *Motion unanimously approved by roll call vote.*

❖ **RESOLUTION NO. 60-2017 ~ AUTHORIZING A PROPERTY TAX EXEMPTION FOR TOTALLY DISABLED VETERAN GEORGE B. SPINK, 105 MAPLE AVENUE, BLOCK 36, LOT 2**

A motion to approve Resolution No. 60-2017 was made by Councilwoman Moan and seconded by Councilman Nordaby. *Motion unanimously approved by roll call vote.*

❖ **RESOLUTION NO. 61-2017 ~ AUTHORIZING BUDGET APPROPRIATION TRANSFERS**

A motion to approve Resolution No. 61-2017 was made by Councilwoman Moan and seconded by Councilman Murtaugh. *Motion unanimously approved by roll call vote.*

❖ **RESOLUTION NO. 62-2017 ~ AUTHORIZING THE WATER CLERK TO CREDIT WATER ACCOUNT #2025 AT 317 BROADWAY FOR JOSEPH LYNCH, JR., IN THE AMOUNT OF \$95.00 DUE TO RECEIVING A DUPLICATE MINIMUM CHARGE ON HIS WATER BILL**

A motion to approve Resolution No. 62-2017 was made by Councilman Nordaby and seconded by Councilman Murtaugh. *Motion unanimously approved by roll call vote.*

❖ **RESOLUTION NO. 63-2017 ~ AUTHORIZING THE TAX COLLECTOR TO REFUND \$467.98 TO "US BANK CUSTODIAN FOR PC5 STERLING" FOR A SUBSEQUENT PAYMENT ON A LIEN THAT RESULTED IN AN OVERPAYMENT DUE TO A METER MALFUNCTION FOR WATER ACCOUNT #1400, 532 DELSEA DRIVE**

A motion to approve Resolution No. 63-2017 was made by Councilman Nordaby and seconded by Councilman Murtaugh. *Motion unanimously approved by roll call vote.*

❖ **RESOLUTION NO. 64-2017 ~ SUPPORTING THE FILING OF A COMPLAINT BY THE NEW JERSEY ASSOCIATION OF COUNTIES WITH THE NEW JERSEY COUNCIL ON LOCAL MANDATE THAT THE CRIMINAL JUSTICE REFORM ACT, N.J.S.A. 2A:162-15 ET SEQ., CONSTITUTES AN UNFUNDED STATE MANDATE IN VIOLATION OF ARTICLE VIII, SECTION II, PARAGRAPH 8 OF THE NEW JERSEY CONSTITUTION**

A motion to approve Resolution No. 64-2017 was made by Councilwoman Moan and seconded by Councilman Murtaugh. *Motion unanimously approved by roll call vote.*

❖ **RESOLUTION NO. 65-2017 ~ AUTHORIZING AUCTION OF MUNICIPALLY OWNED PROPERTY NO LONGER NEEDED FOR PUBLIC USE**

A motion to approve Resolution No. 65-2017 was made by Councilman Nordaby and seconded by Councilman Murtaugh. *Motion unanimously approved by roll call vote.*

❖ **USED CAR LICENSES:**

APPLICATIONS FOR 2017 USED CAR LICENSE

- Aces Auto Sales (130 Gateway Boulevard)

A motion to approve the application was made by Councilwoman Moan and seconded by Councilman Sims. *Motion unanimously approved by roll call vote.*

- ❖ **REQUEST** from Jeremy Diehl of Progressive Pipeline in West Deptford to purchase Westville Water for his Water Jetting equipment.

Public Works Manager Domico advised she received a call from Mr. Diehl, who advised her he use to have a hydrant permit from West Deptford Township to fill his Jetter for his Sewer cleaning business and would like to contract with the Borough of Westville to fill his Jetter with approximately 800 gallons of water daily. Public Works Manger Domico stated to Council that it was not in the best interest of the Borough to approve this request.

A motion to decline the request was made by Councilman Murtaugh and seconded by Councilman Nordaby. *Motion unanimously approved by voice vote.*

- ❖ **PROPOSAL** from Keller Williams Realty, on behalf of Phillip Chan, to purchase Borough owned properties on Timber Avenue.

Administrator Bittner advised Mr. Chan is a realtor with Keller Williams Realty and represents a client who wants to purchase all of the Borough's lots on Timber Avenue to construct a senior citizens complex, however, Administrator Bittner advised that area is entirely within the flood plain and is the same area Fieldstone wanted to improve. Administrator Bittner reminded meeting attendees that in order for Fieldstone to get the approval for a project, the Borough would have had to improve the highway, at Broadway and the bottom of the hill, for approximately 5 million dollars to stop the flooding. Administrator Bittner suggested he and Solicitor Scaffidi review the proposal and evaluate if the properties can be sold because they are in the mitigated flood plain. Administrator Bittner confirmed Mr. Chan is offering the Borough \$42,000 for 25 lots and suggested that perhaps the properties be offered by lots and that the sale of the property can be done by Auction or offered for sale to neighboring property owners. Administrator Bittner confirmed Mr. Chan currently owns the Boat Yard.

A recommendation was made by Council President Ledrich to allow Administrator Bittner and Solicitor Scaffidi to review the proposal and report back to Mayor and Council. *Recommendation unanimously approved by voice vote.*

Money collected by Clerk for February:

Police	\$57.91
Rent	\$675.00
Death Certificates	\$145.00
Marriage Licenses	\$86.00
Certified Copies-Marriage Licenses	\$20.00
Peddler Licenses	\$105.00
Cat License	\$10.00
TOTAL	\$1098.91

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 Nordaby 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 Nordaby and seconded by Councilman Sims. *Motion unanimously approved by roll call vote.*

COMMUNICATIONS:

1. Letter of resignation from Christine A. Helder, as Land Use Board Secretary
Motion to accept the letter of resignation, with regret, was made by Councilman Sims and seconded by Councilwoman Moan. *Motion unanimously approved by voice vote.*
Administrator Bittner advised the search to replace Christine Helder should begin soon because the next Land Use Board meeting is scheduled for April 3, 2017.
2. Thank you letter from The Church of Eternal Life (*for handicap markings*)
3. Letter from JIF regarding Safety Award Money
4. Table of Equalized Valuation - 2016 (As Amended by the Tax Court of New Jersey)
5. Letter from Cross County Connection regarding Gloucester County Bikeways Inventory
6. Letter from the Board of Freeholders supporting a Resolution restricting the sale of dogs and cats at pet shops and encouraging municipalities to adopt ordinances enforcing regulations
7. Letter from Federici & Akin regarding the Water Main Replacement Project (Almonesson Road {CR 621}, Broadway {CR551}, Olive Street, Walnut Street, Twedell Avenue, Hunter Avenue and Edgewater Avenue)
Councilman Sims asked Engineer Bryson to provide an update on the project. Engineer Bryson advised he was in the process of completing the preliminary plans and will provide copies of those plans to the Borough Administrator and Public Works Manager.

PUBLIC PORTION:

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.*

Council President Ledrich advised individuals wanting to be heard to go to the podium and speak into the microphone and to state their name and address for the record.

Donna Domico, 333 Woodbine Avenue, her daughter Cali and Lindsey Baxter, 10 Third Avenue came to the podium. Ms. Domico apologized for not getting the letter to Clerk Helder to be included on the agenda. Ms. Domico read a letter to Council that was written and by Cali Domico and Lindsey Baxter about reinstating the Fireworks show.

A motion to forward the request to the Celebrations Committee was made by Councilwoman Moan and seconded by Councilman Sims. *Motion unanimously approved by voice vote.*

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

COMMENTS FROM MAYOR/COUNCIL/DEPARTMENT HEADS

- ❖ Public Works Manager Domico advised she received the Water Allocation Permit from the State making the transfer between Westville and Brooklawn effective April 1, 2017. She also advised she received a letter from the State of New Jersey and the railroad regarding the meeting about the crossing at Pine Street. Public Works Manager Domico also advised when she and Borough Engineer Bryson met with the Railroad and the Department of Transportation (DOT) they advised them of the water main at Pine Street and that it is only three feet below the surface and suggested the main be moved. Public Works Manager Domico stated it would be a good opportunity to move the main with the upcoming water main project. Public Works Manager Domico also advised that since Ordinance No. 3-2017 was approved, she plans to move forward by getting bid specs on the items that need to be purchased. Council President Ledrich asked that the list of items to be purchased be prioritized.
- ❖ Councilwoman Moan thanked the children for coming and expressing their concerns about the Fireworks.
- ❖ Councilman Nordaby welcomed back Councilman Sims.
- ❖ Clerk Helder stated that at the previous council meeting, Council accepted Administrator Bittner's resignation and commented that it would be with regret.
- ❖ Councilman Sims thanked all those who wished him well during his convalescence.
- ❖ Councilman Murtaugh advised Chief Whinna was unable to attend the meeting due to a Police matter. He advised he received a check from the Deptford Softball League to use the Borough's fields in May. Councilman Murtaugh also advised the Borough will be using a County bus while the Borough's bus is being repaired. The Borough and the County will execute a Shared Services Agreement while using the bus.
A motion to execute a Shared Services Agreement with the County of Gloucester to borrow one of their buses, while the shuttle is being repaired was made by Councilman Murtaugh and seconded by Councilwoman Moan. *Motion unanimously approved by roll call vote.*

Clerk Helder read RESOLUTION NO. 66-2017 ~ AUTHORIZING AN EXECUTIVE SESSION FOR DISCUSSION OF EMPLOYMENT MATTERS IN THE POLICE OFFICE

A motion to approve Resolution No. 66-2017 was made by Councilman Nordaby and seconded by Councilman Sims. *Motion unanimously approved by voice vote.*

Time In: 7:29 p.m. Time Out: 8:20 p.m.

Council returned to public session with no further items of business to discuss.

Meeting Minutes ~ March 13, 2017

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

The meeting was adjourned at 8:20 p.m.

Respectively Submitted,

*Christine A. Helder
CMC/Municipal Clerk*