

# **BOROUGH OF WESTVILLE**

Regular Council Meeting  
165 Broadway  
February 14, 2018 ~ 7:00 p.m.  
*Meeting Minutes*

**Council President Ledrich called the meeting to order at 7:00 p.m., followed by the Pledge of Allegiance.**

**The Deputy Clerk read the public notice and roll call was taken, with the following persons in attendance:**

**Council President Michael O. Ledrich, Council Members: Paul C. Mailley, Donna Moan, Charles D. Murtaugh, Bruce Nordaby and Fritz H. Sims, Jr., Deputy Clerk Kathleen Carroll, Administrator Ryan J. Giles, Public Works Assistant Manager Martin Finger, Engineer Jon Bryson, Police Chief William Whinna, Lt. Michael Packer and Solicitor Timothy Scaffidi.**

**Absent: Mayor Russell W. Welsh, Jr. and Public Works Manager Donna Domico**

A motion to approve the Regular and Executive meeting minutes of December 20, 2017 and the January 5, 2018 Reorganization Meeting was made by Councilman Murtaugh and seconded by Councilwoman Moan. *Motion was unanimously approved by voice vote.*

## **PUBLIC COMMENT ON AGENDA ITEMS ONLY:**

No comments made

## **REPORTS OF THE COMMITTEES FOR DECEMBER 2017 and JANUARY 2018:**

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

## **Hearing for Delaney's Auto Sales regarding their Business License**

Code Official Dennis Marino advised the previous owner, Ryan Bogus, had three violations since the December 20, 2017 meeting; however, he also confirmed the business has since been sold to Mark Markhost, who is in compliance with Borough Codes. Code Official Marino stated if Council agrees, he will send the Business License application to Mr. Markhost so that he can register the business. Code Official Marino confirmed Mr. Tak Chan remains owner of the property and that Mr. Markhost is leasing the property from Mr. Chan.

Solicitor Scaffidi suggested that moving forward with the hearing would be moot and that Council can dismiss any further action against Mr. Bogus and allow for the appropriate transfer to be completed.

Councilman Murtaugh made a motion to dismiss any further action on the hearing for Ryan Bogus and allow Code Official Marino to move forward with registering the new business that was seconded by Councilman Nordaby. *Motion was unanimously approved by roll call vote.*

**OLD BUSINESS:**

**Public Hearing:**

*(Introduced January 5, 2018)*

❖ **ORDINANCE No. 1-2018 – Salary and Wage Ordinance of the Borough of Westville for 2018**

*Solicitor Scaffidi stated, for the record, Councilmen Murtaugh and Sims left the dais and were seated in the audience and will not participate in the discussion or voting of Ordinance No. 1-2018, Salary and Wage Ordinance for the Borough of Westville for 2018*

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

Joyce Lovell, 328 Summit Avenue, asked “why Murtaugh and Sims are sitting in the audience for this Ordinance”. Council President Ledrich advised that both Councilmen Murtaugh and Sims have relatives that work for the Borough. Ms. Lovell then thanked Council President Ledrich for answering her question and everyone else’s.

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

A motion to adopt Ordinance No. 1-2018 was made by Councilman Mailley and seconded by Councilman Nordaby. *The motion was unanimously approved by roll call vote. (Note for the record, Councilmen Murtaugh and Sims were seated in the audience and did not vote on Ordinance No. 1-2018)*

**Public Hearing:**

*(Introduced January 5, 2018)*

**ORDINANCE No. 2-2018 – Amending Chapter 205 of the Code of the Borough of Westville Establishing Regulations for Small Wind Energy Systems and Solar Energy Systems (Land Use and Development)**

*Solicitor Scaffidi announced, for the record, Councilmen Murtaugh and Sims returned to the dais.*

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

Joyce Lovell, 328 Summit Avenue, asked for clarification on some of the issues of the Ordinance because she was getting questions from residents. Councilman Murtaugh advised individuals who already had solar panels installed were “grandfathered in” and provided details on the updated Ordinance. Ms. Lovell expressed her concern about wind turbines because the Borough is on the North Atlantic flyway for migratory birds twice a year, some of which are endangered.

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

A motion to adopt Ordinance No. 2-2018 was made by Councilman Mailley and seconded by Councilman Nordaby. *The motion was unanimously approved by roll call vote.*

**NEW BUSINESS**

***Introduction of:***

**ORDINANCE No. 3-2018** – Ordinance of the Borough of Westville authorizing the execution of a Lease Agreement for a portion of Block 18/Lot 3 (property leased to Tower Tavern for customer parking)

Solicitor Scaffidi advised this Ordinance came about as a result of a change of ownership of the establishment and the Lease Agreement with that owner. The Ordinance was amended to allow the new owner to have a right to the five year term Lease as agreed to by the previous owner.

A motion to introduce Ordinance No. 3-2018 was made by Councilman Mailley and seconded by Councilman Nordaby. *The motion was unanimously approved by roll call vote.*

***Introduction of:***

**ORDINANCE No. 4-2018** – Authorizing the Execution of a QuitClaim Deed (Timber Avenue-Block 26.01/Lot 14)

*Solicitor Scaffidi asked the Deputy Clerk to read Ordinance No. 5-2018 so that they can both be treated as one.*

***Introduction of:***

**ORDINANCE No. 5-2018** – Authorizing the Execution of a QuitClaim Deed (Timber Avenue-Block 26.01/Lot 15)

Administrator Giles advised he met with Barbara Wassell regarding ownership of certain properties as a result of Gloucester County redoing the Blocks and Lots in Westville a few years ago (some lots were consolidation and others were split up). Administrator Giles stated, in the process of going through Ms. Wassell's paperwork, he could not determine who owned certain lots in the area of her property. Administrator Giles explained the purpose of the QuitClaim Deed was to confirm that the Borough will not lay claim to the property listed on the Deed.

Ms. Wassell stated she always owned Block 26.01/Lot 14 and didn't need a QuitClaim. Administrator Giles agreed with her statement and added the purpose of the Ordinance was to make sure she had a clean Title for that portion of the lot.

Councilman Sims asked Administrator Giles if the Borough does not own the property why is the Borough involved in this issue. Administrator Giles advised the Borough is going through this process to make sure the Borough has no claim to the property in the event of any dispute. Solicitor Scaffidi provided additional detail on why the Borough is doing the QuitClaim Deeds.

A motion to introduce Ordinance Nos. 4 and 5, 2018 was made by Councilwoman Moan and seconded by Councilman Murtaugh. *The motion was unanimously approved by roll call vote.*

**CONSENT AGENDA**

The items listed below are considered to be routine by the Borough of Westville and will be enacted by one motion. There will be no formal discussion of these items. If discussion is desired, this item will be removed from the Consent Agenda and will be considered separately.

*(Motion to approve/deny all Resolutions listed under the Consent Agenda by Roll Call Vote)*

**RESOLUTION No. 37-2018** – Authorizing a Property Tax Exemption for Totally Disabled Veteran, Robert M. Coleman, 301 Summit Avenue, Block 15, Lot 13, crediting the 1<sup>st</sup> and 2<sup>nd</sup> quarters, 2018 taxes in the amount of \$2,826.05

**RESOLUTION No. 38-2018** – Authorizing the Tax Collector to Issue a refund in the amount of \$1,546.33 to Rita Severance for overpayments made to the 1<sup>st</sup> and 2<sup>nd</sup> quarters of 2018, Block 47, Lot 11, 704 Broadway

**RESOLUTION No. 39-2018** – Authorizing the Borough of Westville to apply for the 2017 Recycling Tonnage Grant

**RESOLUTION No. 40-2018** – Authorizing the Tax Collector to Transfer Funds from the Premium Account to the General Fund

**RESOLUTION No. 41-2018** – Authorizing the Water Clerk to credit water account #431, at 142 Delsea Drive in the amount of \$843.16

**RESOLUTION No. 42-2018** – Authorizing the execution of discharge of mortgage by the Borough of Westville under a Small Cities Housing Rehabilitation project (John W. Keller, Gertrude H. Cormaney, Shirley Sammacicci and Horace John Johnson-132 Delsea Drive, Westville, NJ)

Council President Ledrich asked “what is an execution of discharge of a mortgage”. Solicitor Scaffidi advised it was a low interest loan that lenders had up to 30 years to repay and that in the case of Resolution No. 42-2018, all payments were made and the debt was paid in full. Administrator Giles also added that the loan was “deed restricted” and now that the loan is paid, the owners will have a clean deed in case they want to sell the property.

A motion to approve Resolution Numbers 37-42, 2018 was made by Councilman Nordaby and seconded by Councilman Mailley. *The motion was unanimously approve by roll call vote.*

**END CONSENT AGENDA**

❖ **2017-2018 Municipal Alliance Agreement.** Authorizing the Mayor to sign a one year Agreement with the County of Gloucester to act as Grant Administrator for the Governor’s Council on Alcoholism and Drug Abuse for the period July 1, 2017 to June 30, 2018.

Motion to approve the Agreement was made by Councilman Murtaugh and seconded by Councilman Mailley. *The motion was unanimously approved by voice vote.*

❖ **AUTHORIZING** the Land Use Board to reexam the Master Plan

Administrator Giles stated every 10 years the Borough is required by the State of New Jersey to revisit the Master Plan and explained the charge would be \$16,000. Administrator Giles discussed the best way for the Borough to pay for the endeavor and advised if Council approves the task, the Land Use Board will move forward with the project.

Motion to approve the task of revisiting the Master Plan was made by Councilman Murtaugh and seconded by Councilwoman Moan. *The motion was unanimously approved by voice vote.*

❖ **REQUEST** from The Bible Church of Westville regarding their use of Thomas West Park for their Annual Sun Rise Service on April 1, 2018

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

❖ **REQUEST** from the Straight-Line Church, 207 Third Avenue, to use Third and Woodbine Avenues, as parking for their Annual Community Event scheduled for Saturday, June 2, 2018 (rain date June 9, 2018). (Highland Avenue will remain open to vehicle traffic.)

Chief Whinna advised this is the same event the Church has been having for three years and he has no issues with the request.

Motion to approve the request was made by Councilman Murtaugh and seconded by Councilman Sims. *The motion was unanimously approved by voice vote.*

❖ **APPLICATIONS FOR 2018 USED CAR LICENSE**

- Broadway Auto Sales (137 Broadway)
- Pellegrino Chevrolet (1000 Gateway Boulevard)

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

❖ **APPLICATIONS FOR 2018 AMUSEMENT GAMES**

- Grabbe's (21 Delsea Drive)
- Schileen's Pub (32 Delsea Drive)

Councilwoman Moan asked if there were more applications and Deputy Clerk Carroll confirmed some businesses had not yet submitted their forms so they will receive a reminder notice.

Motion to approve the applications was made by Councilman Nordaby and seconded by Councilman Murtaugh. *The motion was unanimously approved by voice vote.*

-----**CONCLUSION OF NEW BUSINESS**-----

**BILLS & VOUCHERS:**

The Deputy 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 Murtaugh. *Motion unanimously approved by voice vote.*

A motion to pay all bills and vouchers that were in order, was made by Councilman Sims and seconded by Councilman Nordaby. *Motion unanimously approved by roll call vote with Councilman Mailley abstaining on Check #26314 and Councilman Nordaby abstaining from Check #26363*

**COMMUNICATIONS:**

- ❖ Letter from Gloucester County offering the Borough an opportunity to participate in the “Movies in the Park” program.  
Council agreed to schedule the event for May 25, 2018
- ❖ Memo from Tax Collector O’Hara regarding the Borough’s April 11, 2018 Tax Sale
- ❖ Notification from American Water regarding levels of purchased water and purchased wastewater
- ❖ Letter from People for Animals regarding a Community Cat Management seminar (e.g. controlling feral cat population).
- ❖ Thank you card from resident who received Holiday Assistance from the Borough.

**PUBLIC PORTION:** (Individuals must state their name and address for the record and respect the five minute time limit while addressing the Governing Body. In order to be heard, individuals must go to the podium and speak into the microphone.)

Motion to open the meeting to the Public was made by Councilman Mailley and seconded by Councilman Murtaugh. *Motion unanimously approved by voice vote.*

- ❖ Joyce Lovell, 328 Summit Avenue, mentioned that Anita Fritz (Environmental Commissioner) would accompany a Borough Official if they were planning on attending the seminar regarding the feral cat program.
- ❖ Joyce Lovell, 328 Summit Avenue, spoke at length regarding the 60 year old fishing cabins in Alloway Township that are scheduled for demolition and her belief that they should not be destroyed and suggested Council send a letter to the Governor in support of keeping the cabins.

*Meeting Minutes ~ February 14, 2018*

- ❖ Joseph Bornmann, West Olive and Rt. 130, expressed his concerned about the no parking policy that may be implemented on W. Olive Street. Council President Ledrich advised Mr. Bornmann the Borough installed Stop Signs on West Olive in an effort to reduce speeding and Mr. Bornmann agreed the initiative was working. Mr. Bornmann was concerned about the rumors of no parking on West Olive because he doesn't have a driveway. Administrator Giles confirmed the "no parking" ordinance was passed but that Council will use that as a last measure to reduce the speeding. Administrator Giles advised the Borough will be installing line stripping for the crosswalks and intersections and that the Chief will be retesting the vehicle speeds to see if the stop signs are doing their job. Administrator Giles assured Mr. Bornmann residents will be notified before making West Olive a no parking street. Chief Whinna provided additional information on the traffic study and discussion took place regarding traffic in the area. Mr. Bornmann asked why no parking was being considered and was informed by Chief Whinna and confirmed by Engineer Bryson that no parking would add visibility. Discussion took place regarding no parking and speed bumps.

Motion to close this portion of the meeting to the Public was made by Councilman Murtaugh and seconded by Councilwoman Moan. *Motion unanimously approved by voice vote*

**COMMENTS FROM MAYOR/COUNCIL/DEPARTMENT HEADS:**

- ❖ Administrator Giles advised that both he and Deputy Clerk Carroll will not be available for the May 9, 2018 council meeting. Council President Ledrich advised Administrator Giles to send an email with possible dates for Council to consider.
- ❖ Administrator Giles stated he would like to have the 2018 budget on the March agenda and will be scheduling an appointment with the Finance Committee to discuss the budget.
- ❖ Councilman Nordaby stated he appreciated residents coming out to the meeting to ask questions.
- ❖ Deputy Clerk Carroll advised Council of the Borough's upcoming Free Rabies Clinic and Pet Licensing event scheduled for March 10, 2018 at the Public Works Garage starting at 10 a.m.
- ❖ Councilman Murtaugh reminded Ms. Lovell about the County's feral cat (TNR/trap-neuter-release) program. Councilman Murtaugh also discussed the State laws and how it involves riverfront properties, specifically how it will affect the Borough and its riverfront property. Councilman Murtaugh also addressed Ms. Lovell's comments on why he and Councilman Sims left the dais during the discussion and vote of Ordinance No. 1-2018.

**EXECUTIVE SESSION:**

**Deputy Clerk Carroll read RESOLUTION No. 43-2018** authorizing an Executive Session for discussion of Personnel Matters.

A motion to approve Resolution No. 43-2018 was made by Councilman Nordaby and seconded by Councilman Mailley. *Motion unanimously approved by voice vote.*

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*Time In: 7:45 p.m.      Time Out: 8:25 p.m.*

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- ❖ Motion to change the hours of the Municipal Court to Mondays through Thursdays, 8 a.m. to 6 p.m. with the window being open for business during the hours of 8:30 a.m. to 5:30 p.m. was made by Councilman Nordaby and seconded by Councilwoman Moan. *Motion unanimously approved by roll call vote.*

*Solicitor Scaffidi stated, for the record, Councilmen Murtaugh and Sims left the dais and were seated in the audience and will not participate in the discussion or voting of Ordinance No. 1-2018, Salary and Wage Ordinance for the Borough of Westville for 2018*

- ❖ Motion to approve the proposed salary and wages that were discussed during closed session and to authorize the Administrator to move forward with those increases was made by Councilman Nordaby and seconded by Councilwoman Moan. *Motion unanimously approved by roll call vote.*

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

*The meeting was adjourned at 8:27 p.m.*

- ❖ A motion to reopen the meeting was made at 8:32 p.m. by Councilman Sims and seconded by Councilwoman Moan. *Motion unanimously approved by roll call vote.*

Councilman Sims stated the Fire Department is having their annual banquet on March 3, 2018 and they are requesting use of the Borough bus to transport attendees to and from Masso's Catering in Glassboro, NJ. Councilman Sims confirmed they have a qualified driver and advised they have insurance coverage.

Motion to allow the Fire Department to use the Borough bus on March 3, 2018 to transport individuals to a dinner at Masso's was made by Councilman Sims and seconded by Councilwoman Moan. *Motion unanimously approved by voice vote.*

*Meeting Minutes ~ February 14, 2018*

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

*The meeting was adjourned at 8:34 p.m.*

*Respectively Submitted,*

*Kathleen Carroll  
Deputy Municipal Clerk*

*Next Scheduled Council Meeting will be Wednesday, March 14, 2018*