

BOROUGH OF WESTVILLE

Regular Council Meeting

165 Broadway

June 17, 2021 - 7 p.m.

Meeting Minutes

Mayor Fritz H. Sims, Jr. called the June 17, 2021 council meeting to order at 7:00 p.m.

The **Pledge of Allegiance** was recited

The Deputy Clerk read the notice. Adequate notice of this meeting has been given by notifying the South Jersey Times and the Courier Post and posting the meeting date on the official bulletin board of the Municipality and the municipal web site. Additional written Public Notice was given and printed in the South Jersey Times and uploaded to the Municipal web site.

Roll Call: Mayor Fritz H. Sims, Jr., Council Members: Travis R. Lawrence, Paul C. Mailley, Charles D. Murtaugh, Bruce Nordaby and Timothy Young. Deputy Clerk Kathleen Carroll, Public Works Superintendent Martin Finger, Engineer Jon Bryson, Police Chief William Whinna and Solicitor Timothy Scaffidi. Absent: Administrator/Municipal Clerk Ryan J. Giles, Late Arrival: Council Member Donna Domico

2021 MEETING MINUTES: Meeting minutes from the May 20 Council Meeting and June 1 Work Session were approved by Councilman Nordaby and seconded by Council President Murtaugh. *Motion was unanimously approved by voice vote.*

OPEN MEETING TO THE PUBLIC FOR AGENDA ITEMS ONLY: Motion to open the meeting to the public for agenda items only was made by Councilman Young, seconded by Council President Murtaugh and his motion carried unanimously by voice vote.

As there were no comments for Council, Council President Murtaugh motioned to close the meeting to the public, Councilman Mailley seconded and his motion carried unanimously by voice vote.

COMMITTEE REPORTS FOR MAY 2021

A motion to approve the reports, as submitted, was made by Councilman Nordaby and seconded by Councilman Mailley and his motion carried unanimously by voice vote.

OLD BUSINESS: No Old Business

PRESENTATION: Joe Henry from Hardenberg Insurance Group provided an update on the Borough's safety record and made a presentation on the importance of wearing seat belts.

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NEW BUSINESS:

Introduction of:

Ordinance No. 9-2021 – Ordinance of the Borough of Westville in Gloucester County, New Jersey prohibiting the operation of any class of Cannabis businesses within its geographical boundaries and amending Chapter 205, Land Use Development, Section 76, prohibited uses, of the Code of the Borough of Westville

A motion to approve Ordinance No. 9-2021 was made by Councilman Young and seconded by Councilman Nordaby and the vote was as follows:

Roll Call: Ayes – Council Members: Lawrence, Mailley, Murtaugh, Nordaby, Young
Nays – None
Motion Carried

~~-----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. 74-2021 – Appointing Don Doak Deputy Emergency Management Coordinator for the Borough of Westville

RESOLUTION No. 75-2020 – Appointing Cody J. Eastlack to the position of part-time summer help employee within the Public Works Department, effective June 1, 2021

RESOLUTION No. 76-2020 – Appointing Dylan Haubenstein to the position of part-time summer help employee within the Public Works Department, effective June 8, 2021

RESOLUTION No. 77-2020 – Appointing Alyceo-Jose Perez to the position of part-time summer help employee within the Public Works Department, effective June 1, 2021

RESOLUTION No. 78-2020 – Appointing Joseph W. MacLardy to the position of part-time summer help employee within the Public Works Department, effective June 1, 2021

RESOLUTION No. 79-2021 – Authorizing the placement of Property Maintenance Liens

A motion to approve Resolution Nos. 74 through 79-2021 was made by Councilman Nordaby and seconded by Councilman Mailley and the vote was as follows:

Roll Call: Ayes – Council Members: Lawrence, Mailley, Murtaugh, Nordaby, Young
Nays – None
Motion Carried

~~-----END OF CONSENT AGENDA-----~~

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NEW BUSINESS: *(continued)*

RESOLUTION No. 80-2021 – Authorizing approval of the Bill List for June 17, 2021

A motion to approve Resolution No. 80-2021 was made by Council President Murtaugh and seconded by Councilman Mailley and the vote was as follows:

Roll Call: Ayes – Council Members: Lawrence, Mailley, Murtaugh, Nordaby, Young
Nays – None
Motion Carried

RESOLUTION No. 81-2021 – Requesting approval of Items of Revenue and Appropriation, NJSA, 40A:4-87 for Click It or Ticket Grant - \$2400.00

A motion to approve Resolution No. 81-2021 was made by Councilman Mailley and seconded by Councilman Young and the vote was as follows:

Roll Call: Ayes – Council Members: Lawrence, Mailley, Murtaugh, Nordaby, Young
Nays – None
Motion Carried

RESOLUTION No. 82-2021 – Authorizing homeowner at 323 High Street to connect to the Sanitary Sewer system at a charge of \$100 (Public Works Manager Finger advised that by permitting this resident to connect to the Sewer system, it would help reduce flooding in the area.)

A motion to approve Resolution No. 82-2021 was made by Councilman Mailley and seconded by Councilman Young and the vote was as follows:

Roll Call: Ayes – Council Members: Lawrence, Mailley, Murtaugh, Nordaby, Young
Nays – None
Motion Carried

RESOLUTION No. 83-2021 – Approving Renewal of Plenary Retail Consumption Licenses for 2021-2022 for Schileens Pub, Grabbes, Rail House Bar and Grill (formerly Tower Tavern), CA Enterprises, Inc. (formerly Cousins), Hot Shots/Gateway Liquors and Westville Boat Club

A motion to approve Resolution No. 83-2021 was made by Councilman Nordaby and seconded by Councilman Young and the vote was as follows:

Roll Call: Ayes – Council Members: Lawrence, Mailley, Murtaugh, Nordaby, Young
Nays – None
Motion Carried

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NEW BUSINESS: *(continued)*

APPLICATION FOR 2021 USED CAR LICENSE *(fees have been paid and requests approved by both the Police and Fire Departments)*

- Aces Auto Sales (Gateway Boulevard)

(Mayor Sims advised that due to newly identified Code issues, he suggested the License be renewed on a month-to-month basis until all issues are resolved.)

A motion to approve the Used Car License on a month-by-month basis was made by Council President Murtaugh and seconded by Councilman Nordaby and the vote was as follows:

Roll Call: *Ayes – Council Members: Lawrence, Mailley, Murtaugh, Nordaby, Young*
 Nays – None
 Motion Carried

REQUEST from the owner of 910 Gateway Boulevard to suspend the Sewer payments while the building is going through extensive renovations. *(Request was sent to the Water/Sewer committee for review prior to the meeting.)*

A motion to approve the request to suspend Sewer payments was made by Council President Murtaugh and seconded by Councilman Nordaby and the vote was as follows:

Roll Call: *Ayes – Council Members: Lawrence, Mailley, Murtaugh, Nordaby, Young*
 Nays – None
 Motion Carried

Solicitor Scaffidi suggested the Motion be amended to confirm that Sewer payments be suspended until the owner receives a Certificate of Occupancy (whether temporary or regular). Councilman Nordaby made the Motion to suspend Sewer payments until a Certificate of Occupancy is approved and his motion was seconded by Councilman Young. *Motion was unanimously approved by voice vote.*

REQUEST from the Gateway 50 Yard Club to hold a Coin Drop on Saturday, June 27, 2021 from 10 am to 2 pm at Olive and Broadway. *(Request was sent to the Public Safety committee for review prior to the meeting. All necessary paperwork submitted and the request was approved by the Gloucester County Highway Department.)*

A motion to approve the request for a Coin Drop was made by Councilman Young and seconded by Councilman Nordaby and the vote was as follows:

Roll Call: *Ayes – Council Members: Lawrence, Mailley, Nordaby, Young*
 Nays – None
 Abstained – Council President Murtaugh
 Motion Carried

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NEW BUSINESS: *(continued)*

REQUEST from Steven Smalfus of 212 Park Drive, Bellmawr to purchase Lots 6, 7 and 8 on Timber Avenue for \$6000.00

Mayor Sims provided a brief overview on the request confirming that this is the second bid submitted by Mr. Smalfus for the property.

A motion to approve the request was made by Council President Murtaugh and seconded by Councilman Young and the vote was as follows:

*Roll Call: Ayes – Council Members: Lawrence, Mailley, Murtaugh, Nordaby, Young
Nays – None
Motion Carried*

Solicitor Scaffidi stated now that Mayor and Council approved the offer, it will be subject to a Public Land Sale that will be held at the July 15, 2021 Council meeting.

DISCUSSION:

- **Purchase of a Trash Truck**

Public Works Manager Marty Finger advised the Borough's 2010 Trash Truck has over 93,000 miles on it and is beginning to show wear. He asked for Council's approval to find a replacement. A discussion took place regarding a regular trash truck versus a trash truck with a mechanical lifting arm and it was decided that because of the size of Westville streets and parking issues, a regular trash truck works best in the Borough.

A motion to move forward with the purchase of a Trash Truck, based on the Public Works Manager's recommendation, was made by Council President Murtaugh and seconded by Councilman Nordaby and the vote was as follows:

*Roll Call: Ayes – Council Members: Lawrence, Mailley, Murtaugh, Nordaby, Young
Nays – None
Motion Carried*

- **Reschedule date for Movie in the Park** *(Parks Committee)*

Deputy Clerk Carroll volunteered to select a date and report by to the Committee

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COMMUNICATIONS:

- Letter from the State of New Jersey Governor's office regarding the Safe Routes to School applications

A discussion took place regarding the possibility of replacing some grassy areas with sidewalks to provide a stable surface for children walking to Parkview Elementary school. Engineer Bryson advised he will research the Grant and report back to council and confirmed that the School District and School Board will need to support the project.

- Letter from the Environmental Commission thanking the Public Works Department, especially Justin Lesko, for placing mulch at the Butterfly Garden and assisting with overall clean-up of the area.

A brief discussion took place on how the Public Works Department assists the Environmental Commission on different projects. Council President Murtaugh asked that a copy of the letter be placed in Justin Lesko's personnel file

PUBLIC PORTION:

Councilman Nordaby motioned to open the meeting to the public, Councilman Young seconded and his motion was approved by the entire Council.

- Al Achilles of Grabbe's, 19 Delsea Drive, talked about the manhole cover in front of his business that is recessed into the ground and causing noise and the inconvenience of the vibration strips and asked for assistance from Public Works and Council to get the issue resolved.
- Bill Brody, 1028 Broadway, talked about the purchase of a trash truck and mentioned the curbing in front of his neighbor's house and the running of the street sweeper. Mr. Brody asked Chief Whinna to talk with Council regarding a letter his sent to the Chief.
- Ken Lee, 144 Oak Avenue, thanked Public Works for cleaning the park area and expressed his concern and asked for council's assistance to help fight the possible legislation specific to New Jersey residents who own large breed dogs. Mayor Sims suggested that Mr. Lee contact the 5th Legislative members to let them know his concerns about this bill.
- Mike Hermann, 105 E. Olive Street, expressed his support of the walkway on Boundary Lane since his walks his child to school.

Council President Murtaugh motioned to close the meeting to the public, Councilman Young seconded and his motion was approved by the entire Council.

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COMMENTS FROM MAYOR/COUNCIL/DEPARTMENT HEADS:

- ❖ Chief Whinna advised his department is prepared for the 100th Anniversary Celebration of the Union Fire Company and the Fireworks events. Chief Whinna also advised that a member of the Town Watch Committee called in a vandalism report to the police as the destruction was taking place and as a result the juveniles were caught and restitution was made to the Borough.
- ❖ Deputy Clerk Carroll advised the Borough received, that day, the Barge contract with Northstar River Services for the Fireworks show and forwarded it to Solicitor Scaffidi for review and that Solicitor Scaffidi approved the contract. Deputy Clerk Carroll further advised that a motion to allow Mayor Sims or his designee to sign the contract is needed tonight since the next council meeting won't take place until after the Fireworks. (*Resolution will be memorialized at the July 15, 2021 council meeting.*)

A motion to authorize the Mayor or his designee to sign the contract with NorthStar River Services for the Fireworks barge was made by Councilman Young and seconded by Councilman Lawrence and the vote was as follows:

Roll Call: Ayes – Council Members: Lawrence, Mailley, Murtaugh, Nordaby, Young
Nays – None
Motion Carried

- ❖ Deputy Clerk Carroll also advised that the Fire Official has requested a Resolution from Mayor and Council that will authorize the Fireworks show. (*Resolution will be memorialized at the July 15, 2021 council meeting.*)

A motion to authorize the Fireworks show by the Borough Council to the Westville Fire official:

Roll Call: Ayes – Council Members: Lawrence, Mailley, Murtaugh, Nordaby, Young
Nays – None
Motion Carried

- ❖ Deputy Clerk Carroll advised the July 6, 2021 Work Session will be held via Zoom only. (There will be no in person session for this meeting.)
- ❖ Public Works Superintendent Finger talked about the replacement of three sliding boards at various parks and that delivery time is approximately three months and that he ordered new trash cans for the downtown area.

Councilwoman Donna Domico arrived at the meeting at 8:22 p.m.

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

- ❖ Engineer Bryson briefly discussed the start time of the reconstruction of Pine Street project and how it may be delayed due to the DOT bridge project. A lengthy discussion took place regarding the DOT bridge project and how it will affect Borough projects and it was suggested that Engineer Bryson contact DOT to see when their project will start.
- ❖ Councilman Nordaby talked about the rededication of the Westville Square building (formerly home to the Union Fire Company).
- ❖ Councilwoman Domico acknowledged the passing of Library Director Gwen Carotenuto
- ❖ Councilman Lawrence talked about Grants the Borough might apply for and working with the Home and School Association for a possible Trunk or Treat event along Broadway in October. Councilman Lawrence provided general information on the Trunk or Treat event and Chief Whinna expressed his support of the activity. Councilman Lawrence reiterated that donations support the Celebrations Committee. A brief discussion took place regarding dead trees and brush along River Drive and Delaware View. Councilman Lawrence asked if anything can be done along River Drive and Engineer Bryson responded that you cannot disturb the wetlands areas.
- ❖ Council President Murtaugh confirmed with Solicitor Scaffidi that the Floodplain Ordinance can be listed on the July 6th Work Session and whether Used Car Lots can be listed in the Master Plan as a permitted use. Council President Murtaugh also mentioned the County is looking to do “pop up” vaccination sites and was wondering if the Fireworks was a possibility.
- ❖ Mayor Sims commented on the new business coming to town – Koala Cups which is an ice cream store. Mayor Sims discussed the upcoming Juneteenth State/Federal holiday and asked Council to consider approving the holiday as a recognized day off for Borough employees

A motion to acknowledge Juneteenth as a Federal Holiday and awarding a paid Holiday to Borough employees was made by Councilwoman Domico and seconded by Council President Murtaugh and the vote was as follows:

Roll Call: Ayes – Council Members: Domico, Lawrence, Mailley, Murtaugh, Nordaby, Young
Nays – None
Motion Carried

- ❖ Mayor Sims stated that a few months ago he received a call from a resident regarding flying the Pride flag and brought this suggestion back to Council and as a result he would like to fly a Pride flag for the remaining days in the month of June.
- ❖ Councilwoman Domico made the motion and seconded by Councilman Young and the vote was as follows:

Roll Call: Ayes – Council Members: Domico, Lawrence, Mailley, Murtaugh, Nordaby, Young
Nays – None
Motion Carried

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A motion to adjourn the meeting was made by Councilman Nordaby and seconded by Councilman Lawrence and his motion carried unanimously by voice vote.

The meeting was adjourned at 8:22 p.m.

Respectively Submitted,

Kathleen Carroll

Kathleen Carroll
Deputy Municipal Clerk