

# BOROUGH OF WESTVILLE

Regular Council Meeting

165 Broadway

May 20, 2021 - 6:30 p.m.

*Meeting Minutes*

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Mayor Fritz H. Sims, Jr. called the May 20, 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 and Bruce Nordaby. Administrator/Municipal Clerk Ryan J. Giles, Deputy Clerk Kathleen Carroll, Public Works Superintendent Finger, Engineer Jon Bryson, Police Chief William Whinna and Solicitor Timothy Scaffidi. Absent: Council Members Donna Domico and Timothy Young

**HAZARD MITIGATION TRAINING.** Mayor and Council and meeting attendees listened to the online Hazard Mitigation session. A brief discussion took place regarding the submission of critical forms.

**2021 MEETING MINUTES:** Meeting minutes from the April 15 Council Meeting, April 15 Executive Session and the May 5 Work Session were approved by Council President Murtaugh and seconded by Councilman Lawrence. *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 Mailley, seconded by Councilman Lawrence and his motion carried unanimously by voice vote.

- Joyce Lovell, 228 Summit Avenue, inquired about the 2021 Municipal Budget.

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

## **COMMITTEE REPORTS FOR APRIL 2021**

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

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**OLD BUSINESS:**

**PUBLIC HEARING ORDINANCE CONSENT AGENDA**

(Public Hearing for Ordinances 4, 5 and 8 will be read and after which Council will open the meeting to the public. After public comments, Council will motion to ADOPT the three Ordinances and there will be one roll call vote.)

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

**Ordinance No. 4-2021** – Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank (N.J.S.A. 40A:4-45.14)

**ORDINANCE No. 5-2021** – Salary and Wage Ordinance of the Borough of Westville for 2021

**ORDINANCE No. 8-2021** – Ordinance Amending Chapter 373, Vehicles and Traffic, Article XI, Schedules, Section 373-32, Schedule for Time Limit Parking of the Borough of Westville Code Book

Motion to open the meeting to the public was made by Councilman Nordaby, seconded by Councilman Mailley and his motion carried unanimously by voice vote

Hearing no comments from the public, a motion to close the meeting to the public was made by Councilman Mailley and seconded by Council President Murtaugh. The motion was unanimously approved by voice vote.

A motion to approve Ordinance Nos. 4, 5 and 8-2021 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*  
                      *Nays – None*  
                      *Motion Carried*

**END OF ORDINANCES CONSENT AGENDA**

*Public Hearing - Adoption of:*

**BOND ORDINANCE No. 6-2021** – Authorizing acquisition of various equipment for the Borough's Water Utility System in the Borough of Westville, County of Gloucester, New Jersey; appropriating the sum of \$55,000 therefore; 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 \$55,000 making certain determinations and covenants; and authorizing certain related actions in connection with the foregoing

Motion to open the meeting to the public was made by Councilman Mailley, seconded by Councilman Nordaby and his motion carried unanimously by voice vote

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

A motion to approve Ordinance No. 6-2021 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*  
                      *Nays – None*  
                      *Motion Carried*

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### **OLD BUSINESS:** *(continued)*

#### *Public Hearing - Adoption of:*

**BOND ORDINANCE No. 7-2021** – Authorizing the completion of various general improvements and acquisition of various capital equipment for the Borough of Westville, County of Gloucester, New Jersey; appropriating the sum of \$490,000 therefore; 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 \$465,500 making certain determinations and covenants; and authorizing certain related actions in connection with the foregoing

Motion to open the meeting to the public was made by Council President Murtaugh, seconded by Councilman Mailley and his motion carried unanimously by voice vote

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

A motion to approve Ordinance No. 7-2021 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*  
*Nays – None*  
*Motion Carried*

### **NEW BUSINESS:**

**RESOLUTION No. 63-2021** – Allowing the 2021 Budget to be read in Title Only

A motion to allow the Budget to be read in Title only 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*  
*Nays – None*  
*Motion Carried*

#### ***Public Hearing on the 2021 Municipal Budget:***

Motion to open the meeting to the public was made by Councilman Mailley, seconded by Council President Murtaugh and his motion carried unanimously by voice vote

- Joyce Lovell, 228 Summit Avenue, asked about the budget and the impact to the Westville residents and her questions were responded to by CFO Jack Bruno. A brief discussion about the budget took place.

Hearing no further comments from the public, a motion to close the meeting to the public was made by Councilman Mailley and seconded by Council President Murtaugh. The motion was unanimously approved by voice vote.

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**NEW BUSINESS:** *(continued)*

A motion to approve the 2021 Municipal Budget 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*  
                      *Nays – None*  
                      *Motion Carried*

Mayor Sims thanked the Finance Committee, CFO Bruno, Administrator Giles and other staff for their diligence in putting together the budget.

~~-----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. 64-2021-** Appointing Krisantony Figueroa to the position of full time Laborer I within the Public Works Department

**RESOLUTION No. 65-2021-** Appointing Raymond Jones to the position of full time Laborer I within the Public Works Department

**RESOLUTION No. 66-2021-** Appointing Zachary Possoff to the position of full time Laborer I within the Public Works Department

**RESOLUTION No. 67-2021** - Authorizing the Mayor or Borough Administrator to sign the 2021 Yearly Service Agreement with Virtua Health to perform physicals and drug testing for new hires

**RESOLUTION No. 68-2021** - Authorizing Agreement with the Township of East Greenwich to submit water samples to the Westville Water Lab

**RESOLUTION No. 69-2021** - Requesting approval of Items of Revenue and Appropriation, NJSA, 40A:4-87 for Distracted Driving Grant - \$3600.00

**RESOLUTION No. 70-2021** - Requesting approval of Items of Revenue and Appropriation, NJSA, 40A:4-87 for Drive Sober Grant - \$3600.00

**RESOLUTION No. 71-2021** - Authorizing the placement of Property Maintenance Liens

**RESOLUTION No. 72-2021** - Appointing Steve Cope as Emergency Management Coordinator for the Borough of Westville

**RESOLUTION No. 73-2021** - Accepting the resignation of Tristan Rettig from the Public Works Department *(This is a memorialization of the letter submitted and approved at the April 15<sup>th</sup> meeting.)*

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**NEW BUSINESS:** (continued)

~~-----CONSENT AGENDA-----~~

A motion to approve Resolution Nos. 64 through 73 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  
                      Nays – None  
                      **Motion Carried**

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

**REQUEST** from a resident at 29 Duncan Avenue to hold a Block Party and close part of Duncan Avenue from High Street to Broadway from 4 to 9 p.m. on Saturday, June 26, 2021 for a high school graduation party. (Prior to the meeting, the request was sent to Public Safety Committee for review)

A motion to approve the request for a Block Party 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  
                      Nays – None  
                      **Motion Carried**

**REQUEST** from resident at 9 Locust Avenue for temporary handicap parking. (Prior to the meeting, the request was sent to Public Safety Committee for review)

A motion to table the request, for further review, until the June 1, 2021 Work Session 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  
                      Nays – None  
                      **Motion Carried**

**REQUEST** from a Deptford resident to use an area of Thomas West Park to give back to the community by singing, praise dancing and positive rap music. (Prior to the meeting, the request was sent to the Public Buildings, Grounds and Parks Committee for review)

A motion to table the request, for further review, until the June 1, 2021 Work Session 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  
                      Nays – None  
                      **Motion Carried**

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### **NEW BUSINESS:** *(continued)*

**REQUEST** from the Westville Fire Department to close Broadway to CR#551 and Duncan Avenue to Delsea Drive on June 18, 2021 for their 100<sup>th</sup> Anniversary celebration of the Union Fire Company. Mayor Sims provided a brief overview of the scheduled events.

A motion to approve the request was made by Councilman Mailley and seconded by Councilman Lawrence and the vote was as follows:

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

**REQUEST** from Cub Scout Pack 296 to use Thomas West Park to hold a “Bike Rodeo” on Wednesday, May 19, 2021 from 6 p.m. to 8 p.m. *(This is a memorialization of the request. The request has been approved because the event was held prior to the council meeting. The required insurance document was submitted.)*

A motion to approve the request was made by Councilman Mailley and seconded by Councilman Lawrence and the vote was as follows:

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

### **Discussion**

- **Cannabis Law**

Administrator Giles advised many towns are “opting out” and provided an insight on what some towns are doing. Administrator Giles confirmed that towns can “opt out” but that they can “opt in” at any time. A general discussion took place regarding Westville’s position on the Cannabis Law and described a scenario if a Cannabis business moved into Westville.

A motion to authorize the Solicitor to start the “opt out” Ordinance to coincide with any other discussions and for that Ordinance to be ready by the date needed (August 19, 2021) 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  
Nays – None  
**Motion Carried***

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### **NEW BUSINESS:** *(continued)*

- **Line striping for downtown area**

Councilman Lawrence provided an update on how line striping will add parking spaces to the downtown area and provided financial information on the costs of various areas. Councilman Lawrence confirmed that for \$875, a company can line stripe the Downtown from Duncan to Delsea (both sides) that will define 62 spaces. A discussion took place regarding line striping the remaining Borough lots.

A motion to authorize the expense of having the Downtown area line striped from Duncan Avenue to Delsea Drive (both sides) at a cost of \$875.00 was made by Councilman Lawrence and seconded by Councilman Mailley and the vote was as follows:

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

### **BILLS & VOUCHERS** *(List of Bills are posted in the Hallway on the Bulletin Board)*

A motion to dispense with reading of the bills was made by Councilman Nordaby and seconded by Councilman Mailley and his motion was approved by the entire counsel.

A motion to pay all bills and vouchers that were in order, was made by Councilman Mailley and seconded by Councilman Lawrence and the vote was as follows:

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

### **COMMUNICATIONS:**

No Communications

### **PUBLIC PORTION:**

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

- ❖ Rob Martino, 342 River Drive, commented that the street light recently installed at Galbraith Park is partially shining in his living room and asked about the trash cans in the park. Mr. Martino was informed that the light fixture will be adjusted and the trash cans are being replaced and repurposed.
- ❖ Ken Lee, 144 Oak Avenue, asked questions about the Cannabis Law and inquired about the parking lot near Parkview School and whether it's scheduled for repaving. Engineer Bryson provided an update on the project to repave the area.

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### **PUBLIC PORTION:** *(continued)*

- ❖ Joyce Lovell, 328 Summit Avenue, talked about the Cannabis Law and the Church on Summit Avenue and offered her suggestions on how it can be used and voiced her concerns about FEMA. A general discussion took place regarding flooding in town.

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

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

- ❖ Administrator Giles advised completion of the Annual Financial Statements are due the end of June 2021.
- ❖ Engineer Bryson provided an update on the Pine Street project, line striping of Municipal lots and a grant from NJDOT the Borough might want to pursue. A general discussion took place regarding the electronic system to submit for grants, the condition of the Gazebo at Thomas West Park and the possibility of removing the flower bed at Delsea Drive and Broadway and possibly replacing it with a flag pole.
- ❖ Public Works Superintendent Finger thanked George Baker for getting the pond fountain up and running and addressed the problem with the lighting at the pond and the cost associated with the repairs. Public Works Superintendent Finger also addressed the disrepair of the Town Clock and the costs associated with the restoration of the clock. Mayor Sims commented that a resident volunteered to have the clock repainted.
- ❖ Chief Whinna advised that next Wednesday was the Town Watch meeting.
- ❖ Councilman Nordaby provided an update on the 9/11 Memorial and thanked those that helped with the project and thanked the Fire Department for the town clean-up and commented on the upcoming 100<sup>th</sup> Anniversary celebration of the Union Fire Company on June 18<sup>th</sup>.
- ❖ Councilman Lawrence advised the Girl Scouts will be planting flowers around the monuments at Thomas West Park in anticipation of the May 31<sup>st</sup> Memorial Day event. Councilman Lawrence stated he and Mayor Sims may be restarting the Westville Business Association and that he met with a representative from the Gloucester County Chamber of Commerce and talked about grants he was researching and activities that were being planned by the Rolling Badges. Mayor Sims talked about PSE&G and their lack of response to the Borough's requests to complete their projects. Councilman Lawrence thanked Public Works employee Lesko for helping to plant flowers along Broadway and thanked the Fire Department for the clean-up day.
- ❖ Mayor Sims asked Council to think about seeking out a professional grant writer to help write the grants. Administrator Giles will search for a grant writer.



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**COMMENTS FROM MAYOR/COUNCIL/DEPARTMENT HEADS** *(continued)*

- ❖ Council President Murtaugh thanked everyone for attending the meeting that will help with the Hazard Mitigation Plan. Council President Murtaugh asked Chief Whinna about creating a non-fee permit for public facilities in the Borough (e.g. Churches, Schools) that would require the organization to notify the Borough when they are planning any kind of event. Council President Murtaugh voiced his concerns about heavy traffic during these events.
- ❖ Mayor Sims advised that all of his issues have been addressed and thanked people for coming out to the meeting and for “Getting Involved and Making a Difference”.

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

The meeting was adjourned at 8:42 p.m.

Respectively Submitted,

*Kathleen Carroll*

Kathleen Carroll  
Deputy Municipal Clerk