

BOROUGH OF WESTVILLE

Regular Council Meeting

165 Broadway

July 15, 2021

Meeting Minutes

Mayor Fritz H. Sims, Jr. called the July 15, 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: Donna M. Domico, Travis R. Lawrence, Charles D. Murtaugh, Bruce Nordaby and Timothy P. Young. Administrator/Municipal Clerk Ryan J. Giles, Deputy Clerk Kathleen Carroll, Public Works Assistant Manager Michael Ostrom, Engineer Jon Bryson, Police Chief William Whinna and Solicitor Timothy Scaffidi. Absent: Paul C. Mailley

2021 MEETING MINUTES

Meeting minutes from the June 17 Council Meeting and the July 6 Work Session were approved by Councilman Young 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 Councilwoman Domico, seconded by Councilman Lawrence and his motion carried unanimously by voice vote.

- Dan Young, owner of 910 Gateway Boulevard, provided information on his renovations of 910 Gateway Boulevard. Mr. Young advised he would like to attract high-end tenants and that his apartments will include central air conditioning and granite countertops. Mr. Young also expressed his concern about parking because he has 44 apartments and only 31 parking spaces so asked about additional parking behind his building. Mr. Young stated his concern about the rising cost of materials and asked if an abatement on improvements could be considered as part of the redevelopment package. A lengthy discussion took place regarding Mr. Young's parking concerns, a tax abatement and other general issues about redevelopment of the property. Mr. Young advised that there will be 12-two bedroom and 32-one bedroom apartments that will be market rate rentals.
- Joyce Lovell, 328 Summit Avenue, inquired about the address of the property at Block 71, Lots 21, 22.01 and 23 and Administrator Giles confirmed it was 910 Gateway Boulevard.

Seeing no other comments, Council President Murtaugh motioned to close the meeting to the public, Councilman Nordaby seconded and his motion carried unanimously by voice vote.

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COMMITTEE REPORTS FOR APRIL 2021

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

COMMUNICATIONS

Letter from Land Use Board Solicitor Linda Galella, advising Council that Ordinance 9-2021 is not inconsistent with the Master Plan; therefore, Council can move forward with the Public Hearing on Ordinance 9-2021 regarding Cannabis businesses within the Borough of Westville

OLD BUSINESS

Public Hearing:

(2nd Reading – Introduced June 17, 2021)

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

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

Solicitor Scaffidi provided additional information regarding concerns about the Cannabis Law and permitted uses so encouraged council to proceed with the Public Hearing but suggested Council table the voting until the next meeting scheduled for August 3, 2021 so that he can research details of the new law.

Joyce Lovell, 328 Summit Avenue asked for clarification on the new law and additional information was provided by Solicitor Scaffidi. Ms. Lovell gave her opinion on what Cannabis businesses should be permitted in the Borough.

Councilwoman Domico clarified that Council would not be voting on Ordinance No. 9-2021 this evening. A discussion took place on possible cultivation locations in Westville and sale of the product.

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

A motion to table Ordinance No. 3-2021 until the August 3, 2021 Work Session was made by Council President Murtaugh and seconded by Councilman Young and the vote was as follows:

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

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NEW BUSINESS

~~-----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 Nos. 85, 86, 87 are a memorialization of motions that were approved at the June 17, 2021 meeting

RESOLUTION No. 85-2021 - Authorizing the execution of a contract with Pyrotecnico to conduct a Fireworks display

RESOLUTION No. 86-2021 - Authorizing the Mayor of Westville, or his designee, to sign the Agreement of Affreightment with NorthStar River Services (barge for Fireworks).

RESOLUTION No. 87-2021 - Authorizing the Water/Sewer Clerk to suspend Sewer charges for Account #1027, 910 Gateway Boulevard, West Park Apartments.

RESOLUTION No. 88-2021 - Authorizing the placement of Property Maintenance Liens

Councilman Lawrence had a question on Resolution No. 88-2021 so it was removed from the Consent Agenda.

Councilwoman Domico made a comment on Resolution No. 86-2021 and suggested a second company to contact for a quote.

A motion to approve Resolution Nos. 85 through 87 was made by Council President Murtaugh and seconded by Councilman Young and the vote was as follows:

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

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

NEW BUSINESS *(continued)*

Councilman Lawrence asked why all unkept properties are not listed on the Property Maintenance Lien resolution and Administrator Giles detailed the procedures that are used to list properties as in need of maintenance. Housing and Code Enforcement Officer Morina also provided information on placing a lien on a property. Councilwoman Domico advised council that a vacant property at 317 Highland Avenue has racoons living in the ceiling of the porch and that the Municipality should address the issue. A discussion took place with Housing and Code Enforcement Officer Morina regarding the Borough's responsibilities that involve vacant properties and properties that are occupied but not maintained. Mayor Sims advised he scheduled a meeting to be held the last week of July to discuss property maintenance issues within the Borough. Solicitor Scaffidi also commented on seeking help to remove the racoons. Council President Murtaugh commented on asking for assistance on fines assessed for properties not maintained.

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NEW BUSINESS *(continued)*

RESOLUTION No. 88-2021 - Authorizing the placement of Property Maintenance Liens

A motion to approve Resolution No. 88-2021 was made by Councilwoman Domico and seconded by Councilman Young and the vote was as follows:

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

RESOLUTION No. 89-2021 - Authorizing approval of the Bill List for July 15, 2021

A motion to approve Resolution No. 89-2021 was made by Councilwoman Domico and seconded by Councilman Young and the vote was as follows:

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

RESOLUTION No. 90-2021 - Designating Block 71, Lots 21, 22.01 and 23 as an area in need of Redevelopment

Administrator Giles provided additional information about the property at 910 Gateway Boulevard and confirmed it was a non-condemnation action in need of redevelopment

A motion to approve Resolution No. 90-2021 was made by Council President Murtaugh and seconded by Councilman Lawrence and the vote was as follows:

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

RESOLUTION No. 91-2021 - Requesting approval of Items of Revenue and Appropriation, NJSA, 40A:4-87 for Clean Communities Clean-Up Program - \$500.00

A motion to approve Resolution No. 91-2021 was made by Councilwoman Domico and seconded by Councilman Lawrence and the vote was as follows:

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

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NEW BUSINESS: *(continued)*

RESOLUTION No. 92-2021 - Endorsing the application and submission of a grant application and execution of an Agreement for Municipal Aid from the New Jersey Department of Transportation for local aid for the reconstruction of Lehigh Avenue and State Road #00480 *(Engineer Bryson confirmed this resolution is required for submission of the grant. Councilwoman Domico asked about any stormwater requirements with this project. A general discussion took place regarding the grant specifications.)*

A motion to approve Resolution No. 92-2021 was made by Council President Murtaugh and seconded by Councilman Nordaby and the vote was as follows:

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

AUCTION:

Auction of Public Land for Block 29, Lots 6, 7 and 8, Timber Avenue *(Solicitor Scaffidi)*

RESOLUTION No. 92-2021 - Authorizing vacant land sale of Block 29, Lots 6, 7, and 8 located at Timber Avenue within the Borough of Westville, County of Gloucester, State of New Jersey

At Solicitor Scaffidi's request, this Resolution was tabled to allow for additional research of the property and the Public Notices to take place.

Motion to table the Auction was made by Councilwoman Domico and seconded by Council President Murtaugh and the vote was as follows:

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

REQUEST from a resident at 145 Locust Avenue looking for assistance in reducing her water bill that was higher than normal due to a leaking toilet. *(Request sent to the Water Committee for review prior to the meeting.) (Water Committee Chairperson Domico recommended that the Borough work with the elderly resident on the excess charges on her water bill.)*

Motion to relieve the resident of the excess water charges was made by Councilman Young and seconded by Councilman Lawrence and the vote was as follows:

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

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NEW BUSINESS: *(continued)*

REQUEST from Robert Fowler of Bellmawr, New Jersey to use Westville ball fields located on Almonesson Road to host an Alex's Lemonade event on August 28, 2021

Motion to permit usage of the field for the Alex's Lemonade event was made by Council President Murtaugh and seconded by Councilman Nordaby and the vote was as follows:

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

REQUEST from the Gloucester County Women's Slow Pitch league to use the Helen Walker field on Sundays from September 12 to November 7, 2021 during the hours of 9 am to 2 pm.

Motion to permit usage of the field by the Gloucester County Women's Slow Pitch league on the days and times requested was made by Council President Murtaugh and seconded by Councilman Young and the vote was as follows:

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

ITEM FOR DISCUSSION

Code Enforcement Officer Morina provided information on Aces Used Auto Sales property usage and the configuration of the vehicles on the lot that have, at times, blocked driveways. There was a lengthy discussion, led by Code Enforcement Officer Morina, that detailed previous Borough approvals and means of ingress and egress. Code Enforcement Officer Morina advised the owner, Jared Adelson, is working closely with the him to be sure the business complies with all Borough zoning and safety laws. A general discussion took place that addressed parking issues on the lot as well customer parking and Mr. Adelson's attorney spoke on his behalf to ensure Council that they will work with Code Enforcement Officer Morina to be sure all violations are resolved.

Motion to continue the temporary licensing to permit the business owner time to submit the required paperwork to Code Enforcement Officer Morina was made by Councilman Nordaby and seconded by Councilman Young and the vote was as follows:

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

COMMUNICATION

Letter from West Deptford Township regarding the creation of a Cannabis Business Overlay Zone in their Municipality

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PUBLIC PORTION

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

Joyce Lovell, 328 Summit Avenue, talked about the parking in the area of Little Timber and how it reduces visibility.

Ken Lee, 144 Oak Avenue, discussed the Borough forming an Inclusion Alliance and also mentioned the Pennsylvania Abandoned and Blighted Property Conservatorship Act and how it might apply to the Borough.

Mayor Sims advised Mr. Lee to make a presentation or send information to Council on his plans for an Inclusion Alliance and Solicitor Scaffidi commented on the City of Woodbury's Human Rights Commission and how it works.

Marissa Marin, 5 Third Avenue, advised Council that she was declined a guard rail from the New Jersey Department of Transportation and was wondering what the Borough could do to help protect her family and property. Mayor Sims advised he's not sure what the Borough could do if the NJDOT declined her request for a guard rail. A general discussion took place on how Ms. Marin could protect her family and property and Engineer Bryson stated he would visit the property to see what could be done.

Joyce Lovell, 328 Summit Avenue, stated her opinion on NJDOT and the signs they installed on Route 130. Mayor Sims asked the Police and Public Works Department to look at the situation.

Council President Murtaugh motioned to close the meeting to the public, Councilwoman Domico seconded and her motion was approved by the entire Council.

COMMENTS FROM MAYOR/COUNCIL/DEPARTMENTS HEADS

Administrator Giles read a letter from a resident regarding the Borough's lack of special needs playground equipment. Council President Murtaugh advised he sent information to Public Works Superintendent Finger for consideration.

Administrator Giles provided an update on completion of the Financial Disclosure Statements and confirmed that the tax rate was set by the county.

Engineer Bryson provided updates on various Borough projects. A general discussion on the timing of projects took place.

Public Works Assistant Superintendent Ostrom responded to Council's concerns about geese in the Borough.

Councilman Nordaby provided an update on the 9/11 Memorial project, specifically the pavers.

Councilman Young advised the Ordinance Committee will be meeting on July 29, 2021. Mayor Sims asked Councilman Young to review the current parking of tractor/trailers on Borough streets.

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

Councilman Lawrence reminded attendees about the September 25th Fall Festival. Councilman Lawrence also stated residents contacted him about making the alley between Lorenzo's and Xavier Hall one way (a discussion took place regarding ownership of some of the property). Councilman Lawrence also advised another resident asked about road signage at the Firehouse (signs needed eastbound and westbound-Public Works Assistant Superintendent Ostrom will follow up). Council President Murtaugh asked Engineer Bryson if he would contact DOT to see if they can extend the timing of the westbound Olive Street/Route 45 light. Councilman Lawrence commented that another resident asked about the beaver issue and if there was any resolution on that issue. Councilwoman Domico advised Mr. Ludwig from Wheelabrator contacted her and said they did not find any evidence of a beaver dam but would continue to monitor the situation.

Mayor Sims stated he had no comments other than to remind residents to Get Involved and Make a Difference.

A motion to adjourn the meeting was made by Councilman Lawrence and seconded by Councilwoman Domico and her motion carried unanimously by voice vote.

The meeting was adjourned at 8:50 p.m.

Respectively Submitted,

Kathleen Carroll

Kathleen Carroll
Deputy Municipal Clerk

**Next meeting
August 3, Work Session**