

BOROUGH OF WESTVILLE

Regular Council Meeting

165 Broadway

October 21, 2021

Meeting Minutes

Mayor Fritz H. Sims, Jr. called the October 21, 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, Charles D. Murtaugh, Paul C. Mailley and Bruce Nordaby. Administrator/Municipal Clerk Ryan J. Giles, Deputy Clerk Kathleen Carroll and Solicitor Timothy Scaffidi. Absent: Council Members Donna Domico and Timothy Young

2021 MEETING MINUTES: Meeting Minutes from the September 7 Work and Executive sessions, September 20 Council meeting and October 5 Work session were approved by Council President Murtaugh and seconded by Councilman Mailley. *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 Nordaby, seconded by Council President Murtaugh and his motion carried unanimously by voice vote.

As no one chose to address the Governing Body, Councilman Nordaby motioned to close the meeting to the public, Council President Murtaugh seconded and his motion carried unanimously by voice vote.

COMMITTEE REPORTS FOR SEPTEMBER 2021

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

OLD BUSINESS:

Public Hearing:

(2nd Reading – Introduced September 7, 2021)

ORDINANCE No. 14-2021 – Amending Chapter 373, Vehicles and Traffic Article XI, Section 373.2, Schedule IXB: Four-Way Stop Intersections of the Code Book of the Borough of Westville

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

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OLD BUSINESS: *(continued)*

A motion to approve Ordinance No. 14-2021 was made by Councilman Nordaby and seconded by Council President Murtaugh and the vote was as follows:

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

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 No. 112-2021 - Requesting approval of Items of Revenue and Appropriation, NJSA, 40A:4-87 for Drive Sober Grant - \$2400.00

RESOLUTION No. 113-2021 - Approving participation with the State of New Jersey, Department of Law and Public Safety in a Safe and Secure Communities Program for 2021-2022 in the amount of \$16,200

RESOLUTION No. 114-2021 - Approving the 2020 Audit and Group Affidavit

RESOLUTION No. 115-2021 - Authorizing the Mayor or his Designee to sign an Agreement with the New Jersey Transit Corporation to install one bus shelter on the Southbound side of Almonesson Road

RESOLUTION No. 116-2021 - Authorizing the Tax Collector to waive interest charges in the amount of \$12.36 on Account #462, 120 Delsea Drive

RESOLUTION No. 117-2021 - Authorizing the Borough of Westville to issue a refund totaling \$60.00 for a canceled Certificate of Occupancy inspection fee for a property at 21 Spruce Street

RESOLUTION No. 118-2021 - Authorizing the placement of Property Maintenance liens - October 21, 2021.

RESOLUTION No. 119-2021 - Appointing Kelly Scheffler to the position of part-time Library Director effective October 25, 2021

RESOLUTION No. 120-2021 - Accepting the resignation of Patrolman Justin Muhlbaier from the Police Department effective October 25, 2021

Administrator Giles provided an update on the positive Audit report.

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NEW BUSINESS: *(continued)*

A motion to approve Resolutions No. 112 through 120, 2021 was made by Councilman Nordaby and seconded by Council President Murtaugh and the vote was as follows:

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

RESOLUTION No. 121-2021 – Authorizing approval of the Bill List for October 21, 2021

A motion to approve Resolution No. 121-2021 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
Abstained – Councilman Nordaby abstained from check #029877
Nays – None
Motion Carried*

RESOLUTION No. 122-2021 – Authorizing the Governing Body of the Borough of Westville to award the bid for roadway improvements to Birch Avenue, Boundary Lane, Boundary Lane Tennis Court Parking, Duncan Avenue parking and Duncan Avenue Storm Sewer to *Paving Plus LLC* who submitted the lowest bid of \$380,105.94 that included the base bid plus Alt A, B, and C. (Letter from Solicitor Scaffidi also included.)

A motion to approve Resolution No. 122-2021 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*

RESOLUTION No. 123-2021 – Confirming sale of land to Steven T. Smalfus and Ann C. Smalfus, for Borough owned vacant land known as block 29, lots 6, 7 and 8 for the total sum of \$11,000.00

A motion to approve Resolution No. 123-2021 was made by Councilman Mailley and seconded by Councilman Nordaby and the vote was as follows:

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

REQUEST from the Rolling Badges to hold a 50/50 on Saturday, November 13, 2021 from noon to 5 p.m. *(required documents received)*

A motion to approve the request 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 Gator Youth Football to hold a Coin Toss on November 7, 2021 *(required documents received. Request approved by the Police Department and County of Gloucester approval is pending)*

A motion to approve the request, pending approval from Gloucester County, was made by Council President Murtaugh seconded by Councilman Nordaby and the vote was as follows:

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

ITEMS FOR DISCUSSION

- **Best Practice Review – Administrator Giles**
Administrator Giles advised the Borough did very well and received a 21 out of a 23 which means Westville will continue to receive State Aid
- **Repairs to 128 Crown Point Road**
Public Works Superintendent Finger advised he inspected the property and determined that it needs extensive repairs including windows and new electric throughout the building. A discussion took place regarding demolishing the property and possible future use of the land as a Public Works facility and notifying the tenants, within 6 months that the Borough will be ending the tenancy.

A motion to start the “end of tenancy”, 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*

- **Halloween – Trick or Treat hours**
Acting Police Chief Packer suggested the Trick or Treat be 3 p.m to 8 p.m.

A motion to schedule Halloween Trick or Treat hours starting at 3 p.m. through 8 p.m. 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*
- **2022 Fireworks** *(continuation of discussion from September 7, 2021 meeting)*
Mayor Sims reminded meetings attendees that Gloucester City asked to be a contributor to the Westville fireworks show so Public Works Superintendent Finger met with a Fireworks representative who confirmed that they could move the show further out onto the water enabling all three towns (Westville, Brooklawn and Gloucester City) to have a good view. Public Works Superintendent Finger also said that in a few weeks he and the Fire Marshall will view the area for show visibility. A general discussion took place about the Fireworks.

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COMMUNICATIONS:

- Audit letter from Petroni and Associates
- Letter from Steve Conover thanking Council for what they do, specifically the 9/11 Memorial

PUBLIC PORTION:

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

- Loren Jimenez, 211 Station Avenue and co-owner of Lorenzo's Cabana expressed her fears and concerns about a resident's bizarre behavior on October 18, 2021 and the individual making terroristic threats. Ms. Jimenez provided details on the resident's abnormal conduct and asked what can be done to protect their community. Mayor Sims listened to Ms. Jimenez's concerns, confirmed that the Police are doing everything they can and stated that individuals should call the Gloucester County Prosecutors Office Victim/Witness number at 856-384-5500 as well as the 5th District Elected officials. Acting Police Chief Packer provided general information on the situation. Ms. Jimenez asked what can be done about the dead tree in front of her store and Public Works Superintendent Finger stated it will be addressed.
- Stephanie Vernacchio, 22 Center Avenue, expressed her concerns about the behavior of the same individual on October 18, 2021 as well as all the other days that the individual has threatened her. Ms. Vernacchio described the nightmare of living next to the individual in question and stated she is in fear for her life and asked for the Borough's support in resolving this issue. Mayor Sims expressed his concern and encouraged Ms. Vernacchio to contact the Gloucester County Prosecutors Office and stated that the Police will continue to do everything they can. A discussion took place regarding contacting PSE&G to add a street light to that area. Acting Police Chief Packer suggested that victims write letters to the judges.
- Jennifer Gruff, 164 Broadway, Apt. B, stated she was not affected or bothered by the individual in question but had concerns because her daughter was frightened by the Police activity on October 18, 2021. A general discussion of the events of the day took place.
- Colleen Cotton, Pine Street, provided her comments on the individual's behavior on October 18, 2021 and complemented the Police and Fire Departments on how they handled the situation. Ms. Cotton addressed problematic issues taking place at Woodbine Avenue and Acting Police Chief Packer stated he will start a foot patrol in the area.
- David Steinberg, 825 East Clements Bridge Road in Runnemede spoke about the hazards of the Liquefied Natural Gas (LNG) trains that may be passing through towns in Gloucester County and encouraged Council to sign a Resolution against the LNG project. Mayor Sims commented that he will take Mr. Steinberg's information under advisement.
- Council President Murtaugh apologized to Joe Valentino who resides in Dorian Manor for not being aware of the LNG comments that were being made at this meeting.
- Joe Valentino, Dorian Manor, spoke in support of Mr. Steinberg's statement regarding the hazards of the LNG project.

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PUBLIC PORTION: *(continued)*

- Ann Heenan DeLong, 14 Parkview Drive, stated she would support a Resolution in opposition of the LNG project.
- Elizabeth Fireoved, who resides at 156 Broadway, also talked about the incident on October 18, 2021 and how her grown son is afraid to walk his dog at night. Ms. Fireoved discussed parking issues and the difficulty she experiences when trying to pull out of her driveway onto Broadway because vehicles are parking too close to the end of the driveway. A general discussion took place regarding parking in the downtown area. Councilman Lawrence stated the Borough is still waiting for the paint to mark out parking spaces along Broadway. Council President Murtaugh asked Public Works Superintendent Finger to put out cones to mark out the driveway.
- Tracy Gillman, 13 Center Avenue, aired her concerns about the individual discussed that caused the police action on October 18, 2021 and talked about all the times she has gone to court because of this individual's threatening behavior and expressed her frustration with the lack of action that is being taken by the Court system. Council President Murtaugh asked Ms. Gillman if she would be agreeable to a street light in her area to help with the situation. A general discussion took place on reminding individuals to call the Prosecutors office.
- Rob Cook, 26 Center Avenue, thanked the Police for their response to the incident on October 18, 2021 and to Mayor Sims for being transparent in posting Borough information on social media. Mr. Cook provided additional information on the hazards of Liquid Natural Gas.

Hearing no other comments, Council President Murtaugh motioned to close the meeting to the public, Councilman Nordaby seconded his motion that was approved by the entire Council.

COMMENTS FROM MAYOR/COUNCIL/DEPARTMENT HEADS

Administrator Giles advised Council that the remediation on the property at the Public Works facility will continue for the next few years at a cost of approximately \$30,000. Administrator Giles stated he was under the impression the project would be finished this year but received word from Antea Group that it will continue. Administrator Giles recommended the Borough do a Bond Ordinance to cover the remaining expenses. A general discussion took place regarding the length of the project and it was suggested that Public Works Superintendent Finger contact Councilwoman Domico for her input on the ongoing project.

Acting Police Chief Packer advised he is still waiting to hear the status of the COPS Hiring Grant and that he and Administrator Giles submitted the Safety and Secure Grant for \$16,200 that he expects to receive for his department. Acting Police Chief Packer thanked Public Works Superintendent Finger for his assistance in transporting residents, affected by the October 18, 2021 incident, to the Community Center and also thanked Fire Chief Farley and his staff for their assistance during the event. Acting Police Chief Packer also acknowledged Officer DeNick and Detective Hibbs who put in an extra effort as a result of the October 18, 2021 incident.

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

Engineer Bryson talked briefly on the settling of the corner of the 165 building and that he will bring in a structural engineer to test that area of the building and that when tests are concluded he will report to Administrator Giles.

Councilman Nordaby thanked everyone for attending the 9/11 Memorial dedication and thanked residents for attending the meeting and voicing their concerns.

Council President Murtaugh asked Public Works Superintendent Finger to see what he can do so that the football league can avoid turning on unnecessary light switches. Council President Murtaugh stated he spoke with a Verizon representative regarding the Boundary Lane project and the telephone poll that is in the right of way and a hazard. Council President Murtaugh was advised by Verizon that if the poll is a safety hazard, the \$40,000 removal fee will be waived.

Mayor Sims acknowledged the residents who attended the meeting and advised the Borough is doing everything possible to resolve the situation they addressed.

EXECUTIVE SESSION:

The Deputy Clerk read **RESOLUTION No. 124-2021** - Authorizing an Executive Session to discuss Personnel Matters in the Public Works Department.

A motion to approve Resolution No. 124-2021 was made by Councilman Nordaby and seconded by Councilman Mailley and his motion was carried unanimously by voice vote.

Time In: 8:48 p.m.

Time Out: 9:10 p.m.

Motion to return to the public portion was made by Councilman Nordaby and Council President Murtaugh seconded and his motion was carried unanimously by voice vote.

Council President Murtaugh asked Administrator Giles to contact Comcast to see if the Borough can negotiate a better deal on phone and internet services.

Council President Murtaugh advised the Public Safety committee met with Acting Police Chief Packer to discuss new Police vehicles that are needed and asked Administrator Giles to talk with CFO Bruno to determine the best way to pay for a new police vehicle.

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

The meeting was adjourned at 9:10 p.m.

Respectively Submitted,

Kathleen Carroll

Kathleen Carroll
Deputy Municipal Clerk