

MINUTES OF ORGANIZATION MEETING HELD JANUARY 3, 2016

Minutes of Organization Meeting of the Council of the Town of Westfield held January 3, 2016 in Council Chambers at 4:00 p.m.

Mayor Skibitsky read the call as follows:

Welcome to this Special Meeting of the Westfield Town Council for the purpose of organizing for the year 2016 on January 3, 2016, at 4:00 p.m. in the Council Chambers of the Municipal Building and transacting such other business as may properly come before the meeting.

Notice of the meeting was advertised in the December 17, 2015 edition of the Westfield Leader, sent to the Star Ledger and posted on the bulletin board and filed in accordance with the Open Public Meetings Act.

Invocation was given by Father Michael Saporito, Pastor, Church of St. Helen.

Salute to the flag.

Swearing in of Council Members

Re-elected 1st Ward Council Member Frank Arena was sworn in by the Honorable Douglas Faciale, JAD, filed his oath as required by law and took his seat with the Council.

Re-elected 2nd Ward Council Member JoAnn Neylan was sworn in by the Honorable Mark Ciarrocca, JSC, filed her oath as required by law and took her seat with the Council.

Re-elected 3rd Ward Council Member Mark LoGrippo was sworn in by the Honorable Mark Ciarrocca, JSC, filed his oath as required by law and took her seat with the Council.

Newly-elected 4th Ward Council Member Doug Stokes was sworn in by Honorable James Foerst, Esq, filed his oath as required by law and took his seat with the Council.

The Meeting Called to Order at 4:05 p.m. by Mayor Skibitsky.

Present: Mayor Skibitsky, Council Members Arena, Neylan, LoGrippo, Loughlin, Della Fera, Kimmins, Oliveira, Stokes

Absent: Councilwoman Kimmins, Councilman Oliveira

Mayor Skibitsky proposed the following Acting and Alternate Acting Mayor appointments for year 2016. Motion made by Mayor Skibitsky, seconded by Councilman Loughlin, was unanimously confirmed by Council.

Acting Mayor – JoAnn Neylan
Alternate Acting Mayor – Sam Della Fera

The Mayor proposed the following Council appointments. Motion made by Mayor Skibitsky, seconded by Councilwoman Neylan was carried.

Planning Board Liaison *Sam Della Fera* *December 31, 2016*

Board of Adjustment

Robert Benacchio *December 31, 2019*
Chris Maciale *December 31, 2019*
James Kelly, Alt. #2 (to fill an unexpired term) *December 31, 2016*

Special Improvement District Board

Resident Member *Steve Silverman (to fill an unexpired term)* *December 31, 2017*
Property Owner *Alan DeRose* *December 31, 2018*
Merchant *Lisa Marvin* *December 31, 2018*
Council Designee *Sam Della Fera* *December 31, 2016*
Mayor Designee *Stephanie Walsh* *December 31, 2016*
Ex Officio *James Gildea* *December 31, 2016*

The Mayor proposed the following appointments. Motion made by Mayor Skibitsky, seconded by Councilman LoGrippo the said appointments were carried.

Municipal Prosecutor *Anthony Prieto* *December 31, 2016*
Public Defender *Gavin Handwerker* *December 31, 2016*
Official Newspapers *The Westfield Leader* *December 31, 2016*
 The Star Ledger *December 31, 2016*

The Mayor proposed the following Board appointments. Motion made by Mayor Skibitsky, seconded by Councilman Arena was carried.

Board of Health

Jaclyn Kirna (to fill an unexpired term) *December 31, 2018*
Maria LoGrippo, Alt #1 *December 31, 2017*
David Weinman *December 31, 2019*
Tom O'Neil *December 31, 2019*
Council Liaison:
David Oliveira *December 31, 2016*

Recreation Commission

Peter Echausse-Chair *December 31, 2016*
Jeff O'Connor *December 31, 2018*
James Foerst *December 31, 2018*

Council Liaison:*Frank Arena**December 31, 2016***Historic Preservation Commission***David Hagan, Class A**December 31, 2019**Joseph Biren, Class B**December 31, 2019**Peter Brooks**December 31, 2019**Erin Romano, Alt #2**December 31, 2017***Council Liaison:***Vicki Kimmins**December 31, 2016***Board of Architectural Review***Roger Studwell**December 31, 2018**Fernando Martinez**December 31, 2018***Tree Preservation Commission***Melanie Singer (to fill an unexpired term)**December 31, 2017***Council Liaison:***Sam Della Fera**December 31, 2016***Memorial Library Board***Robyn Kirna**December 31, 2020**David Molowa**December 31, 2020**Jessica Brooks (to fill an unexpired term)**December 31, 2017***Council Liaison:***Vicki Kimmins**December 31, 2016***Communications Advisory Board***Joe McHugh**December 31, 2018***Westfield Housing Commission***Joseph Farella, ex-officio**December 31, 2016**John DeSena, ex-officio**December 31, 2016**Katherine Clifford**December 31, 2016**Ronald Bansky**December 31, 2016*

Mayor Skibitsky announced the following Mayoral appointments:

Planning Board*Frank Smith**December 31, 2019**Bill West, Alt. #2**December 31, 2017***Mayor's Designee:***Kenneth Donnelly**December 31, 2016**Kris McAloon, Class II**December 31, 2016*

<i>Community Development Revenue Sharing Committee</i> <i>John DeSena</i>	<i>December 31, 2016</i>
<i>Insurance Advisory Board</i> <i>Michael Csorba</i> <i>Michael Cash</i>	<i>December 31, 2018</i> <i>December 31, 2018</i>
<i>Solid Waste Advisory Board</i> <i>Vincent Spera</i>	<i>December 31, 2016</i>
<i>Union County Transportation Advisory Board</i> <i>John Morgan – Delegate</i> <i>George Lanzano, Alternate</i>	<i>December 31, 2016</i> <i>December 31, 2016</i>
<i>Air Traffic Advisory Board</i> <i>Jerome Feder</i> <i>Greg Bashkoff</i>	<i>December 31, 2017</i> <i>December 31, 2017</i>
<i>Chamber of Commerce Liaison – Councilman Mark LoGrippe</i> <i>Union County League of Municipalities – Mayor Andrew Skibitsky</i> <i>Board of Education Liaison – Councilman Sam Della Fera</i> <i>2nd Senior Citizens Housing Corporation Liaison – Mayor Andrew Skibitsky</i> <i>Municipal Alliance/PANDA Liaison – Councilwoman JoAnn Neylan</i>	

Mayor Skibitsky announced the following Council Committees:

- Finance Policy Committee***
JoAnn Neylan, Chairman
Frank Arena, Vice-Chairman
Sam Della Fera
David Oliveira
- Public Safety, Transportation, & Parking Committee***
Keith Loughlin, Chairman
Mark LoGrippe, Vice-Chairman
JoAnn Neylan
Doug Stokes
- Code Review & Town Property Committee***
Sam Della Fera, Chairman
Vicki Kimmins, Vice-Chairman
Keith Loughlin
Mark LoGrippe
- Public Works Committee***

David Oliveira, Chairman
Doug Stokes, Vice-Chairman
Vicki Kimmins
Frank Arena

Mayor Skibitsky gave the following State of the Town Address:

Good evening and welcome to the annual organization meeting of the Westfield Town Council. It's good to see all the residents, our families and friends, former council members, volunteers, and employees who are here this afternoon. Thank you all for coming and a special thank you to Father Michael for delivering the invocation and to Rabbi Sagal who will be delivering the benediction at the conclusion of this meeting.

It is always important to recognize that Westfield's form of government is indeed unique. Unlike most municipalities, the Town Council and I serve essentially as volunteers, receiving a symbolic paycheck of \$1 per year that, in accordance with long-standing tradition, does not get cashed. The Town Council and I receive no other monetary compensation, no expense budget, and no benefits. It is my understanding that Westfield is the largest municipality in the state that seats an unpaid governing body.

And, to be sure, our jobs here are not just about sitting on this dais on Tuesday evenings. We work very hard throughout the year in a variety of ways including:

- participating in committee meetings;
- meeting with residents, students, and state representatives; and
- keeping up-to-date with changes in laws and regulations that apply to municipalities.

Of course, though we are not compensated financially, we are well compensated in another, more important way - by having the distinct honor of serving the people of this great town. I'm sure I speak for everyone on the dais when I say that we serve out of a genuine love of our town and appreciation for how fortunate we are to be living our lives here.

And so, to the members of the 2015 Town Council, I would like to thank you for your time, your talents, and for all your efforts on behalf of your respective wards.

To Councilwoman Neylan, Councilman LoGrippo, and Councilman Arena, congratulations on your re-election. Your willingness to serve another 4 years is a tribute to your selfless commitment to the community, and I am proud to serve with you.

To our newest council member, Councilman Doug Stokes, welcome aboard. With Councilman Foerst "retiring" after serving three terms, you have big shoes to fill. I am confident that with your experience in public service and your vision and enthusiasm, you are up to the

challenge. I trust you will find the next four years enriching, exhausting, and immensely rewarding and I look forward to working with you.

To the families of all the Town Council members – I know that you sacrifice family time with your loved ones when they are busy tending to the town’s business, so thank you for your support and for your community spirit as well.

To Westfield’s First Lady, my ever-patient and supportive wife, Debbie, and our children - Drew, Hope, Shane and Troy – and our nephew, Chase, thank you for your love and continued encouragement.

Earlier in this meeting, many citizens were appointed to serve as volunteers on the various boards and commissions of the town. Let me express my deepest appreciation to all of you who have agreed to dedicate your time and talents to serve your fellow residents.

And to all those volunteers who just completed their terms, thank you for your service.

To the department heads, thank you. I have witnessed first-hand your commitment to your work and, most importantly, to the people of this town. You represent and advocate for your respective departments with great dedication, professionalism, and determination and I want you to know that your efforts, as well as those of the employees in your charge, are recognized and appreciated.

And now, as Mayor, I am honored to deliver my eleventh state of the town address.

Two years ago, I described the “State of the Town” in just one word - “strong” - strong as in resilient, strong as in enduring, strong as in robust. Last year, I needed two words – “very strong”. This year, I need three words – very strong and thriving.

The “State of the Town” is oftentimes associated with the town’s fiscal health.

The good news is the town of Westfield has successfully navigated itself to a very strong and stable financial position. Perhaps there is no better evidence of this position than the AAA rating assigned by Standard and Poor’s this past August. The S & P report described the town’s financial position in the following terms, and I quote:

- “strong management”,
- “strong budgetary performance”,
- “very strong budgetary flexibility”,
- “very strong liquidity”, and
- “strong debt and contingent liability profile”.

Such an endorsement of the town's fiscal management by an impartial source should be reassuring news to our residents.

The town is fortunate to have won numerous awards and accolades in recent history, with new ones added every year. In March of 2015, the publication "New Jersey Family" named Westfield the "Best Mid-Size Town For Families", beginning its description on why Westfield was selected with "- it has great schools, barely there crime and neighborhoods filled with young families. But what really makes it stand apart is its downtown."

In almost all of the accolades the town has received, the downtown is mentioned as a significant feature adding to the town's overall appeal and liveliness. There has been much written in business and real estate journals about the economic benefit to the community of a vibrant downtown. For example, it is estimated that for every dollar spent downtown, more than 87 cents stays in the local community. Westfield's downtown, however, is more than just an economic benefit to the community – it is truly a social and cultural meeting place. The central location, the physical layout, its walkability, the independently owned shops, the professional services, the restaurants, the national retailers, the festivals, the music.....all contribute to the heartbeat of the community. This is why I have always advocated for "Westfield first". If you can't find it downtown, you don't need it!

Of course, with the advent of the Internet and online shopping, it cannot be denied that the retail paradigm is rapidly changing. In order to keep our downtown vibrant, we need to attract a regular influx of people to visit, shop, dine, and use the professional services. To that end, the town welcomes private investment in our downtown areas. The town is committed to carefully managing growth while, at the same time, making sure it is meeting its statutory and court ordered obligations. To be sure, nothing degrades the character and vitality of the community more than a lack of investment.

I am happy to announce that there are three new development projects planned within Westfield's downtown area, all representing significant investments in our future without sacrificing character. During construction, residents will no doubt notice the changes, but be assured that the town has taken the necessary steps to ensure that the changes are positive and will be a boost for the downtown area and indeed the entire town.

The first project is a 70 unit residential building located at the intersection of South Avenue and Central Avenue. Construction on this project will commence in earnest in 2016. Included in this project are improvements and added lanes to the busy Central Avenue/South Avenue intersection - the complete cost of which will be borne by the developer and none of which will be at taxpayers' expense.

The second project is the redevelopment of the “Jolley Trolley” site. Here we will see the construction of a new building containing not only retail space, but a total of 20 residential units. We also expect construction to commence on this project in 2016.

The third project is the planned development at the intersection of west broad street and Rahway Avenue where we will see the construction of a building containing a total of 31 residential units. An application to the Planning Board is expected in January for this project.

These developments all share some important characteristics:

- They are all modern and architecturally appealing.
- They all represent improvements to currently underutilized properties located at highly visible locations within our downtown area.
- They all will provide easy access to the goods, services, and entertainment that downtown Westfield provides. Residents of these new buildings can walk from their front door to all that downtown Westfield offers in a matter of minutes.
- Bus and rail service too are just steps away.

These developments also provide housing alternatives which may appeal to our existing residents. Perhaps they no longer need the size of the home in which they currently reside; perhaps they just want to simplify their daily lives and wish to remain in the town they love, close to friends and relatives.

Existing residents are not the only ones who could be served. We expect that young professionals, perhaps those who are just starting out in their careers, will be interested in the new units. Many of these individuals are looking to live, work, and play within the same community. Westfield provides this opportunity.

To be sure, private investment in our downtown is not the only area undergoing positive change. Based on the number of building permit applications, existing residents are investing heavily in their own homes and properties. Such investments and improvements ensure that Westfield will remain a strong, vibrant, healthy, and prosperous community for many years to come.

Before closing, I want to remind residents to keep in touch with the town by following us on Twitter and Facebook, signing up for Nixle notifications, tuning in to TV 36, and checking out the town’s website, www.westfieldnj.gov. In the coming year, there will be significant upgrades to the website and, just recently, the Westfield Police Department launched their own Facebook page. And, as I have done so since the day I took office, I am available to meet with residents during my Saturday morning (and sometimes weeknight) office hours. Just call 789-4041 and my assistant will be happy to arrange an appointment for you.

In closing, let's remember that Westfield is a town of nearly 31,000 residents living in an area of just over 6.7 square miles. Yet, it retains its "small town" feel. We know that the true "State of the Town" and what really defines us as a community are the people – the people who, with great pride, call Westfield their hometown. It's about the parents who choose to raise their families here. It's about the close knit neighborhoods that hold annual block parties. It's about the abundance of recreational, educational, cultural and spiritual opportunities. It's about the hundreds if not thousands of volunteers who give so generously of their time and talents to coach and guide our youngsters in sports, scouting, and other activities. It's about our senior citizens, many of whom contributed to making Westfield what it is today and now stay to be close to the families they have raised. It's about all of the hard-working merchants, professionals, restaurateurs, and proprietors who have invested in Westfield and chosen it as their business home. Thank you to each and every one of you for your individual contribution to making Westfield the truly unique and remarkable place that it is. We have so much to be grateful for.

Thank you and may God bless you.

BILLS AND CLAIMS

Introduced by Councilwoman Neylan, seconded by Councilman LoGrippe and adopted.

RESOLVED that the bills and claims in the amount of \$336,007.44 per the list submitted to the members of this Council by the Chief Financial Officer, and approved for payment by the Town Administrator be, and the same are hereby, approved and that payroll warrants previously issued by the Chief Financial Officer be ratified.

REPORTS OF STANDING COMMITTEES:

Finance Policy Committee

The following resolutions, introduced by Councilwoman Neylan, Chairman of the Finance Policy Committee, seconded by Councilman Della Fera were unanimously adopted.

(1) WHEREAS, R.S. 40A: 4-63 provides that monies held in any separate fund shall be treated as monies held in trust and shall not be diverted to any other purpose;

NOW, THEREFORE, BE IT RESOLVED that the Wells Fargo Bank shall be the depository for the "TOWN OF WESTFIELD, TREASURER'S ACCOUNT," and the custodian shall be Scott H. Olsen. All disbursements shall be made by the Treasurer's electronic fund transfer or by checks signed by the Mayor, Town Clerk and Treasurer, or by the Treasurer's electronic funds transfer.

(2) WHEREAS, R.S. 40A: 4-63 provides that monies held in any separate fund shall be treated as monies held in trust and shall not be diverted to any other purpose;

NOW, THEREFORE, BE IT RESOLVED that the Wells Fargo Bank shall be the depository for the "TOWN OF WESTFIELD, TRUST - OTHER ACCOUNT," and the custodian shall be Scott H. Olsen. All disbursements shall be made by checks signed by the Mayor, Town Clerk and Treasurer, or by the Treasurer's electronic fund transfer.

(3) WHEREAS, R.S. 40A: 4-63 provides that monies held in any separate fund shall be treated as monies held in trust and shall not be diverted to any other purpose;

NOW, THEREFORE, BE IT RESOLVED that the Wells Fargo Bank shall be the depository for the "TOWN OF WESTFIELD, TRUST (PAYROLL DEDUCTIONS) ACCOUNT," and the custodian shall be Scott H. Olsen. All disbursements shall be made by checks signed by the Mayor, Town Clerk and Treasurer, or by the Treasurer's electronic fund transfer.

(4) WHEREAS, R.S. 40A: 4-63 provides that monies held in any separate fund shall be treated as monies held in trust and shall not be diverted to any other purpose;

NOW, THEREFORE, BE IT RESOLVED that the Wells Fargo Bank shall be the depository for the "TOWN OF WESTFIELD, POLICE DEPARTMENT ACCOUNT," and the custodian shall be David Wayman, Chief of Police. All disbursements shall be made by checks signed by the Chief of Police Department, or by the Treasurer's electronic fund transfer.

(5) WHEREAS, R.S. 40A: 4-63 provides that monies held in any separate fund shall be treated as monies held in trust and shall not be diverted to any other purpose;

NOW, THEREFORE, BE IT RESOLVED that the Wells Fargo Bank shall be the depository for the "TOWN OF WESTFIELD, ENGINEER'S ACCOUNT," and the custodian shall be Kris McAloon. All disbursements shall be made by checks signed by the Town Engineer, or by the Treasurer's electronic fund transfer.

(6) WHEREAS, R.S. 40A: 4-63 provides that monies held in any separate fund shall be treated as monies held in trust and shall not be diverted to any other purpose;

NOW, THEREFORE, BE IT RESOLVED that the Wells Fargo Bank shall be the depository for the "TOWN OF WESTFIELD, SWIMMING POOL CAPITAL FUND," and the custodian shall be Scott H. Olsen. All disbursements shall be made by checks signed by the Mayor, Town Clerk and Treasurer, or by the Treasurer's electronic fund transfer.

(7) WHEREAS, R.S. 40A: 4-63 provides that monies held in any separate fund shall be treated as monies held in trust and shall not be diverted to any other purpose;

NOW, THEREFORE, BE IT RESOLVED that the Wells Fargo Bank shall be the depository for the "TOWN OF WESTFIELD, CONSTRUCTION OFFICIAL ACCOUNT," and

the custodian shall be Steven Freedman. All disbursements shall be made by checks signed by the Construction Official, or by the Treasurer's electronic fund transfer.

(8) WHEREAS, R.S. 40A: 4-63 provides that monies held in any separate fund shall be treated as monies held in trust and shall not be diverted to any other purpose;

NOW, THEREFORE, BE IT RESOLVED that the Wells Fargo Bank shall be the depository for the "TOWN OF WESTFIELD, COLLECTOR OF TAXES," and the custodian shall be Susan H. Noon. All disbursements shall be made by checks signed by the Tax Collector or by the Treasurer's electronic fund transfer.

(9) WHEREAS, R.S. 40A: 4-63 provides that monies held in any separate fund shall be treated as monies held in trust and shall not be diverted to any other purpose;

NOW, THEREFORE, BE IT RESOLVED that the Wells Fargo Bank shall be the depository for the "TOWN OF WESTFIELD, COLLECTOR REDEMPTION ACCOUNT," and the custodian shall be Susan H. Noon. All disbursements shall be made by checks signed by the Tax Collector, or by the Treasurer's electronic fund transfer.

(10) WHEREAS, R.S. 40A: 4-63 provides that monies held in any separate fund shall be treated as monies held in trust and shall not be diverted to any other purpose;

NOW, THEREFORE, BE IT RESOLVED that the Wells Fargo Bank shall be the depository for the "TOWN OF WESTFIELD, COLLECTOR PREMIUM ACCOUNT," and the custodian shall be Susan H. Noon. All disbursements shall be made by checks signed by the Tax Collector, or by the Treasurer's electronic fund transfer.

(11) WHEREAS, R.S. 40A: 4-63 provides that monies held in any separate fund shall be treated as monies held in trust and shall not be diverted to any other purpose;

NOW, THEREFORE, BE IT RESOLVED that the Wells Fargo Bank shall be the depository for the "TOWN OF WESTFIELD, TOWN CLERK ACCOUNT," and the custodian shall be Claire J. Gray. All disbursements shall be made by checks signed by the Town Clerk, or by the Treasurer's electronic fund transfer.

(12) WHEREAS, R.S. 40A: 4-63 provides that monies held in any separate fund shall be treated as monies held in trust and shall not be diverted for any other purpose, and

NOW, THEREFORE, BE IT RESOLVED that Wells Fargo Bank shall be the depository for the "TOWN OF WESTFIELD, FIRE DEPARTMENT ACCOUNT," and the custodian shall be David C. Kelly. All disbursements shall be made by checks signed by the Chief of the Fire Department, or by the Treasurer's electronic fund transfer.

(13) WHEREAS, R.S. 40A: 4-63 provides that monies held in any separate fund shall be treated as monies held in trust and shall not be diverted to any other purpose;

NOW, THEREFORE, BE IT RESOLVED that the Wells Fargo Bank shall be the depository for the "TOWN OF WESTFIELD, POLICE DEPARTMENT PARKING ACCOUNT," and the custodian shall be David Wayman, Chief of Police. All disbursements shall be made by checks signed by the Chief of the Police Department, or by the Treasurer's electronic fund transfer.

(14) WHEREAS, R.S. 40A: 4-63 provides that monies held in any separate fund shall be treated as monies held in trust and shall not be diverted to any other purpose;

NOW, THEREFORE, BE IT RESOLVED that the Wells Fargo Bank shall be the depository for the "TOWN OF WESTFIELD, CAPITAL ACCOUNT," and the custodian shall be Scott H. Olsen. All disbursements shall be made by checks signed by the Mayor, Town Clerk and the Treasurer or by the Treasurer's electronic fund transfer.

(15) WHEREAS, R.S. 40A: 4-63 provides that monies held in any separate fund shall be treated as monies held in trust and shall not be diverted to any other purpose;

NOW, THEREFORE, BE IT RESOLVED that the Wells Fargo Bank shall be the depository for the "TOWN OF WESTFIELD, PUBLIC ASSISTANCE ACCOUNT I," and the custodian shall be Scott H. Olsen. All disbursements shall be made by checks signed by the Mayor, Town Clerk and Treasurer or by the Treasurer's electronic fund transfer.

(16) WHEREAS, R.S.40A: 4-63 provides that monies held in any separate fund shall be treated as monies held in trust and shall not be diverted to any other purpose;

NOW, THEREFORE, BE IT RESOLVED that the Wells Fargo Bank shall be the depository for the "TOWN OF WESTFIELD, PAYROLL ACCOUNT," and the custodian shall be Scott H. Olsen. All disbursements shall be made by checks signed by the Treasurer or by the Treasurer's electronic fund transfer.

(17) WHEREAS, R.S. 40A: 4-63 provides that monies held in any separate fund shall be treated as monies held in trust and shall not be diverted to any other purpose;

NOW, THEREFORE, BE IT RESOLVED that the Wells Fargo Bank shall be the depository for the "TOWN OF WESTFIELD, SWIMMING POOL OPERATING ACCOUNT," and the custodian shall be Scott H. Olsen. All disbursements shall be made by checks signed by the Mayor, Town Clerk and Treasurer or by the Treasurer's electronic fund transfer.

(18) WHEREAS, R.S. 40A: 4-63 provides that monies held in any separate fund shall be treated as monies held in trust and shall not be diverted to any other purpose;

NOW, THEREFORE, BE IT RESOLVED that the Wells Fargo Bank shall be the depository for the "TOWN OF WESTFIELD, BOARD OF HEALTH ACCOUNT," and the custodian shall be Megan Avallone. All disbursements shall be made by checks signed by the Health Officer, or by the Treasurer's electronic fund transfer.

(19) WHEREAS, R.S. 40A:4-63 provides that monies held in any separate fund shall be treated as monies held in trust and shall not be diverted to any other purpose;

NOW, THEREFORE, BE IT RESOLVED that Bank of America shall be the depository for "THE WESTFIELD MEMORIAL LIBRARY ACCOUNT," and the custodians shall be Philip Israel. All disbursements shall be made by checks signed by the Library Director or the Assistant Library Director, or by the Treasurer's electronic fund transfer.

(20) WHEREAS, R.S. 40A: 4-63 provides that monies held in any separate fund shall be treated as held in trust and shall not be diverted to any other purpose;

NOW, THEREFORE, BE IT RESOLVED that the Wells Fargo Bank shall be the depository for the "WESTFIELD MUNICIPAL COURT FINE ACCOUNT," and the custodians shall be Carol Salvaggio or Anne M. Margeotes. All disbursements shall be made by checks signed by Court Clerk or the Deputy Court Clerk.

(21) WHEREAS, R.S. 40A: 4-63 provides that monies held in any separate fund shall be treated as monies held in trust and shall not be diverted to any other purpose;

NOW, THEREFORE, BE IT RESOLVED that the Wells Fargo Bank shall be the depository for the "TOWN OF WESTFIELD, HUD (COMMUNITY DEVELOPMENT BLOCK GRANT) ACCOUNT," and the custodian shall be Scott H. Olsen. All disbursements shall be made by checks signed by the Mayor, Town Clerk and Treasurer, or by the Treasurer's electronic fund transfer.

(22) WHEREAS, R.S. 40A: 4-63 provides that monies held in any separate fund shall be treated as monies held in trust and shall not be diverted to any other purpose;

NOW, THEREFORE, BE IT RESOLVED that the Wells Fargo Bank shall be the depository for the "TOWN OF WESTFIELD, DOG LICENSE ACCOUNT," and the custodian shall be Scott H. Olsen. All disbursements shall be made by checks signed by the Mayor, Town Clerk and Treasurer, or by the Treasurer's electronic fund transfer.

(23) WHEREAS, R.S. 40A: 4-63 provides that monies held in any separate fund shall be treated as monies held in trust and shall not be diverted to any other purpose;

NOW, THEREFORE, BE IT RESOLVED that the Wells Fargo Bank shall be the depository for "WESTFIELD MEMORIAL LIBRARY- FINES AND FEES," and the custodians shall be Philip Israel. All disbursements shall be made by checks signed by the Library Director or the Assistant Library Director.

(24) WHEREAS, R.S. 40A: 4-63 provides that monies held in any separate fund shall be treated as monies held in trust and shall not be diverted to any other purpose;

NOW, THEREFORE, BE IT RESOLVED that the Wells Fargo

Bank shall be the depository for the "TOWN OF WESTFIELD, RECREATION COMMISSION ACCOUNT," and the custodian shall be Bruce Kaufmann. All disbursements shall be made by checks signed by the Director of Recreation, or by the Treasurer's electronic fund transfer.

(25) WHEREAS, R.S. 40A: 4-63 provides that monies held in any separate fund shall be treated as monies held in trust and shall not be diverted to any other purpose;

NOW, THEREFORE, BE IT RESOLVED that the Wells Fargo Bank shall be the depository of the "TOWN OF WESTFIELD, SWIMMING POOL UTILITY ACCOUNT," and the custodian shall be Bruce Kaufmann. All disbursements shall be made by checks signed by the Director of Recreation, or by the Treasurer's electronic fund transfer.

(26) WHEREAS, R.S. 40A: 4-63 provides that monies held in any separate fund shall be treated as monies held in trust and shall not be diverted to any other purpose;

NOW, THEREFORE, BE IT RESOLVED that the Wells Fargo Bank shall be the depository of the "TOWN OF WESTFIELD, SWIMMING POOL MANAGERS ACCOUNT," and the custodian shall be Bruce Kaufmann. All disbursements shall be made by checks signed by the Director of Recreation, or by the Treasurer's electronic fund transfer.

(27) WHEREAS, R.S. 40A: 4-63 provides that monies held in any separate fund shall be treated as monies held in trust and shall not be diverted to any other purpose;

NOW, THEREFORE, BE IT RESOLVED that the Wells Fargo Bank shall be the depository of the "TOWN OF WESTFIELD, SWIMMING POOL MEMBERSHIP ACCOUNT," and the custodian shall be Bruce Kaufmann. All disbursements shall be made by checks signed by the Director of Recreation, or by the Treasurer's electronic fund transfer.

(28) WHEREAS, R.S. 40A: 4-63 provides that monies held in any separate fund shall be treated as held in trust and shall not be diverted to any other purpose;

NOW, THEREFORE, BE IT RESOLVED that the Wells Fargo Bank shall be the depository for the "WESTFIELD MUNICIPAL COURT BAIL ACCOUNT," and the custodians shall be Carol Salvaggio or Anne M. Margeotes. All disbursements shall be made by checks signed by Court Clerk or the Deputy Court Clerk.

(29) WHEREAS, R.S. 40A: 4-63 provides that monies held in any separate fund shall be treated as monies held in trust and shall not be diverted for any other purpose, and

NOW, THEREFORE, BE IT RESOLVED that Wells Fargo Bank shall be the depository for the "TOWN OF WESTFIELD, FIRE DEPARTMENT VIOLATIONS ACCOUNT," and the custodian shall be David C. Kelly. All disbursements shall be made by checks signed by the Chief of the Fire Department, or by the Treasurer's electronic fund transfer.

(30) WHEREAS, R.S. 40A: 4-63 provides that monies held in any separate fund shall be treated as monies held in trust and shall not be diverted to any other purpose.

NOW, THEREFORE, BE IT RESOLVED that the Two River Bank shall be the depository of the "TOWN OF WESTFIELD, GROWTH SHARE ACCOUNT" and the custodian shall be Scott Olsen, Chief Financial Officer. All disbursements shall be made by checks signed by the Chief Financial Officer, or by the Treasurer's electronic fund transfer.

(31) WHEREAS, R.S. 40A:4-63 provides that monies held in any separate fund shall be treated as monies held in trust and shall not be diverted to any other purpose;

NOW, THEREFORE, BE IT RESOLVED that the Two River Bank shall be the depository for the "TOWN OF WESTFIELD, PARKING METER COIN ACCOUNT" and the custodian shall be David Wayman, Chief of Police. All disbursements shall be made by checks signed by the Chief of Police Department, or by the Treasurer's electronic fund transfer.

(32) WHEREAS, R.S. 40A: 4-63 provides that monies held in any separate fund shall be treated as monies held in trust and shall not be diverted for any other purpose;

NOW, THEREFORE, BE IT RESOLVED that the Wells Fargo Bank shall be the depository of the "TOWN OF WESTFIELD, LAW ENFORCEMENT – FEDERAL ACCOUNTS," and the custodian shall be Scott H. Olsen. All disbursements shall be made by checks signed by Scott Olsen, Chief Financial Officer, or by the Treasurer's electronic fund transfer.

(33) WHEREAS, R.S. 40A: 4-63 provides that monies held in any separate fund shall be treated as monies held in trust and shall not be diverted for any other purpose;

NOW, THEREFORE, BE IT RESOLVED that the Wells Fargo Bank shall be the depository of the "TOWN OF WESTFIELD, LAW ENFORCEMENT – COUNTY ACCOUNTS," and the custodian shall be Scott H. Olsen. All disbursements shall be made by checks signed by Scott Olsen, Chief Financial Officer, or by the Treasurer's electronic fund transfer..

(34) WHEREAS, N.J. S.A. 17:9-41, 1970 provides that deposits of public funds of New Jersey governmental units held by New Jersey banks shall be secured by collateral held in safekeeping as set forth in an agreement between the Commissioner of Banking of New Jersey and the Federal Reserve Bank dated November 30, 1970, and

WHEREAS, the Town of Westfield may purchase certificates of deposit issued by New Jersey banks due not more than one (1) year from date of purchase, or date of issue, whichever shall be greater;

WHEREAS, the Governmental Unit Deposit Protection Act Notification of eligibility for the following banks had been filed with the Chief Financial Officer;

NOW, THEREFORE, BE IT RESOLVED that the following banks shall be the depositories for the "TOWN OF WESTFIELD, CERTIFICATE OF DEPOSIT / INVESTMENT ACCOUNTS," and the custodian shall be Scott H. Olsen, Chief Financial Officer:

Wells Fargo Bank
PNC Bank
Valley National Bank
Bank of America
TD Bank
State of N.J. Cash Management Fund
Two River Bank
Capital One Bank
Santander Bank
Investors Bank

(35) RESOLVED that the following banks shall be authorized depositories for the "TOWN OF WESTFIELD, POOL UTILITY INVESTMENT ACCOUNTS," and the custodian shall be Scott Olsen, Chief Financial Officer:

Wells Fargo Bank
PNC Bank
Valley National Bank
Bank of America
TD Bank
State of N.J. Cash Management Fund
Capital One Bank
Santander Bank
Investors Bank

(36) RESOLVED that the Treasurer be authorized to electronically transmit pay checks bi-weekly retroactive to January 1, 2016 to the regular salaried employees of the Town of Westfield at the rates approved by Mayor and Council.

(37) RESOLVED that the Collector of Taxes shall charge interest at the rate of 8% per annum on the first \$1,500 of the delinquency and 18% per annum on that amount of the delinquency as defined in N.J.S.A. 54:4-67 in excess of \$1,500 on all delinquent taxes and sewer fees during the year 2016 to be calculated from the date the tax or fee was due until the date of actual payment, and

BE IT FURTHER RESOLVED that the Collector of Taxes shall charge interest at the rate of 8% per annum on the whole delinquency as defined in N.J.S.A. 54:4-67 on all delinquent assessments during the year 2016 until the date of actual payment, and

BE IT FURTHER RESOLVED that the grace period of ten (10) calendar days will be allowed for an installment of taxes, assessments and sewer fees where payments will not be subject to interest charges as provided by Chapter 105, Public Laws of 1965.

BE IT FURTHER RESOLVED that the Collector of Taxes is hereby authorized to sell all municipal delinquencies through December 31, 2015 in a manner prescribed by N.J.S.A. 54:5-

19, and as amended by Chapter 99, Public Laws of 1977, at a date and time which the Tax Collector selects.

(2) RESOLVED that warrants in the amount of \$100.00 each be drawn to the following officials and charge same to Petty Cash account:

Joan Thermann, Executive Assistant
David Wayman, Police Chief
Philip Israel, Library Director

(3) WHEREAS, the State of New Jersey Department of the Treasury, Affirmative Action Office has adopted Public Agency Regulations; and

WHEREAS, these Public Agency Regulations for awarding contracts are pursuant to P.L. 1975, Chapter 127, (N.J.S.A. 17:27); and

WHEREAS, every public agency is required to appoint and designate an officer or employee to serve as a Public Agency Compliance Officer (P.A.C.O.)

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Westfield, County of Union, State of New Jersey, designates James Gildea the Public Agency Compliance Officer (P.A.C.O.) for the Town of Westfield for the year 2015.

(4) WHEREAS, the Town of Westfield is a member of Sustainable JerseyTM which is a certification and incentive program for municipalities in New Jersey that want to go green, save money, and take steps to sustain their quality of life over the long term; and

WHEREAS, the Town Council of the Town of Westfield is committed to continuing to develop strategies that will reduce our impact on the environment both collectively and individually so that we might preserve our natural resources for the citizens we serve now, and in the future; and

WHEREAS, the Town Council of the Town of Westfield wishes to continue to build a model of government which benefits our residents now and far into the future with green community initiatives which are easy to replicate and affordable to implement; and

WHEREAS, as part of its participation in the Sustainable JerseyTM program and in an effort to continue to focus attention on "Green" issues, the Town Council reaffirms its establishment of its Green Team comprised of elected officials, municipal staff, members of community boards and commissions and Town residents to continue to lead and coordinate the sustainability activities of the community;

NOW THEREFORE BE IT RESOLVED, by the Town Council of the Town of Westfield that we do hereby appoint the following fifteen members to the Green Team:

<u>NAME</u>	<u>AFFILIATION</u>
Mayor Andrew Skibitsky	Westfield Town Council
Gretchan Ohlig	Westfield Board of Education
Bill Heinbokel	Westfield Board of Adjustment
Tom Walsh	Westfield Planning Board
Dr. Larry Budnick	Westfield Regional Board of Health
Peter Echausse	Westfield Recreation Commission
Mike Schuman	Westfield Tree Preservation Commission
Dominic Verdic	Downtown Westfield Corporation
Terry Quinn	Westfield Library Board of Trustees
Patricia Brentano Bramnick	Citizen Representative
Medea Villere	Citizen Representative
Dominic DiGiorgio	Citizen Representative

James Gildea	Town Administrator (Liaison)
Kris McAloon	Town Engineer (Liaison)
Greg O'Neil	Director of Public Works (Liaison)
Don Sammet	Town Planner (Liaison)

(5) WHEREAS, the Town Council of the Town of Westfield, County of Union, State of New Jersey, recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and

WHEREAS, the Town Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the Town Council has applied for and been approved for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Union, and

WHEREAS, the Town of Westfield's Municipal Alliance Program has been approved to receive funding for the FY 2016 period of July 1, 2015 – June 30, 2016 and for FY 2017 for the period of July 1, 2016 – June 30, 2017 for an amount of \$26,651 for each fiscal year period,

NOW, THEREFORE, BE IT RESOLVED by the Town of Westfield, County of Union, State of New Jersey, hereby recognizes the following:

1. The Town Council does hereby authorize the approval of the applications for the FY2016 and FY2017 representing a total award of \$26,651 for each 12 month period, representing a cash match of \$6,663 and In-Kind of \$19,988 to the Westfield Municipal Alliance.
2. The Town Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

The following resolution, introduced by Councilwoman Neylan, seconded by Councilman LoGrippe was adopted by the following roll call vote:

(6) WHEREAS, there exists a need for the Annual Audit of the accounts of the Town of Westfield in accordance with N.J.S.A. 40A:5-4, and

WHEREAS, U.S. OMB Circular 133 and State of New Jersey OMB Circular 98-07 mandate that there be an audit of Federal and State Programs; and

WHEREAS, on July 26, 1996 the Town of Westfield created a Deferred Compensation Plan, which is offered to all employees, pursuant to Sections 403 (b) and 457 of the Internal Revenue Code; and

WHEREAS, pursuant to N.J.A.C. 5:37-10 the Financial Statements of such Deferred Compensation Plan must be reviewed; and

WHEREAS, pursuant to rule 15c2-12(B)(5) of the Securities and Exchange Commission a Preparation of the Secondary Market Disclosure Report must be filed for year ending December 31, 2015; and

WHEREAS, the Local Public Contracts Law, (N.J.S.A. 40A:11-1 et seq) authorizes the letting of contracts for professional services without competitive bidding; and

WHEREAS, the Town of Westfield, has a need to acquire auditing services and has determined to do so without public advertising and without public solicitation of bids pursuant to the provisions of N.J.S.A. 19:44A- 20.5; and,

WHEREAS, the Town Administrator has determined and certified in writing that the value of the services will exceed \$17,500; and,

WHEREAS, the anticipated term of this contract is for one (1) year; and

WHEREAS, Suplee, Clooney & Company has completed and submitted a Business Entity Disclosure Certification which certifies that Suplee, Clooney & Company has not made any reportable contributions to a Town of Westfield municipal political committee, candidate committee, or joint candidate committee for any candidate seeking elective office in the Town of Westfield in the previous one year, and that the contract will prohibit Suplee, Clooney & Company from making any reportable contributions through the term of the contract to such candidates and political committees, and

WHEREAS, a Certificate of the Chief Financial Officer, certifying the availability of adequate funds for this contract, prepared in accordance with N.J.A.C. 5:30-5.4, has been furnished to the Town Clerk.

NOW THEREFORE, BE IT RESOLVED that:

1. The Town of Westfield enter into a contract with the firm of Suplee, Clooney & Company, Registered Municipal Accountants and Certified Public Accountants, for the following services.
 - (a) To perform the statutory audit of the accounts of the Town of Westfield for the year ending December 31, 2015, in accordance with the regulations of the Division of Local Government Services, Department of Community Affairs of the State of New Jersey; an audit of Federal and State Programs in accordance with U.S. OMB Circular 133 and State of New Jersey OMB Circular 98-07 and Assistance with Preparation of the calendar year 2016 Financial Statement, the Annual Debt Statement and calendar year 2016 Fiscal Year Operating and Capital Budgets, for a fee not to exceed \$66,400.00; and
 - (b) To perform the Review Report on the Town of Westfield Deferred Compensation Plan for an additional fee of \$1,200.00; and
 - (c) To perform a preparation Secondary Market Disclosure Report for the Year Ended December 31, 2016 for an additional fee of \$4,000.00.
2. Total fee for the year will be \$71,600.00 with said expenditure charged to the audit account.
3. The Business Disclosure Entity Certification and the Determination of Value received from Suplee, Clooney & Company be placed on file along with this resolution.
4. This contract is awarded without competitive bidding as "Professional Service" under the provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a) because N.J.S.A. 40A:5-11 exempts from public bidding any work performed pursuant to N.J.S.A. 40A:5-4.
5. A notice of this resolution shall be published in *The Westfield Leader* as public notice of the action taken in accordance with N.J.S.A. 40A:11-5(1)(a).

Roll Call:

Yeas:	Arena	Nays:	Absent:	Kimmins
	Neylan			Oliveira
	LoGrippe			
	Loughlin			
	Della Fera			
	Stokes			
	Mayor Skibitsky			

The following resolution, introduced by Councilwoman Neylan, seconded by Councilman Stokes was adopted by the following roll call vote:

(7) WHEREAS, a need exists for the Town of Westfield to retain professional legal services in conjunction with the services provided by Frederick T. Danser III, Esq., in his capacity as labor counsel to the Town; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq) authorizes the letting of contracts for professional services without competitive bidding; and

WHEREAS, the Town of Westfield, has determined to acquire the needed legal services for labor, employment and personnel services and related litigation and has determined to do so without public advertising and without public solicitation seeking bids pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the Town Administrator has determined and certified in writing that the value of the services will exceed \$17,500; and

WHEREAS, the anticipated term of this contract is for one (1) year; and

WHEREAS, Frederick T. Danser III, Esq. has completed and submitted a Business Entity Disclosure Certification which certifies that Frederick T. Danser III, Esq. and Apruzzese McDermott Mastro & Murphy have not made any reportable contributions to a Town of Westfield municipal political committee, candidate committee, or joint candidate committee for any candidate seeking elective office in the Town of Westfield in the previous one year, and that the contract will prohibit Frederick T. Danser III, Esq. and Apruzzese McDermott Mastro & Murphy from making any reportable contributions through the term of the contract to such candidates and political committees, and

WHEREAS, a Certificate of the Chief Financial Officer, certifying the availability of adequate funds for this contact, prepared in accordance with N.J.A.C. 5:30-5.4, has been furnished to the Town Clerk. Expenditure of funds pursuant to this contract is to be charged to the Legal Account,

NOW, THEREFORE, BE IT RESOLVED that:

1. The Town of Westfield enters into a contract with Apruzzese McDermott Mastro & Murphy in conjunction with the services provided by Frederick T. Danser III, Esq., as labor counsel to provide legal services to the Town of Westfield for labor, employment and personnel matters and related litigation.
2. The term of the contract will be for one (1) year ending December 31, 2016.
3. The estimated total fees for the year shall not exceed \$50,000.00 with this expenditure charged to the Legal Account.
4. The Business Disclosure Entity Certification and the Determination of Value for Frederick T. Danser III, Esq. and Apruzzese McDermott Mastro & Murphy be placed on file along with this resolution.

5. This contract is awarded without public advertising for bids as “Professional Services” under the provisions of the Local Public Contracts Law, N.J.S.A. 40A: 11-5 (1)(a) because the service is legal in nature and because of the longstanding relationship of the Town with Mr. Danser and the high quality of services provided by him.
6. A notice of this resolution shall be published in *The Westfield Leader* as public notice of the action in accordance with N.J.S.A. 40A:11-5(1)(a).

Roll Call:

Yeas:	Arena	Nays:	Absent:	Kimmins
	Neylan			Oliveira
	LoGrippto			
	Loughlin			
	Della Fera			
	Stokes			
	Mayor Skibitsky			

The following resolution, introduced by Councilwoman Neylan, seconded by Councilman Loughlin was adopted by the following roll call vote:

(8) WHEREAS, a need exists for the Town of Westfield to retain the professional legal services of a consultant and negotiator in connection with collective bargaining between the Town and its representative employee organizations; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq) authorizes the letting of contracts for professional services without competitive bidding; and

WHEREAS, the Town of Westfield, has a need to acquire the professional legal services of a consultant and negotiator in connection with collective bargaining and has determined to do so without public advertising and without public solicitation seeking bids pursuant to the provisions of N.J.S.A. 19:44A- 20.5; and,

WHEREAS, the Town Administrator has determined and certified in writing that the value of the services will exceed \$17,500; and,

WHEREAS, the anticipated term of this contract is for one (1) year; and

WHEREAS, Frederick T. Danser III, Esq. has completed and submitted a Business Entity Disclosure Certification which certifies that Frederick T. Danser III, Esq. and Apruzzese McDermott Mastro & Murphy have not made any reportable contributions to a Town of Westfield municipal political committee, candidate committee, or joint candidate committee for any candidate seeking elective office in the Town of Westfield in the previous one year, and that the contract will prohibit Frederick T. Danser III, Esq. and Apruzzese McDermott Mastro & Murphy

from making any reportable contributions through the term of the contract to such candidates and political committees, and

WHEREAS, a Certificate of the Chief Financial Officer, certifying the availability of adequate funds for this contract, prepared in accordance with N.J.A.C. 5:30-5.4, has been furnished to the Town Clerk. Expenditure of funds pursuant to this contract is to be charged to the Legal Account,

NOW, THEREFORE, BE IT RESOLVED that:

1. The Town of Westfield enters into a contract with Frederick T. Danser III, Esq., to engage him (and attorney's affiliated with Apruzzese McDermott Mastro & Murphy) in the representation of the Town of Westfield in labor negotiations with representative employee organizations.
2. The term of the contract will be for one (1) year ending December 31, 2016.
3. The Total fee for the year will be \$33,000.00 with this expenditure charged to Legal Account.
4. The Business Disclosure Entity Certification and the Determination of Value of Frederick T. Danser III, Esq. and Apruzzese McDermott Mastro & Murphy be placed on file along with this resolution.
5. This contract is awarded without competitive bidding as "Professional Services" under the provisions of the Local Public Contracts Law, N.J.S.A. 40A: 11-5 (1)(a) because the service is legal in nature and because of the longstanding relationship of the Town with Mr. Danser and the high quality of services provided by him.
6. A notice of this resolution shall be published in *The Westfield Leader* as public notice of the action in accordance with N.J.S.A. 40A:11-5(1)(a).

Roll Call:

Yeas:	Arena	Nays:	Absent:	Kimmins
	Neylan			Oliveira
	LoGrippe			
	Loughlin			
	Della Fera			
	Stokes			
	Mayor Skibitsky			

The following resolution, introduced by Councilwoman Neylan, seconded by Councilman LoGrippe was adopted by the following roll call vote:

(9) WHEREAS, a need exists for the Town of Westfield to retain professional legal services of a general legal counsel in furtherance and in conjunction with the duties of the Town Attorney for the Town of Westfield; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq) authorizes the letting of contracts for professional services without competitive bidding; and

WHEREAS, the Town of Westfield, has determined to acquire the needed professional legal services in conjunction with the services provided by the Town Attorney without public advertising and without public solicitation seeking bids pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the Town Administrator has determined and certified in writing that the value of the services will exceed \$17,500; and

WHEREAS, the anticipated term of this contract is for the period January 1, 2016 through December 31, 2016; and

WHEREAS, Russell M. Finestein, Esq. has completed and submitted a Business Entity Disclosure Certification which certifies that Russell M. Finestein, Esq. and Finestein & Malloy, LLC have not made any reportable contributions to a Town of Westfield municipal political committee, candidate committee, or joint candidate committee for any candidate seeking elective office in the Town of Westfield in the previous one year which would bar the award of the contract, and that the contract will prohibit Russell M. Finestein, Esq. and Finestein & Malloy, LLC from making reportable contributions through the term of the contract to such candidates and political committees, and

WHEREAS, a Certificate of the Chief Financial Officer, certifying the availability of adequate funds for this contract, prepared in accordance with N.J.A.C. 5:30-5.4, has been furnished to the Town Clerk. Expenditure of funds pursuant to this contract is to be charged to the Legal Account,

NOW, THEREFORE, BE IT RESOLVED that:

1. The Town of Westfield enters into a contract with Russell M. Finestein, Esq. to engage him to render legal services in furtherance of the ordinary duties of the Town Attorney for the Town of Westfield as described in the Code of the Town of Westfield.
2. The term of the contract will begin on January 1, 2016 and will end December 31, 2016.
3. The estimated total fees for ordinary duties performed by the Town Attorney (and attorney's affiliated with Finestein & Malloy, LLC) as that term is described within the Code of the Town of Westfield for the term of the appointment shall be \$51,500.00 with this expenditure charged to the Legal Account.

4. The Business Disclosure Entity Certification and the Determination of Value for Russell M. Finestein, Esq. and Finestein & Malloy, LLC shall be placed on file along with this resolution.
5. This contract is awarded without competitive bidding as a “Professional Service” under the provisions of the Local Public Contracts Law, N.J.S.A. 40A: 11-5 (1)(a) because the service is legal in nature and because of the longstanding relationship of the Town with Mr. Finestein and the high quality of services provided by him.
6. A notice of this resolution shall be published in *The Westfield Leader* as public notice of the action in accordance with N.J.S.A. 40A:11-5(1)(a).

Roll Call:

Yeas:	Arena	Nays:	Absent:	Kimmins
	Neylan			Oliveira
	LoGrippo			
	Loughlin			
	Della Fera			
	Stokes			
	Mayor Skibitsky			

The following resolution, introduced by Councilwoman Neylan, seconded by Councilman Arena was adopted by the following roll call vote:

(10) WHEREAS, a need exists for the Town of Westfield to retain professional legal services of Finestein & Malloy, LLC in furtherance and in conjunction with the duties of the Town Attorney for the Town of Westfield; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq) authorizes the letting of contracts for professional services without competitive bidding; and

WHEREAS, the Town of Westfield, has determined to acquire the needed professional legal services in conjunction with the services provided by the Town Attorney without public advertising and without public solicitation seeking bids pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the Town Administrator has determined and certified in writing that the value of the services will exceed \$17,500; and

WHEREAS, the anticipated term of this contract is for the period January 1, 2016 through December 31, 2016; and

WHEREAS, Russell M. Finestein, Esq. has completed and submitted a Business Entity Disclosure Certification which certifies that Russell M. Finestein, Esq. and Finestein & Malloy, LLC have not made any reportable contributions to a Town of Westfield municipal political committee, candidate committee, or joint candidate committee for any candidate seeking elective

office in the Town of Westfield in the previous one year which would bar the award of the contract, and that the contract will prohibit Russell M. Finestein, Esq. and Finestein & Malloy, LLC from making reportable contributions through the term of the contract to such candidates and political committees, and

WHEREAS, a Certificate of the Chief Financial Officer, certifying the availability of adequate funds for this contract, prepared in accordance with N.J.A.C. 5:30-5.4, has been furnished to the Town Clerk. Expenditure of funds pursuant to this contract is to be charged to the Legal Account,

NOW, THEREFORE, BE IT RESOLVED that:

1. The Town of Westfield enters into a contract with Finestein & Malloy, LLC to engage such firm to render legal services in furtherance of the extraordinary duties of the Town Attorney for the Town of Westfield.
2. The term of the contract will begin on January 1, 2016 and will end December 31, 2016.
3. The estimated total fees for extraordinary duties performed by the Town Attorney (and attorney's affiliated with Finestein & Malloy, LLC) as that term is described within the Code of the Town of Westfield for the term of the appointment shall not exceed \$130,000.00 with this expenditure charged to the Legal Account.
4. The Business Disclosure Entity Certification and the Determination of Value for Russell M. Finestein, Esq. and Finestein & Malloy, LLC shall be placed on file along with this resolution.
5. This contract is awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law, N.J.S.A. 40A: 11-5 (1)(a) because the service is legal in nature and because of the longstanding relationship of the Town with Mr. Finestein and the high quality of services provided by him.
6. A notice of this resolution shall be published in *The Westfield Leader* as public notice of the action in accordance with N.J.S.A. 40A:11-5(1)(a).

Roll Call:

Yeas:	Arena	Nays:	Absent:	Kimmins
	Neylan			Oliveira
	LoGrippto			
	Loughlin			
	Della Fera			
	Stokes			
	Mayor Skibitsky			

The following resolution, introduced by Councilwoman Neylan, seconded by Councilman Stokes was adopted by the following roll call vote:

(11) WHEREAS, a need exists for the Town of Westfield to retain professional legal services to act as special affordable housing counsel; and

WHEREAS, the Town has elected to retain Jonathan Drill of Stickel, Koenig, Sullivan & Drill to serve as special affordable housing counsel to the Town; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq) authorizes the letting of contracts for professional services without competitive bidding; and

WHEREAS, the Town of Westfield, has determined to acquire the needed legal service and has determined to do so without public advertising and without public solicitation seeking bids pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the Town Administrator has determined and certified in writing that the value of the services will exceed \$17,500; and,

WHEREAS, the anticipated term of this contract is until December 31, 2016; and

WHEREAS, Jonathan Drill, has completed and submitted a Business Entity Disclosure Certification which certifies that Jonathan Drill and Stickel, Koenig, Sullivan & Drill have not made any reportable contributions to a Town of Westfield municipal political committee, candidate committee, or joint candidate committee for any candidate seeking elective office in the Town of Westfield in the previous one year, and that the contract will prohibit Jonathan Drill and Stickel, Koenig, Sullivan & Drill from making any reportable contributions through the term of the contract to such candidates and political committees, and

WHEREAS, a Certificate of the Chief Financial Officer, certifying the availability of adequate funds for this contract, prepared in accordance with N.J.A.C. 5:30-5.4, has been furnished to the Town Clerk; and

WHEREAS, the expenditure of funds pursuant to this contract is to be charged to the Legal Account,

NOW, THEREFORE, BE IT RESOLVED that:

1. The Town of Westfield enters into a contract with Stickel, Koenig, Sullivan & Drill in conjunction with the services provided by Jonathan Drill, as special affordable housing counsel to provide legal services to the Town of Westfield.
2. The term of the contract will be for a period ending December 31, 2016.
3. The estimated total fees for the year shall not exceed \$40,000.00 with this expenditure charged to the appropriate account.

4. The Business Disclosure Entity Certification and the Determination of Value for Jonathan Drill and Stickel, Koenig, Sullivan & Drill be placed on file along with this resolution.
5. This contract is awarded without competitive bidding as “Professional Services” under the provisions of the Local Public Contracts Law, N.J.S.A. 40A: 11-5 (1)(a) because the service is legal in nature.
6. A copy of this resolution shall be published in *The Westfield Leader* as public notice of the action in accordance with N.J.S.A. 40A:11-5(1)(a).

Roll Call:

Yeas:	Arena	Nays:	Absent:	Kimmins
	Neylan			Oliveira
	LoGrippto			
	Loughlin			
	Della Fera			
	Stokes			
	Mayor Skibitsky			

The following resolution, introduced by Councilwoman Neylan, seconded by Councilman Della Fera was adopted by the following roll call vote:

(12) WHEREAS, N.J.S.A. 40A:9-140.10 requires that “in every municipality there shall be a chief financial officer appointed by the governing body of the municipality”; and

WHEREAS, the Town Council of the Town of Westfield appointed Scott Olsen to the position of Chief Financial Officer/Treasurer for the Town, effective July 13, 2015 due to the retirement of the former CFO/Treasurer after 28 years of service; and

WHEREAS, N.J.S.A. 40A:9-140.10 further provides that the term of office of the chief financial officer “shall be four years, which shall run from January 1 in the year in which the chief financial officer is appointed”; and

WHEREAS, the Town of Westfield desires to appoint Scott Olsen for the required four year term, pursuant to N.J.S.A. 40A:9-140.10;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Westfield, County of Union and State of New Jersey that Scott Olsen is hereby appointed as Chief Financial Officer/Treasurer with the starting date of hire being July 13, 2015, and with the four (4) year term beginning January 1, 2016 through December 31, 2019.

Roll Call:

Yeas:	Arena	Nays:	Absent:	Kimmins
	Neylan			Oliveira
	LoGrippo			
	Loughlin			
	Della Fera			
	Stokes			
	Mayor Skibitsky			

The following resolution, introduced by Councilwoman Neylan, seconded by Councilman LoGrippo was adopted by the following roll call vote”

(13) WHEREAS, the Town of Westfield has resolved to join both the Suburban Joint Insurance Fund and the Municipal Excess Liability Joint Insurance Fund, following a detailed analysis; and

WHEREAS, the Bylaws of said Funds require that each Municipality appoint a Risk Management Consultant to perform various professional services as detailed in the Bylaws; and

WHEREAS, the Bylaws indicate that the commission rate for said Risk Management Consultant shall not exceed six percent (6%) of the Member’s Annual Assessment; and

WHEREAS, the Requests for Qualifications/Proposals for Risk Management Consultant were advertised pursuant to General Ordinance 1753 of the Town of Westfield to be returnable on December 15, 2015; and

WHEREAS, one Request for Qualifications/Proposals were received on December 15, 2015; and

WHEREAS, after review of the proposal Amalgamated General Agencies proposes to perform the services outlined for two and one half per cent (2.5%) of the Member's Annual Assessment and has successful past performance for the Town of Westfield; and

WHEREAS, engagement of Risk Managers for fees representing less than 6% requires approval of the Suburban Joint Insurance Fund Commission; and

WHEREAS, the Town of Westfield has decided to award this contract to Amalgamated General Agencies following a fair and open process in accordance with N.J.S.A. 19:44A-20.5.

NOW, THEREFORE, BE IT RESOLVED that the Town of Westfield does hereby appoint Amalgamated General Agencies (AGA) 115 Grove Street East, PO Box 2670, Westfield, NJ 07090-2670 as its Risk Management Consultant for the year 2016 in accordance with the Fund's Bylaws; and

BE IT FURTHER RESOLVED that the Town of Westfield hereby submits this resolution to the Fund Commission for approval,

BE IT FURTHER RESOLVED that the Mayor and Town Clerk are hereby authorized and directed to execute the Risk Management Consultant's Agreement and to cause a notice of this decision to be published in the *Westfield Leader* pursuant to N.J.S.A. 40A:11-5(1)(a)(i).

Roll Call:

Yeas:	Arena	Nays:	Absent:	Kimmins
	Neylan			Oliveira
	LoGrippto			
	Loughlin			
	Della Fera			
	Stokes			
	Mayor Skibitsky			

The following resolution, introduced by Councilwoman Neylan seconded by Councilman Arena was adopted by the following roll call vote, with Councilman Loughlin abstaining on Loughlin Law Firm.

(14) WHEREAS, Section 40A: 4-19 of the Local Budget Act provides that where any contract, commitments or payments are to be made prior to the final adoption of the 2016 budget, temporary appropriations should be made for the purpose and amounts required in the manner and time therein provided, and

WHEREAS, the date of this resolution is within the first thirty days of January, 2016, and

WHEREAS, the total appropriations in the 2015 budget, less appropriations for the Capital Improvement Fund and Debt Service in the said 2015 budget is the sum of \$39,283,248.87, and

WHEREAS, twenty-six and one quarter percent of the total appropriations in the 2015 budget exclusive of any appropriations made for Capital Improvement Fund and Debt Service is the sum of \$10,311,852.83

NOW, THEREFORE, BE IT RESOLVED that the following temporary appropriations be made and that a certified copy of the resolution be transmitted to the Chief Financial Officer for his records:

Administrative & Executive – Salaries & Wages	\$74,000.00
Administrative & Executive – Other Expenses	75,000.00
Community TV 36 – Service Other Expenses	4,000.00
Town Clerk – Salaries & Wages	45,000.00
Town Clerk – Other Expenses	3,000.00
Collection of Taxes – Salaries & Wages	39,000.00
Collection of Taxes – Other Expenses	5,000.00
Assessment of Taxes – Salaries & Wages	35,000.00
Assessment of Taxes – Other Expenses	5,000.00
Financial Administration – Salaries & Wages	70,000.00
Financial Administration – Other Expenses	4,000.00
Legal Services & Costs – Other Expenses	72,000.00
Municipal Court – Salaries & Wages	102,000.00
Municipal Court – Other Expenses	10,000.00
Municipal Prosecutor – Salaries & Wages	10,000.00
Public Defender – Salaries & Wages	5,000.00
Engineering Services & Costs – Salaries & Wages	170,000.00
Public Works – Salaries & Wages	918,000.00
Public Works – Other Expenses	600,00.00
Public Buildings & Grounds – Other Expenses	45,000.00
Planning Board – Other Expenses	60,000.00
Board of Adjustment – Other Expenses	6,000.00
Group Insurance Plan for Employees	1,500,000.00
Other Insurance Premiums	540,000.00
Fire – Salaries & Wages	949,000.00
Fire – Other Expenses	35,000.00
Fire Official – Salaries & Wages	45,000.00
Fire Official – Other Expenses	1,500.00
Hydrant Service	90,000.00
Parking Administration – Salaries & Wages	80,000.00
Police – Salaries & Wages	1,510,000.00
Police – Other Expenses	90,000.00
Crossing Guard – Salaries & Wages	105,000.00
Inspection of Buildings – Salaries & Wages	113,000.00
Inspection of Buildings – Other Expenses	5,000.00
Street Lighting	85,000.00
Electricity	30,000.00
Telephone	75,000.00
Water	4,000.00
Heating Gas	25,000.00
Gasoline	70,000.00
Board of Health – Salaries & Wages	153,000.00
Board of Health – Other Expenses	8,000.00
Board of Health – Contr. Service – Other Expenses	10,000.00
Recreation – Salaries & Wages	26,000.00
Maintenance of Free Public Library	550,000.00
Social Security System (OASI)	185,000.00

Rahway Valley Sewerage Authority	1,700,000.00
Dog Regulation	10,000.00
Debt Service – Interest on Bond	240,000.00
<u>Debt Service – Principal</u>	<u>150,000.00</u>
SUB-TOTAL	10,687,500.00
 <u>Less: Debt Service</u>	 <u>(390,000.00)</u>
 TOTAL TEMPORARY APPROPRIATIONS	 <u>\$10,297,500.00</u>

Roll Call:

Yeas: Arena	Nays:	Absent: Kimmins
Neylan		Oliveira
LoGrippo		
Loughlin		
Della Fera		
Stokes		
Mayor Skibitsky		

The following resolution, introduced by Councilwoman Neylan, seconded by Councilman LoGrippo was adopted by the following roll call vote:

(15) WHEREAS, Section 40A: 4-19 of the Local Budget Act provides that where any contract, commitments of payments are to be made prior to the final adoption of the 2016 Pool Utility budget, temporary appropriations should be made for the purpose and amounts required in the manner and time therein provided, and

WHEREAS, the date of this resolution is within the first thirty days of January 2016, and

WHEREAS, the total appropriations in the 2015 budget, less appropriations for the Capital Improvement Fund and Debt Service in the said 2015 budget is the sum of \$789,255.00 and

WHEREAS, twenty-six and one quarter percent of the total appropriations in the 2015 budget exclusive of any appropriations made for Capital Improvement Fund and Debt Service is in the sum of \$207,179.44

NOW, THEREFORE, BE IT RESOLVED that the following temporary appropriations be made for the Swimming Pool Utility and that a certified copy of this resolution be transmitted to the Chief Financial Officer for his records:

Swimming Pool Utility:	
Operating Salaries & Wages	\$77,000.00
Operating Other Expenses	100,000.00
Social Security (OASI)	6,000.00
Interest on Bond	46,000.00
Debt Service - Principal	290,000.00
Sub-Total:	519,000.00

Less: Debt Service and Capital Improvement Fund (336,000.00)

TOTAL TEMPORARY APPROPRIATIONS: \$183,000.00

Roll Call:

Yeas:	Arena	Nays:	Absent:	Kimmins
	Neylan			Oliveira
	LoGrippo			
	Loughlin			
	Della Fera			
	Stokes			
	Mayor Skibitsky			

The following resolution, introduced by Councilman Stokes Vice-Chairman of the Public Works Committee, seconded by Councilman Arena were unanimously adopted.

(16) BE IT RESOLVED that the Mayor is hereby authorized to sign a cost sharing agreement with Union County for Federally funded intersection improvements at East Broad Street and Elm Street in the Town of Westfield, known as Federal Project No. HSP-7465(106).

(17) WHEREAS, a need exists in the Department of Public Works for the purchase of a mobile column lift system as provided for in Special Ordinance 2204; and

WHEREAS, the contract to purchase these is to be awarded to Hoffman Services Inc., and;

WHEREAS, the mobile column lift system will be sufficient to meet the needs of the Department of Public Works; and

WHEREAS, the New Jersey State Public Contract Law 40A: 11-3 states that when accepting an item under New Jersey State Contract #A80126, a resolution must be adopted by the Governing Body; and

WHEREAS, the Town Treasurer certified to the availability of adequate funds for payment, which will be in the amount of \$63,540.00 charged to Special Ordinance 2204, specifically account #C-07-222-04D prepared in accordance with N.J.A.C. 5:30 1.10.

NOW, THEREFORE, BE IT RESOLVED that the Town of Westfield will purchase one mobile column lift system.

BE IT FURTHER RESOLVED, that the proper Town Official be, and are hereby authorized to take whatever actions are appropriate in the execution and discharge of this Contract.

Hoffman Services Inc.

**55-57 East Bigelow Street
Newark, NJ 07114**

1 Mobile Column Lift System \$63,540.00

(18) WHEREAS, a need exists in the Department of Public Works for the purchase of a stump cutter as provided for in Special Ordinance 2204; and

WHEREAS, the Town of Westfield has entered into a Interlocal Contract for cooperative purchasing with the National Joint Powers Alliance (NJPA) Cooperative Purchasing Program, and;

WHEREAS, the Director of Public Works recommends purchase of one Vermeer stump cutter in accordance with the Interlocal Contract with NJPA Cooperative Purchasing Program; and

WHEREAS, the contract to purchase the stump cutter is to be awarded to Vermeer North Atlantic Sales & Service; and

WHEREAS, this equipment will be sufficient to meet the needs of the Department of Public Works; and

WHEREAS, the Town Treasurer certified to the availability of adequate funds for payment which will be in the amount of \$55,808 charged to Special Ordinance 2204, specifically account #C-07-222-04D prepared in accordance with N.J.A.C. 5:30 1.10.

NOW, THEREFORE, BE IT RESOLVED that the Town of Westfield will purchase one Vermeer Stump Cutter.

BE IT FURTHER RESOLVED, that the proper Town Official be, and are hereby authorized to take whatever actions are appropriate in the execution and discharge of this Contract.

**Vermeer North Atlantic Sales & Service
7 Maple Avenue
Lumberton, NJ 08048**

1 Vermeer Stump Cutter \$55,808

A motion to adjourn by Councilwoman Neylan, seconded by Councilman Arena, at 4:50 p.m., was unanimously carried.

Claire J. Gray

Town Clerk