

MINUTES OF REGULAR MEETING HELD FEBRUARY 24, 2015

Pursuant to rules of Council of the Town of Westfield, the members thereof convened in regular session Tuesday, February 24, 2015 at 8:05 p.m.

Acting Mayor Neylan made the following announcements:

“Prior to convening in regular session, there was an agenda session which was open to public and advertised.”

“The adequate notice of this meeting as required by the Open Public Meetings Act, was provided by the posting, mailing and filing of the annual notice of regularly scheduled meetings of the Town Council on December 16, 2014. The notice was, on that date, posted on the bulletin board in the Municipal Building, mailed to THE WESTFIELD LEADER, AND THE STAR LEDGER, and filed with the Clerk of the Town of Westfield.”

PRESENT: Acting Mayor Neylan, Council Members, LoGrippo, Della Fera, Kimmins, Oliveira, Loughlin

ABSENT: Mayor Skibitsky, Council Members Arena and Foerst

Invocation was given by Councilman Della Fera

PRESENTATIONS

Mayor Skibitsky regrets that he cannot be here tonight. He was unable to get home from a business trip in time for tonight's meeting.

I am honored to preside over tonight's police promotion and swearing in ceremonies. I have served as the Chair of the Public Safety Committee for many years now and have had the opportunity to work with our public safety professionals on a regular basis. In doing so, I have been able to gain insight into the job we ask them to perform day in and day out, every weekend and every holiday, in every type of weather condition - including this extreme cold - and under any number and variety of circumstances. The one thing the Mayor and I have learned is that, due to the boundless nature of the police officers' duties, no day in police work is ever alike.

The officers that are being promoted this evening are highly trained and experienced individuals who have dedicated their lives to “serve and protect”. The recruits that are being sworn in this evening are beginning an essential and esteemed professional career in law enforcement and public safety.

It is important that I point out that police officers are our first responders. No matter the emergency, a Westfield police officer is usually the first to arrive on the scene. And, let's not forget that oftentimes the officer is responding to a situation without necessarily having prior knowledge of what to expect – and must do so with courage and composure so he or she can think clearly and utilize the training and skills they have acquired to achieve the best possible outcome.

In no small part due to the efforts of our police officers, the Town of Westfield is statistically a safe community. Yet, it is important to remind residents that criminals don't look at statistics, nor do they honor municipal boundaries. There are new demands placed on our police professionals every day – from post 9/11 security issues, to gang activity, to cybercrimes and beyond – the job of the police officer is never static.

Mayor Skibitsky asked me to be sure to reiterate to the newly promoted officers, the new officers beginning their careers, and the police officers attending in support of their brothers and sisters in blue, that he and the Town Council recognize that no day in police work is ever alike and that our police officers have our unanimous respect and support as they perform the duties of a very difficult job.

And now, I am pleased to ask Chief Wayman to come up to the dais.

Mayor Al Morgan of New Providence spoke to thank council and police for use of the Command Center while their dispatch center was under construction since they are reconfiguring to share services with Summit and Millburn.

APPOINTMENT

ADVERTISED HEARINGS

The Council proceeded to the hearing entitled, "SPECIAL ORDINANCE NO. 2202 – BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF THE TAMAQUES PARK TENNIS COURT RENOVATION PROJECT IN, BY AND FOR THE TOWN OF WESTFIELD, IN THE COUNTY OF UNION, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$510,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO APPROPRIATE A COUNTY GRANT, A CONTRIBUTION FROM THE WESTFIELD BOARD OF EDUCATION AND TOWN TRUST FUND MONEYS, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS."

Advertised returnable this evening.

Acting Mayor Neylan declared the hearing closed.

General Ordinance No. 2037 – tabled until the March 10, 2015 meeting. Waiting for recommendations from the Planning Board.

PENDING BUSINESS

An ordinance entitled, “SPECIAL ORDINANCE NO. 2202 – BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF THE TAMAQUES PARK TENNIS COURT RENOVATION PROJECT IN, BY AND FOR THE TOWN OF WESTFIELD, IN THE COUNTY OF UNION, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$510,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO APPROPRIATE A COUNTY GRANT, A CONTRIBUTION FROM THE WESTFIELD BOARD OF EDUCATION AND TOWN TRUST FUND MONEYS, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.” Introduced by Councilman Della Fera, seconded by Councilman LoGrippe, was taken up, read and passed by the following vote of all present upon roll call as follows:

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

BIDS

TOWN OF WESTFIELD INVITATION TO BID FEBRUARY 24, 2015

210,000 GALLONS, MORE OR LESS, OF UNLEADED GASOLINE
EFFECTIVE JANUARY 1, 2015 THROUGH DECEMBER 31, 2017

75,000 GALLONS, MORE OR LESS, OF NO. 2 DIESEL FUEL
EFFECTIVE JANUARY 1, 2015 THROUGH DECEMBER 31, 2017

The bid as follows was received, read and referred to the Town Engineer:

<u>BIDDER</u>	<u>AMOUNT</u>
National Fuel Oil, Inc.	Gas 1.7840
175 Orange Street Newark, NJ 07103	Diesel 2.1354

MINUTES

On a motion by Councilman Oliveira, seconded by Councilman Della Fera, Council approved the Minutes of the Town Council Meeting held February 10, 2015 with Council Members Neylan and LoGrippo abstaining.

On a motion by Councilwoman Kimmins, seconded by Councilman Loughlin, Council approved the Minutes of the Conference Session held February 10, 2015 with Council Members Neylan and LoGrippo abstaining.

PETITIONS AND COMMUNICATIONS

OPEN DISCUSSION BY CITIZENS

Tom White said he is a co-owner of a property on Walnut Street and spoke regarding GO 2037 which is the amendment to the Historic Preservation Ordinance that was scheduled to have a hearing this evening but announced to be rescheduled for March 10th due to still awaiting Planning Board approval. Mr. White said that the designation for a historic district should be stated as between two cross streets.

John Korpela of 303 Walnut Street spoke on GO 2037 and asked that more questions be answered before the ordinance is passed. He said at the last Historic Preservation Commission meeting there were a lot of questions asked that were not answered.

BILLS AND CLAIMS

Introduced by Councilman Della Fera, seconded by Councilman LoGrippo and adopted with Councilman Loughlin abstaining on Loughlin Law Firm.

RESOLVED that the bills and claims in the amount of \$1,915,124.83 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 Councilman Della Fera, Chairman of the Finance Policy Committee, seconded by Councilman Loughlin were unanimously adopted.

(54) RESOLVED that the Chief Financial Officer be and she hereby is authorized to draw warrants to the order of the following persons, this amount being overpaid in 2014:

<u>BLOCK/LOT</u>	<u>PROPERTY ADDRESS</u>	<u>YEAR</u>	<u>AMOUNT</u>
307/4 BORNSTEIN, MICHAEL & JUDITH 53 Four Seasons Drive North Caldwell, New Jersey 07006	90 Barchester Way	2014	\$5,059.41
1901/12 LUTZ, THOMAS & JEANMARIE MAIL TO: Joseph Gachko Attorney At Law 500 Dorian Road Westfield, New Jersey 07090	30 Carol Road	2014	\$3,838.10
3003/6 415 SOUTH AVENUE W LLC	415 South Avenue W	2014	\$449.28
4911/35 MAYER, HARLAN & WENDY	108 Harrow Road	2014	\$2,139.25
5107/6 GAINES, BRANDT & PAIGE	1272 Summit Avenue	2014	\$15,039.81
5207/4 BIOLSI, RYAN & JENNIFER	604 Ardsleigh Drive	2014	\$2,943.83

(55) RESOLVED that the Treasurer be and she hereby is authorized to draw warrants to the order of the following persons, this being the amount taxes were overpaid for the year 2012 pursuant to the Tax Court of New Jersey:

<u>BLOCK/LOT</u>	<u>NAME</u>	<u>ADDRESS</u>	<u>YEAR</u>	<u>AMOUNT</u>
3204/7.01		215 South Avenue East	2012	\$2,177.77
3204/7.02		219 South Avenue East	2012	\$3,993.90
BHB COMPANY, NJ PARTNERSHIP				

Check payable to:
Daniel G. Keough, Trustee

MAIL TO:
VENTURA, MIESOWITZ, KEOUGH & WARNER
ATTN: Daniel G. Keough, Trustee
783 Springfield Avenue
Summit, New Jersey 07901-2332

2405/27	138 Elm Street	2013	\$10,699.97
		2014	\$12,063.65
138 ELM STREET REALTY, LLC			

Check payable to:
Beattie Padovano, LLC Trust Account

MAIL TO:
BEATTIE PADOVANO LLC
COUNSELLORS AT LAW
50 Chestnut Ridge Road, Suite 208
P.O. Box 244
Montvale, New Jersey 07645-0244

(56) WHEREAS, David Rose placed the required cash bond of \$500.00 to cover the Street Opening Permit #14-041 for 412 E. Dudley Avenue, and

WHEREAS, David Rose has requested that this amount be returned to him, and

WHEREAS, the Town Engineer, has inspected the roadway excavation and has found the excavation to have been properly repaired.

NOW THEREFORE BE IT RESOLVED, that the Treasurer be authorized to draw a warrant in the name of David Rose for \$500.00 and forward to 412 E. Dudley Avenue, Westfield NJ 07090.

(57) RESOLVED that the Chief Financial Officer be authorized to draw a warrant in the amount of \$2,500 to the order of the United States Postal Service to replenish bulk mail permit no. 683 in order to process the Town’s brochure.

Public Safety, Transportation and Parking Committee

The following resolution, introduced by Councilman Oliveira, Vice-Chairman of the Public Safety, Transportation and Parking Committee, seconded by Councilman Della Fera was unanimously adopted.

(58) WHEREAS, a need exists in the Parking Division of the Westfield Police Department for the purchase of an extended hardware and software warranties for the twenty-five pay stations provided for in the 2015 Operating Account;

WHEREAS, the contract to purchase this is to be awarded to Integrated Technical Systems, Inc. which is the sole vendor for maintenance of their equipment,

WHEREAS, the Town Treasurer certified to the availability of adequate funds for payment, which will be in the amount of \$30,000.00, charged to 2015 Police Operating Budget 130-256 prepared in accordance with N.J.A.C. 5:30 1.10.

NOW, THEREFORE BE IT RESOLVED that the Town of Westfield will contract for extended warranty from Integrated Technical Systems, Inc., 8 Capital Drive, Wallingford, CT 06492.

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

Code Review & Town Property Committee

Public Works Committee

The following resolutions, introduced by Councilman Loughlin, Vice-Chairman of the Public Works Committee, seconded by Councilwoman Kimmins were unanimously adopted.

(59) WHEREAS, Utility Systems, Inc., has completed all of the work necessary for the **2014 Various Road Improvements** as authorized by S.O. 1925, S.O. 2169, S.O. 2182 and S.O. 2192, and

WHEREAS, the Town Engineer certifies that all of the work, totaling \$1,205,311.98 has been completed in a satisfactory manner, in accordance with the appropriate plans and specifications, and

WHEREAS, Certificate of the Town Treasurer, certifying to the availability of adequate funds has been furnished to the Town Clerk. Expenditure of funds pursuant to this Contract to be charged to S.O. 1925, S.O. 2169, S.O. 2182 and S.O. 2192, and

WHEREAS, the Town has been furnished with a Lien Release, an Affidavit of Payment of Prevailing Wage, and a one year Maintenance Bond against defective workmanship and materials.

NOW THEREFORE BE IT RESOLVED, that the proper Town Officials be, and they are hereby, authorized to effect whatever actions are appropriate by said acceptance for the **2014 Various Road Improvements**, with a final contract price of \$1,205,311.98.

(60) WHEREAS, Utility Systems, Inc., has completed all of the work necessary for the **2014 Improvement of Seneca Place** as authorized by S.O. 2169, S.O. 2174 and S.O. 2182, and

WHEREAS, the Town Engineer certifies that all of the work, totaling \$228,994.09 has been completed in a satisfactory manner, in accordance with the appropriate plans and specifications, and

WHEREAS, Certificate of the Town Treasurer, certifying to the availability of adequate funds has been furnished to the Town Clerk. Expenditure of funds pursuant to this Contract to be charged to S.O. 2169, S.O. 2174 and S.O. 2182, and

WHEREAS, the Town has been furnished with a Lien Release, an Affidavit of Payment of Prevailing Wage, and a one year Maintenance Bond against defective workmanship and materials.

NOW THEREFORE BE IT RESOLVED, that the proper Town Officials be, and they are hereby, authorized to effect whatever actions are appropriate by said acceptance for the **2014 Improvement of Seneca place**, with a final contract price of \$228,994.09.

Reports of Department Heads

Report of Carol Salvaggio, Certified Court Administrator, stating that she had turned over to the Chief Financial Officer check in the amount of \$59,252.42 representing fines and costs collected in the Municipal Court and Violations Bureau during the month of January 2015 was received, read and ordered filed.

Reports of David Wayman, Chief of the Police Department, stating he had turned over to the Chief Financial Officer a check in the amount of 2,222.60 representing Police Fees collected during the month of January 2015 were received, read and ordered filed.

Upon motion by Councilman LoGrippe, seconded by Councilwoman Kimmins the meeting was adjourned at 9:07 p.m.

Claire J. Gray
Town Clerk