

MINUTES OF REGULAR MEETING HELD APRIL 19, 2016

Pursuant to rules of Council of the Town of Westfield, the members thereof convened in regular session Tuesday, April 19, 2016 at 8:00 p.m.

Mayor Skibitsky 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 17, 2015. 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: Mayor Skibitsky, Council Members Arena, Neylan, LoGrippo, Della Fera, Oliveira, Stokes

ABSENT: Council Members Loughlin, Kimmins

Invocation was given by Councilman Stokes

PRESENTATIONS

APPOINTMENT

ADVERTISED HEARINGS

PENDING BUSINESS

BIDS

MINUTES

On a motion by Councilman LoGrippo seconded by Councilman Della Fera, Council approved the Minutes of the Town Council Meeting held April 5, 2016 with Mayor Skibitsky and Councilman Stokes abstaining

On a motion by Councilman LoGrippo, seconded by Councilman Arena, Council approved the Minutes of the Conference Session held April 5, 2016 with Mayor Skibitsky Councilman Stokes abstaining

PETITIONS AND COMMUNICATIONS

Mayor Skibitsky read Councilwoman Kimmins resignation letter.

OPEN DISCUSSION BY CITIZENS

Daniel Ortolani of 727 Glen Ave spoke about the Pilgrim Pipeline proposal. He thanked the Town Council for their previous support to oppose the pipeline that was proposed to be installed on the border of Westfield and for the attendance at meetings of the Municipal Pipeline Group (MPG). He asked that the Council expand its support against the proposed pipeline by

considering allocating funds for possible environmental studies and potential legal action with the members of the MPG.

BILLS AND CLAIMS

Introduced by Councilwoman Neylan, seconded by Councilman Arena were adopted unanimously.

RESOLVED that the bills and claims in the amount of \$290,032.31 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 seconded by Councilman Della Fera were unanimously adopted.

(94) RESOLVED that the Chief Financial Officer be authorized to draw a warrant in the amount of \$280.20 to the order of New Jersey Department of Health, P.O. Box 369, Trenton, New Jersey for Dog Licenses issued by the Town Clerk for the month of March 2016.

(95) RESOLVED that the Chief Financial Officer be authorized to draw a warrant in the amount of \$400.00 to the order of Treasurer, State of New Jersey, P.O. Box 660, Trenton, NJ 08646-0660 for Marriage/Civil Union License Fees issued by the Registrar of Vital Statistics for the quarter of January-March 2016.

(96) RESOLVED that the Chief Financial Officer be authorized to draw a warrant in the amount of \$15.00 to the order of Treasurer, State of New Jersey, Burial Permit Fees, P.O. Box 370, Trenton, NJ 08625-0370 for Non-EDRS Burial Permits issued by the Registrar of Vital Statistics for the quarter of January-March 2016.

(97) RESOLVED, that the Town Treasurer be authorized to refund the following fees to the following individuals:

<u>Name</u>	<u>Account</u>	<u>Class</u>	<u>Fee</u>
Darcelle Adler	T05-600-071	Kinderdance Class	\$113.30
210 Twin Oaks Terrace		(Elana)	
Westfield, NJ 07090			
Stacey Bergerman	T05-600-071	Field Hockey Clinic	\$50.00
435 Beechwood Place		(Emily)	
Westfield, NJ 07090			
Lisa Donofrio	T05-600-071	Volleyball Clinic	\$125.00
1000 Seward Ave.		(Isabella)	
Westfield, NJ 07090			

John Dokko Pool Membership Family Membership \$360.00
 159 Madison Ave. Acct: #195
 Westfield, NJ 07090

Jacqueline Brevard Pool Membership Individual Membership \$90.00
 266 W. Dudley Ave. Acct: #195 Individual to Senior
 Westfield, NJ 07090

(98) RESOLVED that pursuant to N.J.A.C. 5:23-4.19, that the Chief Financial Officer be authorized and directed to draw a warrant in the sum of \$20,681.00 to the TREASURER, STATE OF NEW JERSEY for the first quarter Construction Official's State permit fees for 2016.

BE IT FURTHER RESOLVED that said check be forward to the Division of Codes and Standards, Department of Community Affairs, CN 802, Trenton, New Jersey 08625-0802.

(99) WHEREAS, there exist on the records in the Tax Collector's office sewer fees for properties that are being assessed for land only or where the water service has been shut off, and should be credited for sewer billing for 2015 or removed from sewer billing for 2016:

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector be and she hereby is authorized to prorate the sewer fee billing below for the years 2015 and 2016:

Account Number	Owner Name	Property Address	Year	Amount
446-0	D Villane Construction, LLC	432 Roanoke Road	2016	\$39.48
757-0	D Villane Construction, LLC	750 Prospect Street	2015	\$97.29
3800-0	Westfield Prime Properties, LLC	560 Cumberland Street	2015	\$148.99
6420-0	D Villane Construction, LLC	665 Carleton Road	2015	\$94.00

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector be and she hereby is authorized to cancel the sewer fee billing below for the year 2016:

Account Number	Owner Name	Property Address
553-0	Britain, Robert S & Cleary, Kelly Ann	6 Breeze Knoll Drive
757-0	D Villane Construction, LLC	750 Prospect Street
3800-0	Westfield Prime Properties, LLC	560 Cumberland Street
6420-0	D Villane Construction, LLC	665 Carleton Road
7131-0	D Villane Construction, LLC	15 Rutgers Court

9266-0 109 Wyoming Street
D Villane, Construction, LLC

(100) RESOLVED that the Chief Financial Officer be and he hereby is authorized to draw warrants to the following persons, this amount being overpaid for the sewer fee for 2015:

<u>Account Number</u>	<u>Property Address</u>	<u>Amount</u>
757-0 D Villane Construction, LLC 2376 South Ave Scotch Plains, NJ 07076	750 Prospect Street	\$72.71
3800-0 Westfield Prime Properties, LLC 2376 South Avenue Scotch Plains, NJ 07076	560 Cumberland Street	\$21.01
6420-0 D Villane Construction, LLC 2376 South Avenue Scotch Plains, NJ 07076	665 Carleton Road	\$76.00

(101) BE IT RESOLVED that as attestation of compliance has been provided pursuant to N.J.S.A. 40A:4-8 (1a) and (1b) the 2016 Municipal Budget may be read by title.

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

(102) BE IT RESOLVED by the Council of the Town of Westfield, County of Union, that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of \$43,718,898.00 for municipal purposes and certification to the County Board of Taxation of the following summary of general revenues and appropriations:

General Revenues

Surplus Anticipated	\$ 974,344.00
Miscellaneous Revenues Anticipated	11,656,781.25
Receipts from Delinquent Taxes	1,410,000.00
Amount to be raised by Taxation for Municipal Purposes	27,179,965.75
Amount to be raised by Taxation-Minimum Library Tax	2,497,807.00
Total Revenues	\$43,718,898.00

General Appropriations

Within "CAPS"

Operating including Contingent	27,421,280.27
Deferred Charges	3,617,116.00

Excluded from "CAPS"

Operations	7,018,636.73
Capital Improvements	900,000.00
Municipal Debt Service	2,411,865.00
Deferred Charges-Municipal	50,000.00
Reserve for Uncollected Taxes	2,300,000.00

Total General Appropriations	\$43,718,898.00
------------------------------	-----------------

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

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

(103) BE IT RESOLVED by the Town Council of the Town of Westfield, County of Union, that the Special Improvement District Budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations and authorization of the amount of

\$409,757.00 for Special Improvement Purposes

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

Regarding the following ordinance, Councilwoman Neylan, Chairman of the Finance Policy Committee, made the following announcement:

I hereby move that an ordinance entitled, "SPECIAL ORDINANCE NO. 2206 BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY AND NEW AUTOMOTIVE VEHICLES, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE TOWN OF WESTFIELD, IN THE COUNTY OF UNION, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$2,635,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION, TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS AND TO AMEND BOND ORDINANCE NO. 2167 ADOPTED ON JUNE 14, 2011."

Heretofore introduced, does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 3rd day of May 2016 at 8:00 o'clock, p.m., or as soon thereafter as the matter can be reached, in the Council Chambers, 425 East Broad Street, Westfield, New Jersey, and that at such time and place or any time and place to which such meeting shall from time to time be adjourned, all persons interested be given the opportunity to be heard concerning said ordinance, and that the Town Clerk is hereby authorized and directed to publish said ordinance according to law with a notice of its introduction and passage on first reading and of the time and place when and where said ordinance will be further considered for final passage.

Seconded by Councilman Arena.

The ordinance was approved by the following vote of all present upon roll call as follows:

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

Public Safety, Transportation and Parking Committee

Code Review & Town Property Committee

The following resolutions, introduced by Councilman Della Fera, seconded by Councilman LoGrippe were unanimously adopted.

(104) WHEREAS, pursuant to Chapter 24 Article VII Section 24-47 of the Town Code the Town Council has authorized the licensing of Sidewalk Cafés, and

WHEREAS, the establishments listed have made application as required by Sec. 24-48 of the Town Code, and

WHEREAS, the establishments listed have met all the terms and conditions as required,

NOW, THEREFORE BE IT RESOLVED, that the Town Council of the Town of Westfield hereby grants licenses to the establishments listed to operate sidewalk cafés and the Town Clerk be, and is hereby authorized to issue said licenses.

Amuse CJFF-LLC	39 Elm Street
Cosimo's	118 East Broad Street
Let's Yo	121 East Broad Street
Sweet Waters Steak House	43 Elm Street

(105) RESOLVED that the following applications for Peddlers License be and the same are hereby approved:

Patricia Caminos
That Juice Truck
82 Burnside Avenue
Cranford, NJ 07016

BE IT FURTHER RESOLVED that the licenses shall not be issued by the Town Clerk unless the departmental inspections of the premises have been completed and the premises approved for the licensed use.

(106) RESOLVED that the following applications for children's amusement devices be approved:

Cliffhanger Productions, Inc.	Baseball Opening Day	Gumbert Baseball Complex
161 Park Avenue	Parade & Carnival	S. Chestnut Street
Rutherford, NJ 07070	April 23, 2016	Westfield, NJ

Public Works Committee

Reports of Department Heads

Report of Claire J. Gray, Town Clerk, showing fee collected in the amount of \$10,492.00 during the month of March 2016 was received, read, and ordered filed.

Report of Kris McAloon, Town Engineer, stating he had turned over to the Chief Financial Officer check in the amount of \$14,908.50 representing monies collected during the month of March 2016.

Report of David J. Kelly, Chief of the Fire Department, showing Smoke Detector Fees collected in March 2016 in the amount of \$4,900.00 and \$5,916.00 Permit Fees was received, read and ordered filed.

Report of Carol Salvaggio, Certified Court Administrator, stating that she had turned over to the Chief Financial Officer check in the amount of \$58,317.63 representing fines and costs collected

in the Municipal Court and Violations Bureau during the month of March 2016 was received, read and ordered filed.

Report of Steve Freedman, Construction Official, showing monies collected for permits in the amount of \$89,602.00 for the month of March 2016 was received, read and ordered filed.

Upon motion by Councilman LoGrippe, seconded by Councilwoman Neylan the meeting was adjourned at 8:19 p.m.

Claire J. Gray

Town Clerk