

MINUTES OF REGULAR MEETING HELD JULY 9, 2013

Pursuant to rules of Council of the Town of Westfield, the members thereof convened in regular session Tuesday evening, July 9, 2013 at 8:20 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 20, 2012. 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 Neylan, Haas, Foerst, Della Fera, LoGrippe, Loughlin

ABSENT: Councilman Arena, Councilwoman Kimmins

Invocation was given by Councilman Della Fera

PRESENTATIONS

Westfield Area Chamber of Commerce

APPOINTMENT

ADVERTISED HEARINGS

The Council proceeded to the hearing entitled, “SPECIAL ORDINANCE NO. 2181 – BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT AND NEW INFORMATION TECHNOLOGY EQUIPMENT IN, BY AND FOR THE TOWN OF WESTFIELD, IN THE COUNTY OF UNION, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$2,926,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO APPROPRIATE CAPITAL SURPLUS, 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.

Greg Kasko of 434 Everson Place spoke in opposition of the ordinance and said the use of the Bond Ordinances circumvents the 2% budget cap.

Councilman Della Fera stated he did not understand Mr. Kasko's comments since all the projects in the Bond Ordinance were Capital Improvement items for paving projects and parking lot improvements and could not be part of the yearly budget. He asked the Town Administrator to confirm.

Town Administrator confirmed that these projects have a useful life of over five years and are always included in a Capital Budget and not the yearly budget. The Town is not circumventing the 2% cap as Mr. Kasko has suggested.

Mayor Skibitsky declared the hearing closed.

PENDING BUSINESS

An ordinance entitled, "SPECIAL ORDINANCE NO. 2181 – BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT AND NEW INFORMATION TECHNOLOGY EQUIPMENT IN, BY AND FOR THE TOWN OF WESTFIELD, IN THE COUNTY OF UNION, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$2,926,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO APPROPRIATE CAPITAL SURPLUS, 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 LoGrippo, was taken up, read and passed by the following vote of all present upon roll call as follows:

Yeas: Neylan
Haas
Foerst
Della Fera
LoGrippo
Loughlin
Mayor Skibitsky

Nays:

Absent: Arena
Kimmins

BIDS

TOWN OF WESTFIELD
INVITATION TO BID
TUESDAY, JUNE 25, 2013

2013 VARIOUS ROAD IMPROVEMENTS

<u>Bidder</u>	<u>Amount of Bid</u>
Schifano Construction Corporation	1,276,383.50
One Smalley Avenue	
PO Box 288	
Middlesex, NJ 08846	
P&A Construction, Inc.	1,416,940.75
P.O. Box 28	
Colonia, NJ 07067	
Fischer Contracting	1,441,828.00
10 Short Hills Lane	
Scotch Plains, NJ 07076	
Stilo Excavating, Inc.	1,471,807.25
2907 So. Clinton Avenue	
South Plainfield, NJ 07080	
J. A. Alexander	1,585,419.50
130-158 John F Kennedy Drive N	
Bloomfield, NJ 07003	
Black Rock	1,597,809.25
1316 Englishtown Road	
Old Bridge, NJ 08857	
Top Line Construction Corporation	1,625,549.17
22 Fifth Street	
Somerville, NJ 08876	

MINUTES

On a motion by Councilman Loughlin, seconded by Councilman LoGrippo, Council approved the Minutes of the Town Council Meeting held June 18, 2013.

On a motion by Councilman Foerst, seconded by Councilwoman Neylan, Council approved the Minutes of the Conference Session held June 18, 2013.

PETITIONS AND COMMUNICATIONS**OPEN DISCUSSION BY CITIZENS**

Tom Jardim, former Mayor and resident of 251 Walnut Street spoke on the demolition permit on the agenda for 257 Walnut Street and asked for a deferral of action until the next

meeting because a petition by residents has been presented to designate the street as a Historic District. He said he could see no better reason to defer the demolition application. He said that to the extent that the Council is concerned about liability that in all likelihood there was going to be a challenge anyway. If the Council grants the demolition permit, he and his neighbors would likely challenge that decision, so if there was a concern about ending up in court, that was going to happen one way or the other. Former Mayor Jardim asked the Council to think logically and fairly as the vast amount of residents asked for the designation of the street.

Councilman Foerst asked if the historic designation could be completed by the next meeting on August 6, 2013 because that was what he heard the former Mayor imply. Administrator stated that it could not be and that it would take several months to complete the process. The Administrator added that the petitions submitted by the neighbors did not meet the criteria for agreeing to begin the process of historic designation and that a letter was sent to all property owners of Walnut Street by the Historic Preservation Commission seeking the requisite response to move forward with the designation process. He said that as of tonight the Town has not yet received the necessary amount of responses from the residents of Walnut Street to undertake the designation process. The Town has already sought proposals of historic architects and is ready to proceed if the residents respond with the required approvals as per the Town ordinance.

Former Mayor Jardim said there was no time limit in the letter for the petitions to be returned and that he submitted a report that should be sufficient. He said there has been a significant amount of work done already so that the Westfield Historic Preservation Commission could get the ball rolling.

Mayor Skibitsky said that former Mayor Jardim talked about what would be logical to do but said that when you are compelled to follow State Land Use laws, it is not necessarily logic that prevails but the law. He then asked Town Attorney to speak on the matter.

The Town Attorney said the two petitions that were submitted did not satisfy the requirements of the Town ordinance. That is why the Historic Preservation Commission needed to send out another letter with all the required information. He said that the number of applications received back at this time did not meet the 75% required. If the Town does receive an adequate number of applications, a report by a qualified consultant needed to be obtained to make sure the neighborhood meets the qualifications for designation. If the neighborhood was eligible for designation, legislation would need to be passed. It would take several months before designation could be complete.

Greg Kasko of 434 Everson Place spoke about an accident at Central and Clover recently. He said the cause was human error but it was within 15 feet of the HAWK light. He said Central and Clover was identified as a hot spot by the Town's traffic consultant and feels that it was made worse by the installation of the HAWK light. Mr. Kasko then asked about a vehicle he believes the Town owned in February. He inferred the town purchased that vehicle before it went out to bid. Administrator explained that the vehicle is not owned by the town, but by a Utah company who has chosen to keep a vehicle in NJ for their use in marketing their company and visiting clients. Administrator explained that Mr. Kasko had incorrect information.

Councilman Haas stated that there were never more than 3 accidents per year at the corner of Central and Clover before the installation of the HAWK light for the last 18 years. He said that the likelihood that there would be 7 accidents if nothing had changed was much less than 1%. He said he did not say anything the first year and the second year there were 5 accidents and this year there has been 3 accidents so far and statically if nothing had changed, those accidents would not have occurred.

Adina Encluso of 1310 Central Avenue spoke about a noise she heard when someone was crossing at the HAWK light and a SUV screeched to stop. She spoke about a number of accidents in the area of Central and Clover and attributed them to the HAWK light.

Pat Velderman of 242 Kimball Avenue said he was against the approval of the demolition of 257 Walnut Street because it would significantly impede the process of the requested historic designation. He said that he didn't think the Council was doing enough to promote historic preservation in the Town and by holding to the technicalities of the law was actually impeding the process. Mayor said that he did not believe that was true and the Town needed to conform to the Land Use laws and that our Town Attorney advised that the letter the town sent was necessary to comply with the Historic Preservation Ordinance, not to slow down the process. Councilman Foerst said that the Council moved extremely fast to protect the neighborhood when approached by the residents. He said there is a pending lawsuit and hopes the builder will take his vote to approve the demolition as an olive branch and will maintain the porch flow of the streetscape. He said it was very upsetting to hear someone say the Council was slowing the process or not acting fast enough after all the efforts by the Town professionals to move the legislation along as fast as they did. He said in his ten years of serving as a Council member, he has never seen the Council move so fast to protect a neighborhood. He said he took Mr. Velderman's comments personally and was upset by them.

Robert Burslem of 256 Kimball Avenue said that he does understand that the Council has moved very quickly to resolve concerns of the neighborhood and that they appreciated the Council's efforts. He said that he also understands that because of the Land Use rules, legally the Council could not deny a demolition permit that was filed correctly. He said he wondered if the fact that a request for historic designation was filed prior to the request for demolition would have any bearing on a decision to move this to an approval status or if that might give more room for deferring and allow for further review of the process for historic designation.

BILLS AND CLAIMS

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

RESOLVED that the bills and claims in the amount of \$769,409.75 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 LoGrippo were unanimously adopted.

(186) WHEREAS, N.J.S.A. 40A:4-87 (Chapter 159, P.L., 1948) provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget or any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, the Director may also approve the insertion of any item of appropriation for equal amount;

NOW, THEREFORE, BE IT RESOLVED that the Town of Westfield hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year **2013** in the sum of **\$1,250.00**, which is now available from **The Westfield Foundation – Summer Program**, and

BE IT FURTHER RESOLVED that the like sum be, and the same is hereby appropriated under the following caption:

General Appropriations

Library – Summer Program	\$1,250.00
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BE IT FURTHER RESOLVED that one copy of this resolution be forwarded to the Division of Local Government Services by the Town Clerk.

(187) WHEREAS, N.J.S.A. 40A:4-87 (Chapter 159, P.L., 1948) provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget or any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, the Director may also approve the insertion of any item of appropriation for equal amount;

NOW, THEREFORE, BE IT RESOLVED that the Town of Westfield hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year **2013** in the sum of **\$316.65**, which is now available from the State of New Jersey, **Alcohol Education Rehab Fund DWI**, and

BE IT FURTHER RESOLVED that the like sum be, and the same is hereby appropriated under the following caption:

General Appropriations

Alcohol Education Rehab Fund - DWI \$316.65

BE IT FURTHER RESOLVED that one copy of this resolution be forwarded to the Division of Local Government Services by the Town Clerk.

(188) RESOLVED that the Chief Financial Officer be authorized to draw a warrant in the amount of \$42.00 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 June 2013.

(189) WHEREAS, the following applicants have posted monies to be held in escrow to cover expert advice and testimony in connection with Board of Adjustment and Planning Board applications on said property; and

WHEREAS, expert advice and testimony was given, and

WHEREAS, all bills for these applications have been submitted and paid; and

WHEREAS, the applicant has requested in writing to have the balance of escrow monies be released to them;

NOW, THEREFORE, BE IT RESOLVED, that the Chief Financial Officer is authorized to draw a check for the balance of the escrow monies as follows:

Mark & Elaine Jackler	810 Dartmoor	1-05-560-234	T-05-800-497	\$12.40
Gladys Sheppard	28 Prospect Street	1-05-550-158	T-05-800-505	\$79.66
Charles & Jeanine Williamson	425 Kimball Turn	1-02-560-261	T-05-800-541	\$196.58
Dana Nicole Dossin & Pierre Damien Dossin	520 Sherwood Pky	1-05-560-262	T-05-800-542	\$446.58
Patricia & Ross Margolies	8 Stoneleigh Park	1-05-560-274	T-05-800-559	\$141.02
Arida Properties	131 S. Euclid Ave	2-05-560-286	T-05-800-578	\$42.72
Keith Williamson	722 Coleman Place	2-05-560-288	T-05-800-580	\$446.58
James & Kate Hill	248 Hazel Avenue	2-05-560-289	T-05-800-581	\$196.51
Shannon Terry	715 Fairacres Ave	2-05-560-290	T-05-800-582	\$446.58

Dianne & George Handza	211 Seneca Place	2-05-560-292	T-05-800-584	\$141.02
Debra & Gil Engelke	751 Prospect St. 661 Shackamaxon Ave	2-05-560-293	T-05-800-585	\$223.29
Dennis & Anita McGorty	35-39 Elm Street	2-05-560-296	T-05-800-588	\$419.87
Chris & Rory Gilman Goodman Family Partnership	526 Cory Place	2-05-560-297	T-05-800-589	\$446.58
Alan & Carol Schwartz	27 Mohawk Trail	2-05-560-298	T-05-800-590	\$54.08
Konstruk Enterprises, Inc.	2 Bell Drive	2-05-560-304	T-05-800-596	\$446.58
Jean Genievich	99 Surry Lane	2-05-560-302	T-05-800-598	\$196.58
Jodi Wallin	13 Stoneleigh Park	2-05-560-301	T-05-800-599	\$196.58
Service Pro Sign Larry Patterno	251 North Avenue	2-05-560-300	T-05-800-600	\$196.58
Partha P. Palit	1511 Boulevard 901 Mountainview Cir	2-05-560-299	T-05-800-601	\$169.87
Francis Adriaens John & Jennifer Czarnecki	1036 Grandview Ave	2-05-560-312	T-05-800-609	\$309.29
Timothy & Kirsten Bonn	737 First Street	2-05-560-311	T-05-800-610	\$195.51
Robert Garnecki	810 Wallberg	2-05-560-310	T-05-800-611	\$695.51
Kimberly Fowler	740 First Street	2-05-560-309	T-05-800-612	\$222.75
Andrea Giangone	520 Edgar Road	2-05-560-307	T-05-800-614	\$391.02
Terrence Quinn	542 Arlington Ave	2-05-560-306	T-05-800-615	\$418.26
John Varghese & Jolly Thomas	610 Norwood Dr	2-05-560-313	T-05-800-624	\$195.51
Robert Campagna	866 Winyah Ave E	2-05-560-314	T-05-800-625	\$500.00
Andrey Malinovskiy	827 Dorian Road	2-05-560-315	T-05-800-626	\$418.27
Mr. & Mrs. Brandt Gaines	1272 Summit Ave	2-05-560-316	T-05-800-627	\$195.51
Deanne Hampton	927 Ripley Avenue	2-05-560-317	T-05-800-631	\$141.02
Brian and Hairong Crigler	20 Mohawk Trail	2-05-560-318	T-05-800-632	\$445.51
Daniel Madara	806 Standish Ave	2-05-560-319	T-05-800-633	\$472.76
Christopher Langhart	815 Embree Cres	2-05-560-320	T-05-800-634	\$250.00
John & Robyn Kelly	1249 Prospect St	2-05-560-321	T-05-800-635	\$445.51
Laura & Joe Dougherty	554 Highland Ave	2-03-560-322	T-05-800-636	\$195.51
Jeanne Nicholson	125 Quimby Street	2-05-560-323	T-05-800-637	\$195.51
		2-05-560-324	T-05-800-646	\$445.51
		2-05-560-326	T-05-800-648	\$10.77

David & Sarann Wood	250 Seneca Place	2-05-560-327	T-05-800-649	\$945.51
David Friedman	1513 Boulevard	2-05-560-329	T-05-800-651	\$695.51
Michael & Lynne Ainge	602 Tremont Ave	2-05-560-330	T-05-800-652	\$445.51
Kevin McCormick	217 Hazel Ave	2-05-560-332	T-05-800-654	\$445.51
Michael P. Miller	311 Temple Place	2-05-560-333	T-05-800-655	\$222.76
Jeffrey & Kristen Davidson	600 Salter Place	2-05-560-335	T-05-800-659	\$445.51
Eric & Lori Rockmore	413 Benson Place	2-05-560-336	T-05-800-660	\$445.51
Chad & Rochelle Wagenheim	215 Sunset Ave	2-05-560-338	T-05-800-662	\$195.51
Hugh Richard Covington Pamela & Ernest Clarke	709 Clark Street	3-05-560-340	T-05-800-665	\$195.51
David McLaren & Chiara Galbusera	622 Maye Street	3-05-560-341	T-05-800-666	\$500.00
Cheryl Arzewski	515 First Street	3-05-560-342	T-05-800-667	\$1,000.00
Dan & Laura Weinstein	164 Landsdowne Ave	3-05-560-343	T-05-800-668	\$945.51
	1445 Grandview Ave	3-05-560-345	T-05-800-670	\$445.51

(190) RESOLVED, that the Chief Financial Officer be authorized to refund the following fees to the following individuals:

<u>Name</u>	<u>Account</u>	<u>Class</u>	<u>Fee</u>
Shawn Mullen 763 Carleton Road Westfield, NJ 07090	T05-600-073	Basketball Camp (Patrick)	\$90.00
Connie Tam Tso 636 St. Marks Ave. Westfield, NJ 07090	T05-600-073	Baseball Camp (Brandon)	90.00
Lynel Kantor Katz 21 Trails End Court Westfield, NJ 07090	T05-600-073	Baseball Camp (Asher)	90.00
Carole Ronget 620 Downer Street Westfield, NJ 07090	T05-600-073	Baseball Camp (Gaspard)	90.00
Katerina Houbanov 744 Harding Street Westfield, NJ 07090	T05-600-073	Baseball Camp (Victor)	90.00
Catherine Manning 600 Lenox Ave. Westfield, NJ 07090	T05-600-073	Baseball Camp (Michael)	90.00

Peggy Barsa 505 Woodland Ave Westfield, NJ 07090	T05-600-073	Baseball Camp (Jack)	90.00
Catherine Picker 736 Harding St. Westfield, NJ 07090	T05-600-073	Baseball Camp (Daniel Morariu)	90.00
Kerry Tucker 532 Colonial Ave. Westfield, NJ 07090	T05-600-073	Baseball Camp (Liam)	90.00

(191) WHEREAS, the Westfield Recreation Department's annual Family Fun Night Swim held at the Memorial Pool for Pool Members and their guests is scheduled for Tuesday, July 16, 2013 and,

WHEREAS, payment of Disc Jockey services to The Spinners Entertainment Co., is required day of the event;

NOW, THEREFORE, BE IT RESOLVED, that the Chief Financial Officer is hereby authorized to prepare warrants for the disc jockey service payment to The Spinners Entertainment Co. located at 119 North Riverview Rd., Phillipsburg, NJ 08865 in an amount not to exceed \$600.00 charged to the Memorial Pool 195-243 Account.

(192) 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 2012 and 2013:

<u>BLOCK/LOT</u>	<u>PROPERTY ADDRESS</u>	<u>YEAR</u>	<u>AMOUNT</u>
704/14	919 Brown Avenue CitiMortgage, Inc & RODINO, James C/O Carl Jasper 14700 Citicorp Drive Dept. 1009 Hagerstown, MD 21742	2013	\$1,768.95
4603/4	1028 Rahway Avenue CMIELEWSKI, Michael L & CORIGLIANO, JM	2012	\$2,499.50
4809/16	925 Irving Avenue LUU, Vincent H & Gwentyth P	2012	\$2,240.54
4906/9	219 Eton Place MULVANEY, Francis B & Kathy	2012	\$1,000.00

5010/16 SNYDER, Thomas & Kelly	145 Belmar Terrace	2012	\$362.14
5107/5 MILAN, Coletta A & Jose	1266 Summit Avenue	2012	\$1,326.72
5110/11 CUENCA, Elizabeth C	1301 Rahway Avenue	2012	\$768.18
5707/6 DELVECCHIO, Stacey	238 Virginia Street	2012	\$6,056.05

(193) WHEREAS, there exist on the records in the Tax Collector's office sewer fee balances for the year 2013:

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector be and she hereby is authorized to cancel the sewer fee balances below for the year 2013:

<u>Block/Lot</u>	<u>Amount</u>
406/37	\$170.00
4901/54	\$161.54

(194) WHEREAS, there exist on the records in the Tax Collector's office tax overpayment for the year 2012:

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector be and she hereby is authorized to cancel the tax overpayment to surplus.

<u>Block/Lot</u>	<u>Year</u>	<u>Amount</u>
510/13	2012	\$194.97

Public Safety, Transportation and Parking Committee

Code Review & Town Property Committee

The following resolution, introduced by Councilman Foerst, Chairman of the Code Review & Town Property Committee, seconded by Councilman Louhglin was adopted with Councilman Della Fera voting no.

Councilman Foerst said that the Council has really made this a top priority and did what it had to do to help the Walnut Street residents. Nevertheless, there has been vigorous discussion and there is a pending lawsuit and the Council needs to remove the emotion and make sure it does not become a political issue where the Council defers the approval to satisfy the residents because they would like to. He said the Town has a legal obligation to

the town and sometimes that doesn't allow us to do what we would like. He stated that the two Councilmen from Ward 1 have advocated vigorously on the residents' behalf to have the rest of the Council vote the way the residents want because they also want the deferral. He said he didn't know how the vote would go, but whoever votes to approve the demolition does so with a heavy heart. He said his vote would be to approve the demolition but it would be with hesitation.

Councilman Haas said that he agreed with Councilman Foerst's comments and he wanted to be clear that the Council has been told by the Town Attorney that the deferral of this demolition was not defensible in court and could not be deferred for more than one month, and that the Historic Designation of Walnut Street could not be accomplished in that time frame. He said he was not aware that the demolition would interfere with the Historic Designation and that bothers him a great deal but he feels that he has not been given any advice that would give him any choice but to vote yes and would do so with a very heavy heart.

Councilman Della Fera said that he appreciated Councilman Foerst's comments and agreed that the Council has taken every effort to preserve this house and the neighborhood. He said that although he is an attorney, he is not a municipal attorney, and he is told that he can only vote to approve or defer the demolition. He said that whether he is compelled to defer or to vote yes, he will vote no because he feels it is not the appropriate action to take under the circumstances.

(195) WHEREAS, Elshiekh Enterprises LLC, made an application to the Town of Westfield to demolish a single-family dwelling, located at 257 Walnut Street, Block 2401, Lot 11, Westfield, New Jersey, and,

WHEREAS, Steve Freedman, Construction Official, certifies to the Town Council that the application meets all requirements of General Ordinance No. 1386, relative to obtaining a demolition permit.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Town Council of the Town of Westfield that approval is hereby granted, pursuant to final approval by Steve Freedman, Construction Official, to demolish a single-family dwelling 257 Walnut Street, Block 2401, Lot 11, Westfield, New Jersey.

The following resolutions, introduced by Councilman Foerst, seconded by Councilwoman Neylan were unanimously adopted.

(196) WHEREAS, Mark Angelo, made an application to the Town of Westfield to demolish a single-family dwelling, located at 1059 Prospect Street, Block 201, Lot 19, Westfield, New Jersey, and,

WHEREAS, Steve Freedman, Construction Official, certifies to the Town Council that the applicant is in the process of meeting all requirements of General Ordinance No. 1386, relative to obtaining a demolition permit.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Town Council of the Town of Westfield that approval is hereby granted, pursuant to final approval by Steve Freedman, Construction Official, to demolish a single-family dwelling at 1059 Prospect Street, Block 201, Lot 19, Westfield, New Jersey.

(197) WHEREAS, Brian T. Fitzpatrick, made an application to the Town of Westfield to demolish a single-family dwelling and detached garage, located at 711 Girard Avenue, Block 1304, Lot 48, Westfield, New Jersey, and,

WHEREAS, Steve Freedman, Construction Official, certifies to the Town Council that the applicant is in the process of meeting all requirements of General Ordinance No. 1386, relative to obtaining a demolition permit.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Town Council of the Town of Westfield that approval is hereby granted, pursuant to final approval by Steve Freedman, Construction Official, to demolish a single-family dwelling and detached garage at 711 Seneca Place, Block 1304, Lot 48, Westfield, New Jersey.

Public Works Committee

The following resolutions, introduced by Councilman Haas, Vice-Chairman of the Public Works Committee, seconded by Councilman Della Fera were unanimously adopted.

(198) WHEREAS, sealed bids were received by the Town Clerk on June 25, 2013 for the **2013 Various Road Improvements** in Westfield, New Jersey as authorized by S.O. 2154, S.O. 2156, S.O. 2167 and S.O. 2169, and

WHEREAS, the low bid, in the amount of \$1,276,383.50 submitted by Schifano Construction Corp., One Smalley Avenue, Middlesex, NJ 08846 has been analyzed and found to be in conformance with the appropriate plans and specifications, and

WHEREAS, the value of Phase 1, identified in the contract specifications, totals \$284,927.50, and it is the Town's intent to move forward with this particular phase only at this time, and

WHEREAS, Certificate of the Town Treasurer, certifying the availability of adequate funds for this Contract, prepared in accordance with N.J.A.C. 5:30 1.10 has been furnished to the Town Clerk. Expenditure of funds pursuant to this Contract to be charged to S.O. 2154, S.O. 2156, S.O. 2167 and S.O. 2169.

NOW THEREFORE BE IT RESOLVED, that a Unit Price Contract in the amount of \$284,927.50 be awarded to Schifano Construction Corp., and

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

BE IT FURTHER RESOLVED, that the Town Clerk shall notify the Contractor by letter requesting submittal of appropriate Performance Bond and Certificate of Insurance, so as to further execute the Contract documents.

(199) WHEREAS, sealed bids were received by the Town Clerk on May 14, 2013 for the **2013 St. Marks/South Euclid Storm Sewer Improvements** in Westfield, New Jersey as authorized by S.O. 2169 and S.O. 2175, and

WHEREAS, the low bid, in the amount of \$55,375.00 submitted by Fischer Contracting Inc., 10 Short Hills Lane, Scotch Plains, NJ 07076 has been analyzed and found to be in conformance with the appropriate plans and specifications, and

WHEREAS, Certificate of the Town Treasurer, certifying the availability of adequate funds for this Contract, prepared in accordance with N.J.A.C. 5:30 1.10 has been furnished to the Town Clerk. Expenditure of funds pursuant to this Contract to be charged to S.O. 2169 and S.O. 2175.

NOW THEREFORE BE IT RESOLVED, that a Unit Price Contract in the amount of \$55,375.00 be awarded to Fischer Contracting Inc., and

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

BE IT FURTHER RESOLVED, that the Town Clerk shall notify the Contractor by letter requesting submittal of appropriate Performance Bond and Certificate of Insurance, so as to further execute the Contract documents.

Reports of Department Heads

Report of Liy-Huei L. Tsai, Chief Financial Officer, showing Cash in Bank of \$5,267,356.50 and Investments of \$373,877.89 was received, read and ordered filed.

Reports of Susan Noon, Collector of Taxes, showing total collections of \$2,365,782.42 and Sewer Fee of \$60,703.69 during the period June 1, 2013 to June 30, 2013 were 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 \$21,081.20 representing monies collected during the month of June 2013 and \$23,520.00 represents monies collected for Spring Clean-Up Program.

Report of Claire J. Gray, Town Clerk, showing fee collected in the amount of \$2,367.00 during the month of June 2013 was received, read, and ordered filed.

Report of Daniel J. Kelly, Chief of the Fire Department, showing Smoke Detector Fees collected in the amount of \$3,400.00 and Permit Fees collected in the amount of \$557.00 collected during the month of June 2013 was received, read and ordered filed.

Upon motion by Councilman Haas, seconded by Councilman LoGrippo the meeting was adjourned at 9:37 p.m.

Claire J. Gray
Town Clerk