

MINUTES OF REGULAR MEETING HELD APRIL 15, 2008

Pursuant to rules of Council of the Town of Westfield, the members thereof convened in regular session Tuesday evening, April 15, 2008 at 8:05 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 6, 2007. The notice was, on that date, posted on the bulletin board in the Municipal Building, mailed to THE WESTFIELD LEADER, THE COURIER NEWS AND THE RECORD PRESS, and filed with the Clerk of the Town of Westfield.”

PRESENT: Mayor Skibitsky, Council Members Caruana, Neylan, Ciarrocca, Foerst, Arena, Kimmins, Haas, Bigosinski

ABSENT:

Invocation was given by Councilwoman Kimmins

Salute to the flag by Den 6 of Cub Scout Pack 273.

PRESENTATIONS

The Town Administrator gave the following presentation on the 2008 Municipal Budget:

Town of Westfield 2008 Municipal Budget



2008 Budget Headlines

- Final tax increase is 9.38%, which includes 4% levy cap (\$797,748), plus (\$1,094,808) in State pass throughs.
- State Aid allocation has significantly decreased (10% cut \$411,844)
- While the budget including all State mandates increased 5.15% to \$37,877,089, the discretionary portion of the budget (not including market cost increases in health insurance premiums) rose 1.03%, and with health insurance increases, it rose 1.68%.
- In January 2007 the Town used \$4 million of its \$4.6 million surplus to balance its budget. Due to a \$750,000 decline in excess revenues only \$3,291,120 was generated back for a final beginning balance in 2008 of \$3,894,851.
- In 2008 the Town will be using all of its available surplus, \$3,785,000 to fund the budget, but there will still be a \$431,596 deficit which we will fund from our sale of assets surplus which at the end of 2007 had a \$3,848,207 balance.

2008 Municipal Budget - Expense Side

Initial estimated increase in expenses:

+ \$2,439,809

Town Council cuts:

- \$493,449

Final expense increase:

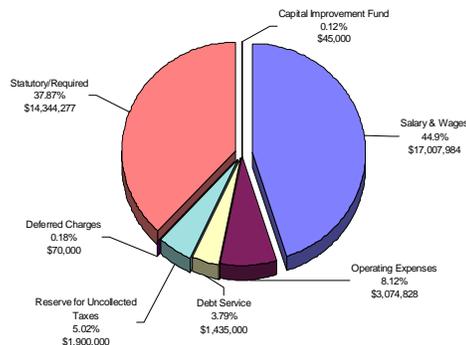
+ \$1,856,360 (5.15%)



Final expense increase includes the following increases in mandated/required expenses:

Sewer (RVSA)	+	\$341,600	Health Insurance	+	\$231,000
Library	+	\$173,451	Union Contracts	+	\$449,000
Pensions	+	\$740,250	Total	+	\$1,935,301

2008 Municipal Budget = \$37,877,089



Did You Know...

The Municipal Budget includes appropriations for:

- Street Lighting \$299,000
- Public Fire Hydrants \$475,600
- Senior Transportation Services \$102,270
- School Crossing Guards \$470,000
- Reserve for Uncollected Taxes \$1,900,000
- Leaf Collection & Disposal \$290,000
- Curbside Recycling \$187,000

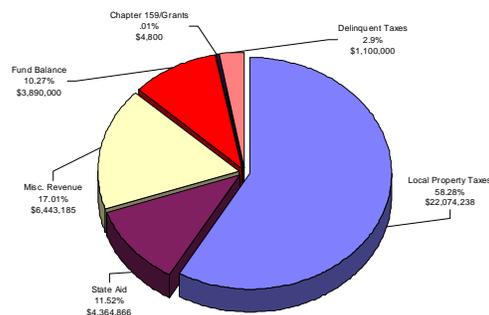
2008 Municipal Budget - Revenue Side

Revenue Sources

- Property Taxes (+\$1,892,264)
- State Aid (-\$411,844)
- Miscellaneous Revenue (-\$61,392)
- Surplus (-\$215,000)



2008 Total Revenues = \$37,877,089



Did You Know...

2008 Anticipated Revenue Sources include:

•Municipal Court Fines and Fees	\$675,000	(+\$85,000)
•Parking Permits, Meters & Paystations	\$1,725,000	(+\$14,000)
•Building Department Fees	\$750,000	(-\$200,000)
•Interest on Income & Investments	\$600,000	(-\$69,000)
• State Aid	\$4,364,866	(-\$267,271)
• Delinquent Taxes	\$1,100,000	(+125,000)
•Available Surplus	\$3,785,000	(-\$215,000)



2008 Surplus (a.k.a. Fund Balance)

- Surplus is considered to represent cash and may be utilized as a revenue item in the budget to support appropriations.
- Surplus results from the process of closing the operations account at the end of the fiscal year and is generated either by excess of revenue over what was anticipated in the budget or lesser expenditures than were appropriated in the budget. The net result of the two determines what amount of surplus will be available at the beginning of the next fiscal year.
- 2008 available surplus is \$215,000 less than was appropriated in 2007.

2008 Surplus (a.k.a. Fund Balance)

In addition to the surplus account the Town has maintained the sale of assets account which has been a strategic surplus account. In 2008, \$431,596 will be appropriated from the sale of assets account to fill the void from the loss in revenues and to meet the new mandated 4% tax levy cap. The sale of assets account is now a critical factor for the Town in managing the revenue side of the budget within the State imposed 4% mandated tax levy.

Total Surplus Snapshot

	<u>2007</u>	<u>2008</u>	<u>2009</u>
Surplus	\$4,603,000	\$3,894,000	\$2,300,000
Sale of Assets	<u>\$3,848,000</u>	<u>\$3,848,000</u>	<u>\$3,417,000</u>
Total	\$8,451,000	\$7,742,000	\$5,717,000

2008 Municipal Tax Calculation

Total Appropriations	\$37,877,089
<i>minus</i>	
Anticipated Revenues	\$15,802,851
<i>equals</i>	
Local Purpose Tax	\$22,074,238 (4% Cap +)
<i>divided by</i>	
Total Assessed Value	\$1,884,462,778
<i>equals</i>	
Local Tax Rate	1.171
<i>per \$100 assessed value</i>	



Tax Cost Comparison

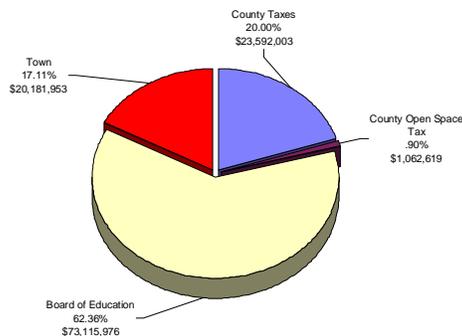
2007 Average Assessed Home = \$181,500
 2008 Average Assessed Home = \$183,500



	<u>2007</u>	<u>2008*</u>	<u>Inc.</u>	
County Tax	\$2,409	\$2,585	+ \$176	
School Tax	\$7,120	\$7,529	+ \$409	
Local Tax	<u>\$1,966</u>	<u>\$2,149</u>	<u>+ \$182</u>	Total Tax
	\$11,495	\$12,263	+ \$768 (7%)	

* 2008 Tax Costs Estimated

2007 Total Tax Collections \$117,952,551



Continued Examination ...

Continued examination of revenue sources with anticipated increases in various fines and fees in addition to implementing new fees where appropriate.

Continued examination of all expense items with anticipated reductions in programs, services and employees to deliver a balanced budget in 2009.

Continued examination and management of debt service.



2009 Municipal Budget Challenges

- Additional increase in Pension Contributions (PFRS not excluded from the CAP & PERS 100%)
- Additional Assessment from RVSA
- Increases in Fuel and Energy Costs
- Union Contracts
- Continuation of Services (Leaf Collection, Snow Removal, Recycling, Public Safety Services, Conservation Center, Infrastructure Improvements, etc...)
- Continued Loss of State Aid, Surplus and Various Revenues to Offset Mandated/Required Expenses



APPOINTMENT

ADVERTISED HEARINGS

The Council proceeded to the hearing entitled, “GENERAL ORDINANCE NO. 1912 – AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF WESTFIELD, CHAPTER 13.”

Advertised returnable this evening.

Mayor Skibitsky declared the hearing closed.

The Council then proceeded to the hearing entitled, "GENERAL ORDINANCE NO. 1913 – AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF WESTFIELD, CHAPTER 13."

Advertised returnable this evening.

Mayor Skibitsky declared the hearing closed.

PENDING BUSINESS

An ordinance entitled, "GENERAL ORDINANCE NO. 1912 – AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF WESTFIELD, CHAPTER 13" introduced by Councilman Ciarrocca, seconded by Councilwoman Kimmins, was taken up, read and passed by the following vote of all present upon roll call as follows:

Yeas:	Caruana	Kimmins	Nays:
	Neylan	Haas	
	Ciarrocca	Bigosinski	Absent:
	Foerst	Mayor Skibitsky	
	Arena		

An ordinance entitled, "GENERAL ORDINANCE NO. 1913 – AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF WESTFIELD, CHAPTER 13" introduced by Councilman Ciarrocca, seconded by Councilman Foerst, was taken up, read and passed by the following vote of all present upon roll call as follows:

Yeas:	Caruana	Kimmins	Nays:
	Neylan	Haas	
	Ciarrocca	Bigosinski	Absent:
	Foerst	Mayor Skibitsky	
	Arena		

BIDS

MINUTES

On a motion by Councilman Foerst, seconded by Councilwoman Neylan, Council approved the Minutes of the Regular Meeting held April 1, 2008 with Councilwoman Kimmins and Councilman Arena abstaining.

PETITIONS AND COMMUNICATIONS**OPEN DISCUSSION BY CITIZENS**

Lance Cook of 517 Summit Avenue spoke on Union County's budget. He encouraged residents to get more involved in county politics since a large portion of taxes go to the county. He requested that some of the county's meetings, which he had tapes of, be aired on TV36. Mr. Cook requested that members of the Town Council attend some of the county's Freeholder meetings. He thanked the Council for all their hard work trying to control the budget.

It was stated that Mayor Skibitsky has made numerous attempts to get a Freeholder Chair to visit a Westfield Conference Session to try to improve dialogue between the two entities. It was also stated that continuing attempts would be made to arrange such a meeting. Councilman Arena stated that there were a couple of county budget meetings this week that he will attend.

Sharon Stockwell of 100 Nelson Place spoke on behalf of the "WE CARE" group of Westfield in regard to research the group has done on development and property maintenance ordinances from other municipalities. She stated that the group was interested in having a property maintenance ordinance adopted in regard to vacant buildings. Ms. Stockwell presented a folder to the Mayor with copies of various ordinances the group found interesting.

Mayor Skibitsky stated that he would forward the group's recommendations to the Code Review and Town Property Committee for their review and recommendations. He explained that the committee had almost thirty agenda items to discuss before this one would get on the agenda.

BILLS AND CLAIMS

Introduced by Councilman Caruana, seconded by Councilman Arena and adopted.

RESOLVED that the bills and claims in the amount of \$677,209.85 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 Caruana, Chairman of the Finance Policy Committee, seconded by Councilman Ciarrocca were adopted.

(144) WHEREAS, **Hoff Brothers** placed the required cash bond of \$250.00 to cover the Street Opening Permit #05-169 for 522 Clark Street, and

WHEREAS, **Hoff Brothers** has requested that this amount be returned to them, 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 Chief Financial Officer be authorized to draw a warrant in the name of Hoff Brothers for \$250.00 and forward to Hoff Brothers, 2504 Plainfield Avenue, Scotch Plains, NJ 07076.

(145) WHEREAS, **Hoff Brothers** placed the required cash bond of \$250.00 to cover the Road Opening Permit #06-142 for 568 First Street, and

WHEREAS, **Hoff Brothers** has requested that this amount be returned to them, 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 Chief Financial Officer be authorized to draw a warrant in the name of Hoff Brothers for \$250.00 and forward to Hoff Brothers, 2504 Plainfield Avenue, Scotch Plains, NJ 07076.

(146) WHEREAS, **Hoff Brothers** placed the required cash bond of \$250.00 to cover the Road Opening Permit #06-143 for 8 Carol Road, and

WHEREAS, **Hoff Brothers** has requested that this amount be returned to them, 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 Chief Financial Officer be authorized to draw a warrant in the name of Hoff Brothers for \$250.00 and forward to Hoff Brothers, 2504 Plainfield Avenue, Scotch Plains, NJ 07076.

(147) WHEREAS, **Hoff Brothers** placed the required cash bond of \$250.00 to cover the Street Opening Permit #05-171 for 757 Hyslip Avenue, and

WHEREAS, **Hoff Brothers** has requested that this amount be returned to them, 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 Chief Financial Officer be authorized to draw a warrant in the name of Hoff Brothers for \$250.00 and forward to Hoff Brothers, 2504 Plainfield Avenue, Scotch Plains, NJ 07076.

(148) WHEREAS, **Hoff Brothers** placed the required cash bond of \$250.00 to cover the Street Opening Permit #05-167 for 910 Summit Avenue, and

WHEREAS, **Hoff Brothers** has requested that this amount be returned to them, 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 Chief Financial Officer be authorized to draw a warrant in the name of Hoff Brothers for \$250.00 and forward to Hoff Brothers, 2504 Plainfield Avenue, Scotch Plains, NJ 07076.

(149) RESOLVED that the Chief Financial Officer be and hereby is authorized to draw warrants for unused parking permit fees as follows:

Shirley A. Coppedge 916 Brown Avenue Westfield, NJ 07090	South Side RR Stn/Lot 3	#08030211	\$432.00
Domenick Salzano 8 Elm Street Westfield, NJ 07090	Lot 4/Nite Owl	#08049009	\$ 90.00
Rommany Chanthavong 20 David Post Road Annandale, NJ 08801	Lot #8	#08EPP718	\$180.00

(150) RESOLVED that the Chief Financial Officer be and hereby is authorized to draw a warrant to the order of the following business for refund of two Limousine License fees:

Galaxy Coach Inc. c/o Albert Lehmkuhl 18 Faulkner Drive Westfield, NJ 07090	\$100.00
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(151) RESOLVED that the Chief Financial Officer be authorized to draw a warrant in the amount of \$71.40 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 2008.

(152) RESOLVED that the Chief Financial Officer be and she hereby is authorized to draw warrants to the order of the following person, this being the amount overpaid for property taxes for the year 2007.

<u>BLOCK/LOT</u>	<u>PROPERTY</u>	<u>AMOUNT</u>
808/72 VILLARIN, Ronald & Marie	125 Eaglecroft Road	\$ 16.33
812/14 DAVIS, Ian & Jennifer 635 Coleman Place Westfield, NJ 07090	633 Coleman Place	\$ 884.67
1405/3 PETRIE, James & Holly	20 Rodman Lane	\$2,898.22
2213/5 TEMO, Gregory & Keri	305 Baker Avenue	\$ 105.51

(153) WHEREAS, PNC Realty Services, 900 South Avenue, Westfield, New Jersey, which the applicant posted monies to be held in escrow to cover expert advice and testimony in connection with a Minor Site Plan application on said property, and

WHEREAS, expert advice and testimony was given, and

WHEREAS, all bills for this application have been submitted and paid, and

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

NOW THEREFORE BE IT RESOLVED, that the above balance referenced escrow monies be released in the amount of \$500.00 and the Chief Financial Officer is authorized to draw a check on the escrow account #G/L 8-05-550-095 to PNC Financial Services Group, c/o Schenk, Price, Smith & King, LLP, 10 Washington Street, Morristown, New Jersey 07963.

(154) RESOLVED, that the Chief Financial Officer be and is hereby authorized to draw a warrant to Treasurer, State of New Jersey, in the amount of \$500.00, for fees associated with an application for General Permit #4 for work proposed near Rahway Avenue.

(155) RESOLVED, that the Chief Financial Officer be and is hereby authorized to draw a warrant to Treasurer, State of New Jersey, in the amount of \$500.00, for fees associated with an application for General Permit #4 for work proposed near Harding Street.

(156) WHEREAS, Kistler Paving Inc., has completed all of the work necessary for the **2007 Improvement of Downer Street & Seneca Place** as authorized by S.O. 2144, and

WHEREAS, the Town Engineer certifies that all of the work, totaling \$174,517.00 has been completed in a satisfactory manner, in accordance with the appropriate plans and specifications, and

WHEREAS, Certificate of the Chief Financial Officer, 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. No. 2144, 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.

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

Name	Account	Class	Fee
Sharon Rabbitt 560 Fairmont Ave Westfield, NJ 07090	Prog #217	Manners Social Etiquette Cancellation	\$35.00

Sharon DeBenedetto 1014 Grandview Ave Westfield, NJ 07090	Prog #217	Lacrosse Camp Refund	\$110.00
Alina Lisak 1030 Coolidge St Westfield, NJ 07090	Prog #217	Mannerations Dining Refund	\$35.00
Amy Root 177 Harrison Ave. Westfield, NJ 07090	Prog #217	Golf Sess#1 Canc. (Connor)	\$72.00
Krista Evans 721 Garfield Ave. Westfield, NJ 07090	Prog #217	Golf Sess.#1 Canc. (Nicole)	\$72.00
Helen Skultety 27 Winthrop Rd. Clark, NJ 07066	Prog #217	Golf Sess #1 Canc. (Samuel)	\$72.00

Regarding the following ordinance, Councilman Caruana, Chairman of the Finance Policy Committee, made the following announcement:

I hereby move that an ordinance entitled, "GENERAL ORDINANCE NO. 1914 – CALENDAR YEAR 2008 - AN ORDINANCE TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)."

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 6TH day of May, 2008 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 Ciarrocca.

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

Yeas: Caruana	Kimmins	Nays:
Neylan	Haas	

Ciarrocca	Bigosinski	Absent:
Foerst	Mayor Skibitsky	
Arena		

The following resolution, introduced by Councilman Caruana, seconded by Councilman Ciarrocca was adopted by the following roll call vote:

(158) WHEREAS, the Downtown Westfield Corporation Budget of the Town of Westfield’s Special Improvement District, County of Union, for the Year 2008:

BE IT RESOLVED that the following statements of revenues and appropriations shall constitute the Downtown Westfield Corporation Budget for the Year 2008, and

BE IT FURTHER RESOLVED that said Budget be published in THE WESTFIELD LEADER in the issue of April 17, 2008;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Town of Westfield does hereby approve the following as the Downtown Westfield Corporation Budget for the year 2008:

Recorded Vote: Ayes Caruana, Neylan, Ciarrocca, Foerst, Arena, Kimmins, Haas, Bigosinski, Mayor Skibitsky

Nays

Abstain

Absent

Notice is hereby given that the Downtown Westfield Corporation Budget was approved by the Town Council of the Town of Westfield, County of Union, on April 15, 2008.

A hearing on said Budget will be held at the Westfield Municipal Building on May 20, 2008 at 8:00pm at which time and place objections to said Budget for the Year 2008 may be presented by Downtown Special Improvement District taxpayers or other interested persons.

DOWNTOWN WESTFIELD CORPORATION

SPECIAL IMPROVEMENT DISTRICT

2008 BUDGET

REVENUES

GENERAL REVENUEANTICIPATED REVENUE

Amount to be raised by Special Improvement District Assessment	<u>\$390,555.00</u>
Total General Revenue	\$390,555.00

APPROPRIATIONSGENERAL APPROPRIATIONAPPROPRIATIONS 2008

Operating	
Salaries & Wages	\$155,500.00
Other Expenses	<u>\$235,055.00</u>
Total General Appropriations	\$390,555.00

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

(159) MUNICIPAL BUDGET OF THE TOWN OF WESTFIELD, COUNTY OF UNION FOR THE FISCAL YEAR 2008

BE IT RESOLVED, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2008;

BE IT FURTHER RESOLVED, that said Budget be published in the WESTFIELD LEADER in the issue of April 24, 2008.

The Governing Body of the TOWN OF WESTFIELD does hereby approve the following as the Budget for the year 2008:

RECORDED VOTE:

Council Members:

Yeas: Caruana
Neylan
Ciarrocca
Foerst

Nays: Bigosinski

Absent:

Arean
Kimmins
Haas
Mayor Skibitsky

Notice is hereby given that the Budget and Tax Resolution was approved by the MAYOR AND COUNCIL of the TOWN OF WESTFIELD, COUNTY OF UNION, on April 15, 2008.

A Hearing on the Budget and Tax Resolution will be held at THE MUNICIPAL BUILDING, on May 20th, 2008 at 8:00 p.m. at which time and place objections to said Budget and Tax Resolution for the year 2008 may be presented by taxpayers or other interested persons.

Public Safety, Transportation and Parking Committee

Code Review & Town Property Committee

The following resolutions, introduced by Councilman Foerst, Chairman of the Code Review & Town Property Committee, seconded by Councilwoman Kimmins were adopted.

(160) WHEREAS, pursuant to Chapter 24 Article VII Section 24-57 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.

Cold Stone Creamery	163 East Broad Street
Feast Catering	27 Elm Street

(161) WHEREAS, Madden Properties LLC., made an application to the Town of Westfield to demolish a single-family dwelling, located at 306 N. Scotch Plains Avenue, Block 2705, Lot 24, 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 at 306 N. Scotch Plains Avenue, Block 2705, Lot 24, Westfield, New Jersey.

(162) WHEREAS, Tara and Thomas Brodo, made an application to the Town of Westfield to demolish a detached garage, located at 527 Hort Street, Block 2706, Lot 7, 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 detached garage at 527 Hort Street, Block 2706, Lot 7, Westfield, New Jersey.

Public Works Committee

The following resolutions, introduced by Councilwoman Neylan, Chairman of the Public Works Committee, seconded by Councilman Haas were adopted.

(163) WHEREAS, sealed bids were received by the Town Clerk on February 26, 2008 for the **Improvement of Dorian Road, Dorian Place and Dorian Court** in Westfield, New Jersey as authorized by S.O. 2142 and S.O. 2144, and

WHEREAS, the low bid, in the amount of \$236,077.75 submitted by Lancha Construction Corp., 49 West Grochowiak Street, South River, NJ 08882 has been analyzed and found to be in conformance with the appropriate plans and specifications, and

WHEREAS, 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 1.10 has been furnished to the Town Clerk. Expenditure of funds pursuant to this Contract to be charged to S.O. 2142 and S.O. 2144.

NOW THEREFORE BE IT RESOLVED, that a Unit Price Contract in the amount of \$236,077.75 be awarded to Lancha 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, Labor and Material Payment Bond and Certificate of Insurance, so as to further execute the Contract documents.

(164) WHEREAS, the Town of Westfield determined that there was a need to renovate the Municipal Building to provide for a TV36 Studio and Emergency Management Center, and

WHEREAS, sealed bids were received on September 5, 2007, which exceeded the amount of money budgeted for the project and, therefore, were rejected by the Town Council, and

WHEREAS, the contract was re-advertised and bids were next received on February 26, 2008, which did not satisfactorily meet the needs of the Town, and, therefore, it is recommended that this bid be rejected by the Town Council,

WHEREAS, the New Jersey Public Contracts law permits contracts to be negotiated at fair and reasonable prices for the respective services when bidding on two occasions has been unsuccessful.

NOW THEREFORE BE IT RESOLVED, that the Town Engineer is hereby authorized to negotiate for prices for the renovations to the Municipal Building to provide for a TV36 Studio and Emergency Management Center.

(165) WHEREAS, the Town, as an efficiency measure, maintains a continuous effort to identify and pursue opportunities to share services with other municipalities for the benefit of the residents of Westfield, and

WHEREAS, the Borough of Mountainside advertised for public bidding various road improvements in their municipality, and

WHEREAS, the roads identified within Mountainside's contract included roads that also traversed the Town of Westfield, and

WHEREAS, the Town desired to seize this opportunity to execute the principle of shared services by partnering with Mountainside in order to improve the Westfield section of these roads while securing the best pricing possible due to the public bidding process, and

WHEREAS, the work has been completed, and the Town of Westfield must now pay its portion of the shared cost with the Borough that exclusively applies to the road

improvements in Westfield, in accordance with the bid prices identified in the Borough of Mountainside contract award.

NOW THEREFORE BE IT RESOLVED, that the Chief Financial Officer be and is hereby authorized to draw a warrant to Jenicar Builders Contractors Co., Inc, in the amount of \$47,580.75, charged to Special Ordinance 2144, and forward same to 573 Belgrove Drive, Kearny, NJ, 07032.

Reports of Department Heads

Report of Liy-Huei L. Tsai, Chief Financial Officer, showing Cash in Bank of \$3,898,879.72 and Investments of \$752,659.60 was received, read and ordered filed.

Report of Susan Noon, Collector of Taxes, showing total collections of \$823,703.91 during the period March 1, 2008 to March 31, 2008 was received, read and ordered filed.

Report of Claire J. Gray, Town Clerk, showing fees collected in the amount of \$5,326.25 during the month of March 2008 was received, read and ordered filed.

Report of Kenneth B. Marsh, Town Engineer, stating he had turned over to the Chief Financial Officer check in the amount of \$6,796.00 representing monies collected during the month of March 2008 was received, read and ordered filed.

Report of Robert M. Sherr, Health Officer, showing fees collected in the amount of \$22,131.00 during the month of March 2008 was received, read and ordered filed.

Report of Steve Freedman, Construction Official, showing monies collected in the amount of \$56,432.00 for the month of March 2008 was received, read and ordered filed.

Reports of John M. Parizeau, Chief of the Police Department, stating he had turned over to the Chief Financial Officer a check in the amount of \$2,020.75 representing Police Fees collected during the month of March 2008 and a check in the amount of \$20,112.00 representing Parking Services Receipts collected during the month of March 2008 were received, read and ordered filed.

Reports of Daniel J. Kelly, Chief of the Fire Department, showing smoke detector fees collected in the amount of \$1,200.00, permit fees collected in the amount of \$4,608.00 during the month of March 2008 were received, read and ordered filed.

Upon motion by Councilman Ciarrocca, seconded by Councilman Foerst the meeting was adjourned at 9:40 p.m.

Claire J. Gray
Town Clerk