

## **MINUTES OF REGULAR MEETING HELD JANUARY 16, 2018**

Pursuant to rules of Council of the Town of Westfield, the members thereof convened in regular session Tuesday, January 16, 2018 at 8:00 p.m.

Mayor Brindle 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 12, 2017. The notice was, on that date, posted on the bulletin board in the Municipal Building, mailed to THE WESTFIELD LEADER, THE STAR LEDGER, and TAP INTO WESTFIELD and filed with the Clerk of the Town of Westfield.”

**PRESENT:** Mayor Brindle, Council Members Habgood, Arena, Dardia, Neylan, LoGrippo, Contract, Stokes, Mackey

**ABSENT:** None

Invocation was given by Councilman Arena

### **PRESENTATIONS**

#### **Mayor's Remarks**

Mayor Brindle provided an overview of her first two weeks in office. Discussed the snowstorm that occurred on January 4, 2018 and commended the Director of Public Works and the entire Public Works staff for their efforts. Also discussed her first Facebook Live broadcast with the Town Administrator and the Director of Public Works to update residents on plowing and the status of the storm.

Mayor Brindle also announced the birth of Health Officer Megan Avallone's baby, and extended her best wishes.

Mayor Brindle informed residents that the Town has advertised for proposals for legal services through an RFP (Request for Proposals) process.

Mayor Brindle discussed the upcoming budget process. Also discussed her goal to improve communications with residents, address economic development and to begin live streaming of Town events and meetings.

The Town Administrator stated that research as to methods to capture and archive social media records is being conducted, and that that research is continuing.

### **APPOINTMENT**

Mayor Brindle proposed the following appointments. Motion made by Councilman LoGrippo, seconded by Councilman Contract, and unanimously confirmed by Council:

Appointment of Alison Carey as Alternate No. 2 member of the Historic Preservation Commission for a term expiring December 31, 2019

Appointment of Donna Canavan as a member of the Tree Preservation Commission to fill an unexpired term ending December 31, 2019

Appointment of Joseph Manzo as a member of the Tree Preservation Commission to fill an unexpired term ending December 31, 2019

### **ADVERTISED HEARINGS**

### **PENDING BUSINESS**

**BIDS****MINUTES**

On a motion by Councilman Stokes seconded by Councilman LoGrippe, Council approved the Minutes of the Town Council Conference Session & Regular Meeting held December 11, 2017.

On a motion by Councilwoman Neylan seconded by Councilman Dardia, Council approved the Minutes of the Town Council Reorganization Meeting of January 2, 2018.

**PETITIONS AND COMMUNICATIONS****OPEN DISCUSSION BY CITIZENS**

Adina Toescu-Encucescu, 1310 Central Avenue, congratulated the Mayor and new Council members on their election. Feels residents will attend meetings with confidence, respect and trust in their elected officials. Also stated that she is confident that everyone who comes to the microphone will be treated with respect. Thanked everyone who voted for Mayor Brindle and the new Council members. Also commended the Mayor for the invocation that was delivered during the swearing-in ceremony on January 1, 2018.

Greg Kasko, 434 Everson Place, discussed a break in his neighbor's water line and excavation of the roadway that became necessary to repair the line. Discussed his current employment with an engineering firm and his knowledge of road repairs. Informed the Mayor and Council that a temporary patch was done by the utility company to repair the portion of the road that was excavated, but explained that this type of patch will need to be readdressed in the spring. Discussed infra-red technology used for road repairs and encouraged the Mayor and Council to consider this method for potholes and other road repairs. Also discussed the responsibility of utility companies to properly repair roads that they have opened for utility work.

**BILLS AND CLAIMS**

Introduced by Councilwoman Habgood and seconded by Councilman LoGrippe, bills and claims were adopted unanimously:

RESOLVED that the bills and claims in the amount of \$701,351.84 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 Habgood, Chairman of the Finance Policy Committee, and seconded by Councilman Contract, were unanimously adopted.

**Resolution No. 20**

RESOLVED that the Chief Financial Officer be authorized to draw a warrant in the amount of \$418.80 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 December 2017.

**Resolution No. 21**

RESOLVED that the Chief Financial Officer be authorized to draw a warrant in the amount of \$550.00 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 October – December 2017.

**Resolution No. 22**

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 \$14,276.00 to the TREASURER,

STATE OF NEW JERSEY for the fourth quarter Construction Official's State permit fees for 2017.

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.

**Resolution No. 23**

WHEREAS, Ryan & Son Chimneys, made an application for a construction permit for a chimney liner located at 114 Virginia Street, Block 5708, Lot 12, Westfield, New Jersey.

WHEREAS, Ryan & Son Chimneys, remitted \$76.00 for aforesaid permit.

WHEREAS, Ryan & Son Chimneys, subsequently requested not to do the above mentioned project.

WHEREAS, Ryan & Son Chimneys, has made an application for refund of eighty percent (80%) of permit fee.

NOW THEREFORE BE IT RESOLVED, that the Chief Financial Officer be, and hereby is authorized to draw a warrant in the sum of \$60.80 payable to Ryan & Son Chimneys, 210 Kings Highway, Unit 8, Landing, NJ 07850.

**Resolution No. 24**

RESOLVED that the Chief Financial Officer be authorized to draw a warrant in the amount of \$6,000.00 to the order of the United States Postal Service to replenish a postage meter to process the Town's daily mail.

**Resolution No. 25**

WHEREAS, there is a need to communicate information to the public in the form of tax assessment notices to the property owners, and

WHEREAS, payment for the postage to the United States Postal Service is required prior to the mailing of the assessment notices;

NOW, THEREFORE, BE IT RESOLVED, that the Chief Financial Officer is hereby authorized to prepare warrants for postage payment in an amount not to exceed \$3,500.00 charged to the Tax Assessor's postage account.

**Resolution No. 26**

RESOLVED that the Chief Financial Officer be and he hereby is authorized to draw warrants to the following persons, this amount being overpaid for 2017:

Block/Lot/Qualifier Name	Property Address	Quarter/Year Amount
201/72 Shingshan, Liu \$7,575.64	5 Sunnywood Drive	4 <sup>th</sup> /2017
703/9 4 <sup>th</sup> /2017 DeVita, Anthony	945 Cleveland Avenue	\$855.26
803/15 Villane, Don <b>Mail to:</b> 2376 South Ave Scotch Plains, NJ 07076	454 Bryant Avenue	4 <sup>th</sup> /2017 \$1,448.02
2405/7 Pijanowski, Charles <b>Mail to:</b> 347 New Providence Rd Mountainside, NJ 07092	240 Orchard Street	4 <sup>th</sup> /2017 \$5,069.43

2505/2 4 <sup>th</sup> /2017 Pijanowski, Charles <b>Mail to:</b> 347 New Providence Rd Mountainside, NJ 07092	37 Cowperthwaite Place	\$5,571.34
2607/21 4 <sup>th</sup> /2017 Hegarty, Terence	544 Hort Street	\$2,399.46
2802/9 Euwer, James	242 Hyslip Avenue	4 <sup>th</sup> /2017 \$3,943.70
3010/1/C0017 Hwang, Tony <b>Mail to:</b> 1 Carriage City Plaza Apt #1413 Rahway, NJ 07065	515 Trinity Place	4 <sup>th</sup> /2017 \$1,506.00
Block/Lot/Qualifier Name 3406/1 Brian Carlson <b>Check payable &amp; mail to:</b> NFCU Tax & Escrow Attn: V Williams, B4, F3 5526 Heritage Oaks Dr Pensacola, FL 32526	Property Address 828 Fourth Avenue	Quarter/Year Amount 4 <sup>th</sup> /2017 \$12,944.40
3506/6 Gismondi, Nicholas & Mary Jane	732 Fairacres Avenue	4 <sup>th</sup> /2017 \$519.89
3507/3 Mauras, Caesar \$3,361.73 <b>Mail to:</b> 561 Topping Hill Rd Westfield, NJ 07090	738 Marcellus Drive	4 <sup>th</sup> /2017
4406/17 Biggers, Clark	761 Northgate	1 <sup>st</sup> 2 <sup>nd</sup> /2018 \$6,187.80 <u>\$6,187.79</u> \$12,375.59
5006/3 Edelson, David \$423.00	21 Manchester Drive	4 <sup>th</sup> /2017
5010/5 Danskin, Mary	112 Marlboro Street	1 <sup>st</sup> 2 <sup>nd</sup> /2018 \$2,689.86
5401/7 Mola, Francesco	108 Surrey Lane	4 <sup>th</sup> /2017 \$2,279.14
5402/21 DeCandia, Giordano	611 Ardsleigh Drive	4 <sup>th</sup> /2017 \$4,386.09
5509/6 Wong, Cheekit \$647.22	22 Moss Avenue	4 <sup>th</sup> /2017

5611/4	1516 Boulevard	1 <sup>st</sup> 2 <sup>nd</sup> 3 <sup>rd</sup> /2018
Tartaglia, Marco		\$4,884.21
<b>Check payable and mail to:</b>		\$4,884.19
Westfield Development Group, LLC		<u>\$5,478.25</u>
551 Park Ave		<u>\$15,246.65</u>
Scotch Plains, NJ 07076		
Attention: Marco Tartaglia		

**Resolution No. 27**

BE IT RESOLVED that the Town Attorney is hereby authorized to sign Stipulations of Settlement, pursuant to which the assessment for the property located at 1121 Minisink Way (Block 303, Lot 10) for the year 2017 shall be changed to \$230,000.

**Resolution No. 28**

BE IT RESOLVED that the Town Attorney is hereby authorized to sign Stipulations of Settlement, pursuant to which the assessment for the property located at 541 East Broad Street (Block 2302, Lot 29) (a) for the years 2016 and 2017 shall be changed to \$418,700 and (b) for the year 2018 shall be changed to \$400,000.

**Resolution No. 29**

BE IT RESOLVED that the Town Attorney is hereby authorized to sign Stipulations of Settlement, pursuant to which the assessment for the property located at 718 Norman Place (Block 4401, Lot 10) for the year 2017 shall be changed to \$207,900.

**Resolution No. 30**

BE IT RESOLVED that the Town Attorney is hereby authorized to sign Stipulations of Settlement, pursuant to which the assessment for the property located at 8 Max Place (Block 4702, Lot 62.04) for the year 2017 shall be changed to \$312,400.

**Resolution No. 31**

BE IT RESOLVED that the Town Attorney is hereby authorized to sign Stipulations of Settlement, pursuant to which the assessment for the property located at 288 Watchung Fork (Block 503, Lot 22) shall be changed to \$351,100 for the year 2017 and \$336,100 for the year 2018.

**Resolution No. 32**

WHEREAS, the Recreation Commission of the Town of Westfield has determined the need to increase the Westfield Memorial Pool membership rates for the 2018 season;

NOW THEREFOR BE IT RESOLVED, the Westfield Memorial Pool membership rates for 2018 are established as follows:

<b>RESIDENT:</b>	<b>2018 Rates</b>
Family (5 or more)	\$470.00
Family (4 or less)	\$380.00
Husband/Wife, Parent/Child (under 18)	
Or Domestic/Civil Union Partner	\$280.00
Individual	\$185.00
Senior	\$90.00
Family w/Child care (5 or more)	\$650.00
Family w/Child care (4 or less)	\$560.00
<b>NON-RESIDENT:</b>	<b>2018 Rates</b>
Family (5 or more)	\$740.00
Family (4 or less)	\$650.00
Husband/Wife, Parent/Child (under 18)	
Or Domestic/Civil Union Partner	\$530.00
Individual	\$350.00
Senior	\$155.00
Family w/Child care (5 or more)	\$1,085.00
Family w/Child care (4 or less)	\$995.00

Public Safety, Transportation and Parking Committee

Regarding the following ordinance, Councilman Dardia, made the following announcement:

I hereby move that an ordinance entitled, "GENERAL ORDINANCE NO. 2092 – AN ORDINANCE TO AMEND THE TOWN CODE, CHAPTER 13."

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 30th day of January 2018 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: Habgood	Nays:	Absent:
Arena		
Dardia		
Neylan		
LoGrippe		
Contract		
Stokes		
Mackey		
Mayor Brindle		

Code Review & Town Property Committee

The following resolutions, introduced by Councilwoman Mackey, Chairman of the Code Review & Town Property Committee, and seconded by Councilman LoGrippe, were unanimously adopted.

**Resolution No. 33**

WHEREAS, the Land Use Ordinance of the Town of Westfield requires the appointment of a Town employee as the Municipal Housing Liaison with responsibility for oversight and administration of the affordable housing program for the Town of Westfield; and

WHEREAS, Article 23, §23.09A of the Land Use Ordinance of the Town of Westfield lists the responsibilities of the Municipal Housing Liaison which includes the following:

1. Serving as the Town's primary point of contact for all inquiries from the State of New Jersey, affordable housing providers, administrative agents, and interested households;
2. Monitoring the status of all affordable units in the Town's Housing Element and Fair Share Plan;
3. Compiling, verifying, and submitting annual reports as may be required by COAH and reports to the Town Council at such intervals as deemed appropriate by the Council;
4. Coordinating meetings with affordable housing providers and administrative agents, as applicable;
5. Attending continuing education opportunities on affordability controls, compliance monitoring, and affirmative marketing as offered or approved by COAH or any successor thereof;

6. Supervising the administrative agent(s), if any, contracted or authorized by the Town Council to administer some or all of the affordable units in the Town;
7. Upon inquiry, providing written notice to the landlord of any affordable rental unit that an annual rent increase may be permitted in accordance with COAH and UHAC regulations; and
8. Be responsible for the additional duties listed in Article 23, §23.09B of the Land Use Ordinance of the Town of Westfield that are not specifically delegated by the Town Council to an administrative agent.

NOW, THEREFORE, BE IT RESOLVED, that Donald Sammet, PP/AICP, Westfield Town Planner be and is hereby appointed the Municipal Housing Liaison for the Town of Westfield and shall be responsible for performing the duties set forth in Article 23, §23.09A of the Land Use Ordinance; and .

BE IT FURTHER RESOLVED, that the term of this appointment is one year, commencing on January 1, 2018.

### Public Works Committee

The following resolutions, introduced by Councilman Contract, Chairman of the Public Works Committee, and seconded by Councilman Arena, were unanimously adopted.

#### **Resolution No. 34**

WHEREAS, a need existed for the contract rental of privately owned equipment for use by the Department of Public Works in the 2017 Leaf Collection Program, as provided for in Public Works account 137-246, and

WHEREAS, various contracts were awarded to the low bidders to perform the necessary work, and

WHEREAS, N.J.A.C. 5:30 provides for increases in the contract price for unanticipated adjustments through Change Order and Council Resolution, and

WHEREAS, conditions were encountered during the leaf collection program that necessitated additional work from the equipment than had been originally anticipated, and

WHEREAS, Certificate of the Town Treasurer, certifying to the availability of adequate funds for the changed contract price, as described below, prepared in accordance with N.J.A.C. 5:30 1.10 has been furnished to the Town Clerk. Expenditure of funds to be charged to Public Works Operating Account 137.

NOW THEREFORE BE IT RESOLVED, that Change Order No. 1 in the following amounts be authorized, and

Camarato Trucking	increase \$23,960.00
Ameritico Disposal	increase \$19,880.00
Frank Galbraith	increase \$15,960.00

BE IT FURTHER RESOLVED, that the proper Town Officials be, and they are hereby, authorized to make payment and to effect whatever actions are necessary in the execution and discharge of this Change Order for the 2017 Leaf Collection Program.

#### **Resolution No. 35**

WHEREAS, a need existed for the contract rental of privately owned equipment for use by the Department of Public Works in the 2017 Leaf Collection Program, as provided for in Public Works account 137-246, and

WHEREAS, various contracts were awarded to the low bidders to perform the necessary work, and

WHEREAS, N.J.A.C. 5:30 provides for increases in the contract price for unanticipated adjustments through Change Order and Council Resolution, and

WHEREAS, conditions were encountered during the leaf collection program that necessitated additional work from the equipment than had been originally anticipated, and

WHEREAS, Certificate of the Town Treasurer, certifying to the availability of adequate funds for the changed contract price, as described below, prepared in accordance with N.J.A.C. 5:30 1.10 has been furnished to the Town Clerk. Expenditure of funds to be charged to Public Works Operating Account 137.

NOW THEREFORE BE IT RESOLVED, that Change Order No. 1 in the following amount be authorized:

JESCO Inc. increase \$13,878.05

BE IT FURTHER RESOLVED, that the proper Town Officials be, and they are hereby, authorized to make payment and to effect whatever actions are necessary in the execution and discharge of this Change Order for the 2017 Leaf Collection Program.

### **Reports of Department Heads**

Report of Steve Freedman, Construction Official, showing monies collected for permits in the amount of \$94,679.00 for the month of December 2017 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 \$7,123.00 representing monies collected during the month of December 2017.

Report of Carol Salvaggio, Certified Court Administrator, stating that she had turned over to the Chief Financial Officer check in the amount of \$62,650.30 representing fines and costs collected in the Municipal Court and Violations Bureau during the month of December 2017 was received, read and ordered filed.

Report of Tara Rowley, Town Clerk, showing fee collected in the amount of \$5,507.00 during the month of December 2017 was received, read, and ordered filed.

Report of David J. Kelly, Chief of the Fire Department, showing Fees collected in December 2017 in the amount of \$3,550.00 was received, read and ordered filed.

Report of David C. Wayman, Chief of the Police Department, showing fee collecting in the amount of \$792.60 during the month of December 2017.

Reports of Henry Wang, Deputy Collector of Taxes, showing taxes total collections of tax and sewer \$26,637,755.94 during the period December 1, 2017 to December 30, 2017.

A motion to adjourn made by Councilman LoGrippe and seconded by Councilman Contract at 8:34 p.m., was unanimously carried.

Tara Rowley, RMC  
Town Clerk